



Kentucky Forest Conservation Act

How Logging Inspections Work

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Logging jobs have been inspected since July 2000 as required by the Kentucky Forest Conservation Act. This law states that commercial logging operations must have a Kentucky Master Logger on site and in charge and that appropriate Best Management Practices (BMPs) be used to help reduce water pollution. The Kentucky Master Logger requirement ensures that a logger that has been instructed on the use of appropriate BMPs and the legal requirements of the act are present on every commercial logging operation.

The Kentucky Division of Forestry's ranger/technicians are responsible for inspecting logging operations in their counties. While each logging job is unique and landscape differences exist across the state, timber harvesting pollutants and the BMPs used to help protect the waters of the commonwealth are common to all counties. This allows the rangers to use a standard inspection procedure to evaluate each logging job. This publication provides information on how a typical inspection works and is aimed at providing loggers, foresters, and landowners with information on the basics of logging inspections.



These two photographs show strikingly different examples of completed logging jobs. At left roads, skid trails and log landings have been placed in the proper location and retirement work including reshaping, building water control structures and reseeding large areas of exposed soil to prevent erosion have been completed. No problems were found when this job was inspected.

The photograph at right shows a logging operation which did not properly retire skid trails and landings. The ruts left in the skid trails increased erosion and the muddy water running into the stream continues to pollute long after the harvesting was completed. The BMPs are designed to help reduce these pollutants and help protect waters from excessive or longterm degradation.



Initial Inspection

Inspections will generally be done by Kentucky Division of Forestry forest ranger technicians. The rangers have been instructed to find and inspect logging jobs within their territories, usually 1 or 2 counties. Generally they will find logging jobs during their routine survey of the county or occasionally using aerial detection. As a courtesy the ranger will ask the landowner for permission to walk onto the job. However, the ranger does have the legal right to enter the property to enforce the Kentucky Forest Conservation Act.

Talking With the Master Logger

The first step in the inspection is talking to the firm's master logger. The master logger is the firm's representative on that job. What happens next depends on whether the master logger is present, temporarily off site, or the firm does not have a master logger on site as outlined below.

Master Logger Present

The ranger will ask to see the master logger's KML card and some type of photo I.D. The ranger will complete a form during the inspection that requires a Kentucky Master Logger's designation number. The ranger will often discuss with the master logger the boundaries and other specifics about the job before inspecting.

Master Logger Temporarily Off Site

If the master logger is temporarily off site the ranger will carry out the initial inspection and will expect the master logger back on site in a reasonable amount of time. The intent of the law is that the Kentucky Master Logger is on the job to direct operations and make sure the BMPs are installed.

Master Logger Not Available

If the logging firm does not have a master logger, or the master logger is continually offsite, then the ranger will write an **Emergency Order**. The emergency order shuts the logging job down until the inspector verifies that a master logger is on site.

Walking Over the Job

The ranger will walk over the job to make sure that the appropriate BMPs are in place or are being implemented. Examples include:

- ! stream crossings installed properly
- ! correct amount of overstory trees left in the SMZ
- ! no skidding or hauling in streams unless justified
- ! debris, including cutoffs and dirt, out of streams
- ! tree tops out of streams and lodged in the SMZ
- ! proper drainage of landings
- ! trash is not being left on site
- ! no evidence of improper fluid disposal or leakage
- ! grade on haul or skid trails not excessive
- ! water control on haul roads
- ! water bars and reseeding on closed out skid trails

Generally the ranger will be able to inspect the job during the first visit. On large jobs, or if the job is just getting started, the ranger may need to make another visit to complete the initial inspection.

What happens next depends on what is found in the initial inspection. If no problems are found the ranger will let the master logger know everything is O.K. and will give him a copy of the inspection form. The ranger will also return to complete a final inspection (see next page). It may be to the firm's advantage to let the ranger know when the job will be finished so that he can get to the job and complete the final inspection before manpower and equipment are removed. This allows the logger the opportunity to fix problems without wasting valuable time and money. See the next page for what happens if problems are found on the site.

Loggers note: The initial inspection is a good time to talk to the ranger about what he expects to find during the final inspection. For example, if you have a question about whether a certain skid trail needs to be seeded, this is the time to ask. The ranger can not actually help you apply the BMPs; however, the ranger can clarify which BMPs need to be used on the site.



Problems Found During the Initial Inspection

If appropriate BMPs are not being used the logging firm, not the master logger, will be issued a **Written Warning** describing what the problems are. The written warning will also have a reinspection date. The maximum amount of time allowed for correcting problems is 14 days, but the warning can indicate a shorter time period. The ranger will discuss these problems with the master logger. Generally, most problems will be corrected at this stage of the inspection. The written warning provides the firm an opportunity to correct problems without any fines or other problems. It is possible that the problems can be fixed either while the inspector is there or within a few days.

In the instance where an extreme water quality problem is found or the potential of one to occur is imminent an **Emergency Order** can be written which stops the operation until it can be fixed. The emergency order can be written for all or a portion of the job. The emergency order exists to ensure that long-term problems do not occur. The photograph at right shows a portion of the job where the logger skidded in the stream, dammed the stream, and overcut in the SMZ, resulting in at least three violations of the Kentucky Forest Conservation Act. These types of problems are not easily, or cheaply, fixed. This type of mess might easily call for an emergency order for this portion of the job. Regardless, this type of mess will cause problems for the operation.



Reinspection

If a written warning was issued on the initial inspection a reinspection will be completed. If the problems have been corrected the master logger will be given a copy of the inspection form and the next step will be the final inspection. If problems still exist at this time, or the firm has a problem with what the ranger has done, then an **Informal Conference** can be held with the District Forester (see last page for a list of phone numbers). Hopefully, this conference will result in a plan to get the appropriate BMPs in place. If problems are not corrected the operation will be subject to other enforcement actions (see below).

Final Inspection

During or near the end of a job the ranger will complete a final inspection. If problems are found a written warning will be issued and the firm will have up to 2 weeks to fix the problems, just as was the case with the initial inspection. If no problems are found then the firm is clear of the job. If the ranger shows up for the final inspection and the logger has left the site he will still complete a final inspection. If problems are found the ranger can make the firm come back and fix the problem. This is why it might be prudent to call the ranger before leaving the job.



What If Problems Are Not Fixed?

If problems continue past the written warning stage, a **Notice of Violation** will be issued. If the problems are not corrected after the notice of violation a **Special Order** will be issued which will stop all or a portion of the operation until the problems are corrected. If the problems are not corrected after the special order has been issued the state will ask for an administrative hearing where fines up to \$1,000 per violation might be assessed and designation as a **“Bad Actor”** may occur. Names of Bad Actor firms are required to be provided to the public.

Jobs Where No Inspector Showed Up

Occasionally a timber harvesting operation may start and finish without an inspection. If the ranger locates a job that has already been closed-out, an inspection will still be completed. If a water quality problem is found, information on the site will be turned over to the Kentucky Division of Water. They will inspect the job, looking for water quality and floodplain problems and if they are found, the logger and the landowner can be cited. It is important to remember that water quality and floodplain laws administered by the Kentucky Division of Water are still in effect for logging operations. Examples of situations where citations could be given are where mud is entering the stream, the stream is dammed, tops or other debris cause blockage, or where tops can get into the stream.

You have left the site before the ranger inspects.



Kentucky Division of Forestry Districts

If you are having problems with an inspection or need to contact your ranger, call the Kentucky Division of Forestry district office that handles your county.

NORTHEASTERN Morehead (800) 866-0052

Bath	Boyd	Carter	Clark
Elliott	Fleming	Greenup	Lewis
Mason	Menifee	Montgomery	Morgan
Nicholas	Robertson	Rowan	

SOUTHEASTERN Pineville (800) 866-0504

Bell	Clay	Harlan	Jackson
Knox	Laurel	Leslie	McCreary
Rockcastle	Whitley		

CENTRAL Elizabethtown (800) 550-6601

Allen	Barren	Breckinridge	Bullitt
Edmonson	Hancock	Hardin	Hart
Jefferson	Larue	Meade	Nelson
Simpson	Spencer	Warren	

EASTERN Betsy Layne (800) 866-0048

Floyd	Grayson	Johnson	Lawrence
Magoffin	Martin	Pike	

BLUEGRASS Stamping Ground (800) 866-0876

Anderson	Boone	Bourbon	Bracken
Campbell	Carroll	Fayette	Franklin
Gallatin	Garrard	Grant	Harrison
Henry	Jessamine	Kenton	Madison
Oldham	Owen	Pendleton	Scott
Shelby	Trimble	Woodford	

GREEN RIVER Madisonville (800) 866-0770

Butler	Christian	Daviess	Henderson
Hopkins	Logan	McLean	Muhlenburg
Ohio	Todd	Union	Webster

KENTUCKY RIVER Hazard (800) 866-0503

Breathitt	Estill	Knott	Lee
Letcher	Owsley	Perry	Powell
Wolfe			

SOUTH CENTRAL Campbellsville (800) 866-1007

Adair	Boyle	Casey	Clinton
Cumberland	Green	Lincoln	Marion
Mercer	Metcalfe	Monroe	Pulaski
Russell	Taylor	Washington	Wayne

WESTERN Mayfield (800) 866-0802

Ballard	Caldwell	Calloway	Carlisle
Crittenden	Fulton	Graves	Hickman
Livingston	Lyon	McCracken	Marshall
Trigg			

(J. Stringer 2.5M 10/00)

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