

Georgia Department of Natural Resources Policy on Salvage Logging

Application and Application Procedures

Applications for a salvage logging permit will be accepted by the Department during the application period. The initial application period will be from January 2, 2006 through January 20, 2006. After March 1, applications will be accepted on a first-come, first served basis.

Applications for a salvage logging permit will be made using an application form provided by the Department. Applications may not be submitted by the same applicant for adjacent river segments. A separate application is required for each two-mile noncontiguous river segment in which the applicant proposes to conduct salvage logging.

The Department will divide each river into consecutive two-mile segments, and provide a designation for each. This two mile segment will be measured as a full two miles, and does not include protected areas of the river set aside during the initial delineation of the river segments for the salvage logging program. Applicants will indicate which two mile segment is applied for using this designation. In accordance with all laws, rules, policies, and permit conditions, salvage logging permits allow exclusive recovery of deadhead logs within the assigned river section, but does not grant approval for other activities, or preclude persons from conducting other activities within this river section.

If the Department finds there are multiple proposals for salvage in the same river segment (arriving during the initial application period, or on the same day after this period), the Department will conduct a random drawing to determine which applicant will be awarded a permit for that river segment. For the initial application period, beginning with segment 1 and progressing downstream, competing applications will be randomly selected. The winning applicant may not compete against the losing applicants for future river segments, until each losing applicant has been awarded a river segment. For applications arriving after the initial application period, applications will be awarded on a first-come, first served basis, except that a random drawing will be used to determine which applicant will receive a river segment if applications are received on the same day for the same segment.

All information required by the Department on the application must be submitted. The application form will require a plan outlining the specific river segment, objectives, scope, methods of recovery of deadhead logs, and other details the Department deems necessary. A description of safety equipment as specified in the Code of Federal Regulations title 46 Subchapter C Parts 24-28 must be included.

Salvage logging permits will be good for one year from the date of issuance, except that all permits will expire on January 1, 2008.

Applications for permit renewal may be made at any time while the permit is active. After a permit expires, applications for that particular river segment will be on a first come, first served basis, or as described in this policy if applications are received on the same day.

The Department will make a determination whether the application is complete, and if not, the applicant will be notified of what additional information needs to be submitted. The applicant will have five working days to provide the requested information, after which the application will not be considered if there are other complete competing requests for the same river segment.

Incorrect information submitted in conjunction with an application for a salvage logging permit, or failure to abide by terms and conditions of the permit, will constitute grounds for revocation of the permit. Permits are not transferable.

Within ten days after the pre-recovery assessment, and before any log retrieval activities take place, the Department must receive a \$10,000 permit fee from the applicant. The number of days may be extended at the discretion of the Department for such things as environmental reviews including mussel surveys, receipt of any necessary federal or other permits, time to answer questions raised by the Department or the applicant, etc. Before any logs are retrieved, the applicant has the option of withdrawing their application (and receiving a full refund of their application fee if paid), based on information collected during the pre-recovery assessment, information gained from environmental surveys, or for other reasons.

Areas Open for Log Recovery

The main stem of the Altamaha River, and the main stem of the Flint River from the Broad Street Bridge in Albany to Lake Seminole, are open to salvage logging, except for protected areas within these river reaches. These protected areas include river segments identified by the Department for species and habitat protection, areas with potential recreational conflicts, areas with possible contamination, areas with known archeological resources, or areas protected for other reasons. The Department will maintain a list and description of these protected areas. The Department may add to, extend, or reduce protected areas as additional information becomes available. River segments will not be re-drawn or re-designated if additional protected areas are identified.

In addition to protected areas described above, additional areas within each permitted two mile stream reach may be identified during the field assessment that will be mapped and/or marked as off limits to log recovery based on criteria described in this policy.

Oxbow lakes, sloughs, and other parts or tributaries of the Flint or Altamaha River are not open to salvage logging.

Seasonal closures - log recovery will not be allowed from the Altamaha River upstream of the U.S. Highway 84 bridge (near Doctortown) during sturgeon spawning season (February 1 through April 31), and recovery will not be allowed in the Altamaha River downstream of Altamaha River Park between July 1 and September 31 (thermal refuge habitat protection).

Pre-recovery Field Assessment

Prior to granting any permit under this Code section, the Department will conduct a pre-recovery assessment of the proposed log recovery site, and log take-out and off-loading site(s). The Department employee(s) and/or representative(s) conducting the assessment will be accompanied by the applicant or a designated representative.

Consideration of risks to federal and state endangered and threatened species, risks to other important aquatic species and habitat, and risks to archeological resources will be taken into account during the pre-recovery assessment.

During the assessment, habitat, bank stability, sand bars, boat ramp conditions, archeological resources, and other relative factors shall be noted and areas where recovery of deadhead logs is specifically restricted shall be mapped, and/or flagged on site, and will be photographically documented. GPS coordinates for each photo will be established for comparison during future inspections. The permittee is required to have a copy of the map showing restrictions during recovery operations.

Recovery of deadhead logs will be prohibited from stream reaches where woody debris is extremely limited, as site-specifically determined during the pre-recovery assessment. Alternately, during the pre-recovery assessment, the Department representative may specify a minimum number of logs that must remain in the river.

The presence of vegetated bottoms will be documented. No deadhead recovery is allowed from stretches of river with vegetated bottoms.

Deadhead recovery will not be allowed within 20 feet perpendicular to vertical or steeply sloping riverbanks. Recovery will not be allowed if any part of the deadhead log is embedded in the stream bank, regardless of the slope of the riverbank. Restrictions more stringent than these may be noted during the pre-recovery assessment. Recovery will not be allowed within 100 feet of any seawall, bulkhead, or dock.

Recovery is not allowed from waters adjacent to boat ramps, public parks, fishing access areas, or other public use areas. No recovery will be allowed in and adjacent to important fish or mussel habitat such as cold water springs, shoals, sand bars, and other similar areas. No recovery will be allowed in and adjacent to areas containing archeological resources.

The department may specify required studies where state or federal endangered species may be present, where submerged cultural resources may be found, to investigate wildlife habitat or outdoor recreation issues, or to address other scientific or archaeological issues.

On the Flint River, a pre-recovery survey for federally listed mussels must be conducted by a Department approved person or entity before recovery operations are authorized. If federally listed mussel species are present in the immediate vicinity (downstream within 300 feet or upstream within 200 feet) of the logs to be recovered, then U.S. Fish and Wildlife Service guidelines for log removal will be followed.

Recovery Operations

No disturbance (pulling, cutting, removal, etc.) of natural snags (woody debris) is allowed during any aspect of deadhead log recovery.

The permittee will be trained in practical environmental aspects during the pre-recovery assessment and during the formal training session.

Public access of river, boat ramps, and other public use areas will be maintained during deadhead operations. Recovery operations may not block boat traffic.

Logs will be pulled and floated - no dragging on river bottom allowed.

Removal of logs shall be accomplished by winching and hoisting. There shall be no dredging or filling associated with the extraction of logs other than that physically required to attach winch and hoist devices to logs. No blowing of silt or sand will be allowed.

Private landings or privately owned river-bank areas for off-loading are strongly preferred. The off-loading location must be described in the application and examined during the pre-recovery assessment. If use of a publicly owned boat ramps is approved, then recovery operations will not block or interfere with the public's use of the boat ramp. It is the permittee's responsibility to secure permission from owners of private boat ramps or other lands. The off-loading and retrieval area(s) shall be reasonably located to minimize the transport distance of salvaged logs on the river.

The Department will approve off-loading and storage locations. BMPs must be used to minimize erosion during off-loading and at the retrieval area. Restoration of the off-loading and retrieval area is mandatory, and restoration activities will occur using appropriate native materials.

A flotation device shall be used to transport logs to protect the submerged river bottom from damage. No recovery will be allowed when water depths are insufficient to float the recovered timber.

In shallow waters where there is a high sediment oxygen demand, recovery is permitted only when temperatures are sufficiently low and water levels are adequate to prevent low dissolved oxygen levels (less than 5 mg/L) from occurring.

The logger shall post copies of the permit and use agreement in weather-resistant displays, both upstream and downstream from recovery operations, to inform the public that said operation is authorized. The Department will provide a phone number that must be placed on the display for persons to call if they have questions.

Log recovery operations may not be active on weekends or state holidays

All cables, anchor lines, winches, buoys, and other log recovery equipment must be removed before sunset, and may not be replaced before sunrise.

Retrieved logs may not be stored in the river or on public lands without express permission from the Department. No permission will be provided if the logs block public access or cause damage to public property.

No permanent or temporary structure may be erected on public lands or water column above.

There is a limit of four persons on each log recovery team. Under a single permit, there is a limit of two recovery teams of four persons at locations separated by at least 1000 feet.

If buoys are used to mark logs for recovery, a maximum of 10 buoys at any time may be present. Buoys must be highly visible.

Permittees must notify DNR on last business day of the week prior to the beginning of recovery operations the following week.

The permittee will be held responsible for any damage attributed to private and/or public property that has ensued due to deadhead logging activity.

Inspections

Each operation shall receive a minimum of one inspection per month by Department personnel or their representatives.

During the pre-recovery assessment, logs that are prohibited from recovery may be marked with a “do not disturb” brand for compliance checking at the off-loading site.

Off-loading sites will be randomly inspected for presence of natural woody debris or prohibited logs.

Operators failing to abide by all Department policies on salvage logging shall have their use permit revoked, and/or be fined, and/or their bond called, depending on the nature or severity of the offense.

Permit

The Department’s salvage logging permit will be in the form of a contract between the Department and the applicant, and will contain conditions under which salvage logging will be permitted. No salvage operations shall commence until the signed authorizations are received by the Department and the applicant has met all applicable conditions including obtaining all applicable state and federal requirements. All log salvage operations shall comply with all applicable laws and regulations of any Federal, State or local authority having jurisdiction.

Archeological Resources

No logs may be removed or the area disturbed that are part of an archeological site as determined by the Department or other governmental agency. Such sites shall include but not be limited to all prehistoric and historic sites, ruins, artifacts, treasure, treasure-trove, and shipwrecks or vessels and their cargo or tackle, and similar sites and objects. This includes dugout canoes, cribs, wharves, and weirs.

There will be no log recovery within 300 feet of known or identified archeological or historically significant sites.

There will be no removal or disturbance of prehistoric or historic artifacts from the river bottom. It is the responsibility of the applicant to ensure that the salvaged logs are not part of such a site and to contact the Georgia Historic Preservation Division in the event that archeological or heritage sites are encountered. The permittee should note the artifact or other cultural evidence, record the river-mile or GPS coordinates, take photographs of the adjacent river bank and transmit this information to the Georgia Historic Preservation Division (Underwater Archeologist, 404/656-2840).

No modified logs, such as dugout canoes; logs with attached or associated rings, hardware or tackle; or logs with other modifications may be removed.

Bond

Applicants must post a bond with the Commissioner in the form of government securities, cash, irrevocable letter of credit, or any combination, of \$50,000.00 per permitted river segment. If the applicant does not comply with applicable Georgia law, rules of the Board, or the conditions of the permit after issuance, the Commissioner may call the bond or any part thereof to be forfeited and, among other things, may use the proceeds to repair damage or otherwise bring the operation into compliance. Upon amendment of a permit, a new or amended bond shall be posted to cover the amended conditions of the permit.

Consideration (Compensation)

The permittee shall pay the Department compensation for the logs in an amount not less than the amount determined by the Board. Total compensation will be calculated by multiplying the number of board foot of lumber in a log calculated using the Scribner C log scale by the compensation rate determined by the Department.

The State shall retain title to any deadhead logs recovered until the permittee has paid the compensation to the Department.

Recovered logs may not be removed from the off-loading site until they are scaled, and tagged or otherwise accounted for by the Department or their designated representative. Department staff or their designated representatives will be made available up to two times per week on a prearranged basis to scale and tag or account for logs.

The Department will receive payment within 30 days for recovered logs taken from the off-loading area.

A penalty for late payment will be assessed and paid at a rate of 2% per day. All salvage activities shall cease, unless the Department has given specific written permission to allow the operation to continue, and only under any conditions imposed as part of that permission. If the Department has not received payment of all sums due within 30 days of the due date, the Department may revoke all salvage logging permits issued to the permittee, deduct all amounts owed from the applicable bond held by the Department, take possession of any logs that have been salvaged, and/or take any other steps allowed under the law.

If the permittee fails or refuses to pay to the department the amount due as consideration within 60 days of recovery, the recovered deadhead logs may be disposed of by the Department pursuant to the provisions for disposition of surplus property under Article 4 of Chapter 5 of Title 50.

Training

The Department will develop a log recovery training program in the practical aspects of environmental and archeological protection. All persons with a salvage logging permit (or their designated representative) must attend this training before salvage operations may begin. Persons will be certified as a "Certified Deadhead Logger" after successfully completing

training. Additional training will be offered and required as needed. At least one trained “Certified Deadhead Logger” will be present within a river section at all times during recovery operations.