



## Sample Best Management Practice

### Timber Harvest Contract Language

#### Things to consider:

- The heavy equipment used for logging can be rough on the land. Include language so your buyer minimizes damage and restores the land after cutting to a reasonable semblance of pre-harvest conditions.
- Buyers should leave access roads, landing and skid trails in operable condition after cutting. Include language so your buyer installs or restores waterbars and other erosion control devices.

#### Good Best Management Practices (BMPs) involve the following:

- Having and carrying out a good plan at stream crossings, including obtaining necessary permits.
- Pausing work during times when mud and erosion threaten trail, soil, and water quality.
- Placing and maintaining a few critical waterbars during a harvest.
- Keeping heavy equipment out of spring seeps, riparian areas and spots with wet soil.
- Placing enough functioning waterbars on trails at the end of a harvest to stabilize them.
- Draining, smoothing and placing seed and hay on landings at the end of a harvest.

#### You can include BMP language in your timber sale contract in 3 ways:

1. Require that the State Forestry BMP field guide be followed.
2. List specific BMPs to be used/ installed.
3. Use a combination of the above. (Recommended)

#### Possible contract clauses to help control erosion and protect water quality are below. Work with your consulting forester to include similar language in your next timber sale contract:

“Buyer agrees to follow New York’s Best Management Practices as outlined in the *New York State Forestry Best Management Practices for Water Quality* field guide.”

“Buyer agrees to carry out all operations in compliance with all applicable federal, state, and local laws and regulations. The Buyer is responsible for obtaining any and all permits that may be required.”



“Buyer agrees to repair damage caused to ditches, fences, bridges, roads, trails, or other improvements damaged beyond ordinary wear and tear.”

“Operations may be stopped if weather conditions result in mud and erosion problems which threaten to degrade trail, soil and water quality.”

“Flagging will serve to mark the main skidtrails to be used or developed for equipment access to this harvest area. These skidtrails must be maintained in a passable condition throughout the operation. The Buyer or contractor may not develop new skid roads without prior approval from the Seller and his/her Agent.”

“Buyer will exercise care to avoid equipment operation in spring seeps, riparian areas, and spots with wet soil conditions.”

“At closeout skidtrails and haul roads will be stabilized and protected following BMP guidelines. All rutted areas will be leveled and returned to grade. Waterbars and broad based dips will be installed as specified to divert water from skid trail surfaces. Ditches and culverts will be restored to pre-harvest condition.”

“At closeout log landing areas will be drained, smoothed and left free of any logging debris and foreign material. Examples include but are not limited to chains, tires, trash, lunch wrappings, batteries, oil containers, and cables. Unused forest products, logs, log butts, tree limbs and the like will be removed from landings unless otherwise specified. Landings will be seeded and hay spread on them.”