

250-RICR-70-00-5

TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CHAPTER 70 – DIVISION OF FOREST ENVIRONMENT

SUBCHAPTER 00 - N/A

PART 5 – Rules and Regulations for Woods Operators Registration Fee and Intent to Cut Fee

5.1 Purpose

The purpose of these rules and regulations is to govern commercial wood cutting operations upon all forested lands in Rhode Island.

5.2 Authority

These rules and regulations are promulgated pursuant to Chapters 2-10, State Forestry and Forestry Projects, 2-15, Protection of Trees and Plants Generally, and Chapter 42-17.1, Environmental Management, and in accordance with Chapter 42-35, Administrative Procedures, of the R.I. Gen. Laws.

5.3 Application

The terms and provisions of these rules and regulations shall be liberally construed to permit the Department to effectuate the purposes of state law, goals, and policies.

5.4 Severability

If any provision of these Rules and Regulations, or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected thereby.

5.5 Superseded Rules and Regulations

On the effective date of these Rules and Regulations, all previous Rules and Regulations, and any policies regarding the administration and enforcement of Chapters 42-35, 2-10, and 2-15, of the R.I. Gen. Laws, shall be superseded. However, any enforcement action taken by, or application submitted to, the Department prior to the effective date of these Rules and Regulations shall be governed by the Rules and Regulations in effect at the time the enforcement action was taken, or the application filed.

5.6 Wood Operators Registration Fee

The annual fee for a person, firm, or corporation to register as a woods operator as specified in R.I. Gen. Laws § 2-15-1, shall be twenty five dollars (\$25.00).

5.7 Fee for Filing of Intent to Cut Notice

- A. As provided in R.I. Gen. Laws § 2-15-2, the Department shall charge an administrative fee of twenty-five dollars (\$25.00) for a duly registered Woods Operator to file a notification of intent to cut or saw.
- B. Where two or more contiguous parcels are owned by the same individual, entity, partnership, or corporation, and all such parcels are to cut or sawn at the same time; a woods operator shall pay a single fee of twenty-five dollars (\$25.00) to file one notification of intent to cut or saw with the Department.
- C. Where properties owned by one individual, entity, partnership, or corporation are not contiguous, or where contiguous properties are not owned by the same person, entity, partnership, or corporation; a separate notification of intent to cut or saw and twenty five dollar (\$25.00) fee shall be submitted for each such parcel, whether or not they will be cut or sawn during the same time period.
- D. Failure to submit full payment of the administrative fee with the notification of intent to cut or saw will render the notice insufficient for the purpose of notification as required in R.I. Gen. Laws § 2-15-2.
- E. Neither a notification of intent to cut or saw, nor the twenty-five dollar (\$25.00) administrative fee shall be required when the cutting or sawing will take place entirely on state property administered and managed by the Department of Environmental Management.