

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Division of Forest Environment**

**WOODS OPERATORS REGISTRATION FEE AND INTENT TO
CUT FEE**



September 22, 2004

Regulation Short Title:
Woods Operators Regulations

AUTHORITY: These regulations are adopted pursuant to Chapters 2-10-3.1, 2-15-1, 2-15-2, 42-35, and 42-17.1 of the Rhode Island General Laws of 1956, as amended.

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RULE 1. PURPOSE

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

RULE 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 § 42-35, Administrative Procedures, of the Rhode Island General Laws of 1956, as amended.

RULE 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.

RULE 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.

RULE 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 SUPERSEDED RULES AND REGULATIONS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Rules and Regulations, and any policies regarding the administration and enforcement of 42-35, 2-10, and 2-15, shall be superseded.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.

RULE 6. WOODS OPERATORS REGISTRATION FEE

- 6.1 The annual fee for a person, firm, or corporation to register as a woods operator as specified in Chapter 2-15-1 of the General Laws of Rhode Island, as amended 1956, shall be twenty five dollars (\$25.00).

RULE 7. FEE FOR FILING OF INTENT TO SAW OR CUT NOTICE

- 7.1 As provided in Chapter 2-15-2 of the General Laws of Rhode Island, as amended 1956, 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.

- 7.2 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.
- 7.3 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.
- 7.4 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 Chapter 2-15-2 of the General Laws of Rhode Island, as amended 1956.
- 7.5 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.

RULE 8. EFFECTIVE DATE

These Rules and Regulations shall take effect twenty (20) days after filing with the secretary of State's Office.

The foregoing "Rules and Regulations GOVERNING ", after due notice, are hereby adopted and filed with the Secretary of State this _____ day of _____, 20__ to become effective twenty (20) days thereafter, in accordance with the provisions of Chapters 2-10-1.3, 2-15-1, 2-15-2, 42-35, 42-17.1, 42-17.6, of the General Laws of Rhode Island of 1956, as amended.

Frederick J. Vincent, Acting Director
Department of Environmental Management

Notice Given on: July 12, 2004

Public Hearing held: None requested

Filing Date: 09/02/04

Effective Date: 09/22/04