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WETLANDS DEMYSTIFIED

Timber Harvests and the Protection of Wetlands & Watercourses, Part II

By Paul Hennen

In my last article I briefly addressed timber harvests regardless of wetlands impact as a “Matter of Right” under Connecticut’s Wetlands Act. That notwithstanding, foresters must come to Pomfret’s Wetlands Agency to obtain a valid wetlands permit that involves any activity in a regulated area. While a matter of right, the focus of laws and regulations pertaining to timber harvests is to “protect and conserve Connecticut’s forest resources”. How is this done? The answer is two fold. By law there are conditions under which an individual is required to have a forest practioners certification to insure that our forests are protected. The second is required best management practices designed to reduce impact on wetlands and watercourses by timber harvest activities. The remainder of this article will discuss, again in brief terms, the State certification process to insure that only qualified individuals are involved.

Under current law as implemented by the Connecticut Department of Environmental Protection, any person who solicits contracts or engages in commercial forest practices at any time must have the appropriate certification granted by the DEP. There are exceptions however. If a person only participates in a timber harvest, they may do so as long as a qualified forest practioner is present to provide on-site supervision. The second exception applies to individuals or operations that convert forestland to other uses provided the conversion has been approved by the appropriate land use commission and/or agency. As I mentioned in Part I not everyone who cuts a tree requires certification. Activities that do not involve a forestland such as the average home owner, Christmas tree farm operator or nurseryman may require other permits, but they are not required to be certified foresters under present State rules.

There are three levels of certification. Each level allows specific activities under the law. I will not go into great detail to describe each level, but a fundamental understanding of these responsibilities is important if wetlands and watercourses are to be protected. If a person is qualified as a “Forester” the practioner may design and manage the timber harvest. Such individuals may enter into contracts with landowners and supervise and participate in the harvesting operation. The second level of forest practioner is known as a “ Supervising Forest Products Harvester”. Individuals with these qualifications may become involved in contracts to purchase commercial timber harvest products, supervise and participate in the harvesting operation, mark trees to be cut and design a harvest plan. The lowest level of certification is the “Forest Products Harvester”. This certification allows a person to participate in commercial harvest operations and provide on-site supervision to two uncertified people participating in the timber harvest operation. At this point one might ask how all of this relates to wetlands and watercourses? The answer is that the average homeowner is not qualified to design a harvest plan and access routes that minimize wetlands impacts. The felling of trees requires skill if

wetlands or watercourse damage is to be avoided. Erosion and sedimentation control and stream crossings may be major considerations as well.

In my next article I will address in more detail the harvest plan and those best management practices required to protect our Town's forested water resources.