



Henry County Environmental Compliance and Plan Review Department

140 Henry Parkway

McDonough, Georgia 30253

(770) 288-6064; Fax (770) 288-6187



TIMBERLANDS DECLARATION STATEMENT

To the Henry County Environmental Compliance and Plan Review Department: In accordance with the provisions of Section 5.03.00 of the Unified Land Development Code (ULDC) of Henry County which is entitled **Tree and Vegetation Protection**, I hereby submit this Timberlands Declaration Statement declaring the property described herein as lands designated for timbering purposes.

Name of Property Owner(s): _____

Mailing Address of Property Owner(s): _____

City, State and Zip Code: _____

Property Location (Street, Route, City, State & Zip: Hwy., etc.): _____

Gross No. of acres included in this Declaration Statement: _____

District Land Lot Sublot & Block Recorded Deed Book & Page _____

Total no. of acres to be Timbered: _____

Proposed Date of Cutting or Tree Removal: _____

Actual Date of Cutting or Tree Removal: _____

24-Hour Contact Name: _____

24-Hour Contact Number: _____

For Environmental Compliance and Plan Review Department Use Only

Map & Parcel Number: _____

Tax District: _____ Date Submitted: _____

Proposed Date of Cutting or Tree Removal: _____

Actual Date of Cutting or Tree Removal: _____

Date Timberland Declaration/Statement Begins: _____

Date Timberland Declaration/Statement Ends: _____

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PERMITS FOR TIMBER REMOVAL

Applications for permits for timber removal shall follow the requirements of either 1 or 2 below:

1. A parcel that has been declared silvicultural shall provide the information in paragraphs (a) through (e) below, along with the Timberlands Declaration:
 - a. A certificate from the Tax Assessor indicating agricultural preference (Call 770-288-7999 for more information).
 - b. A forest management plan, demonstrating compliance with the erosion control standards set forth in Section 8.05.00;
 - c. A commitment to follow the Georgia Forestry Commission's "Best Management Practices"; and
 - d. A commitment to reforestation of the site.
 - e. Upon approval by the County, a combined timber removal and logging permit shall be issued.

2. Land that has been designated silvicultural may subsequently be developed, provided that a development plan has been prepared and approved by the administrator **PRIOR** to any clearing, grading, clear-cutting, or other land disturbance. Where a development plan has been approved, a land disturbance and timber removal permit may be issued by the County pursuant to procedures for land disturbance permits in Section 12.02.06(E), (F), and (G) of the ULDC.

Timberland Declaration Statement Agreement

In consideration of receiving an exemption from the requirements for tree protection in Henry County, as contained in Section 5.03.00 of the Unified Land Development Code (ULDC) of Henry County, Georgia, the undersigned, does hereby solemnly swear, covenant and agree as follows:

1. I am a natural or naturalized citizen and the lawful owner of the property described on this document or if said property is owned by an estate, family farm entity, trust, nonprofit organization, partnership, or corporation for profit, I am duly authorized to execute this document on behalf of such organization, entity, and/or ownership.

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2. In submitting this Declaration/Statement, I hereby agree to notify the Henry County Environmental Compliance and Plan Review Department of the date of completion of the removal of the trees on the property described on this document.

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3. I hereby agree that prior to the harvesting of any trees from the property described on this document that a logging permit will be obtained from the Henry County Department of Transportation (770-288-7623).

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4. I understand that in harvesting any trees upon the property described on this document that I will be required to take all necessary steps to ensure the protection of soil and water resources as required by Section 8.05.00, and that I must provide special attention to avoid the sedimentation of streams and other waterways.

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5. I further understand that in harvesting any trees upon the property described on this document that I will be required to follow the Georgia Forestry Commission's "Best Management Practices" to protect water quality, wildlife habitat and vegetative cover as referenced in the **Tree and Vegetation Protection** of Henry County, Georgia, including, but not limited to the following:

- A. Analyze and plan site preparation, taking into account all aspects of streamside management zones.
- B. Avoid the cutting of roads or trails unless absolutely necessary. If roads/trails are necessary, do not locate them on ridge-tops and avoid use of soft roads/trails during wet ground conditions.
- C. Avoid harrowing, root raking, or bulldozing.
- D. When forestry activities are completed for a particular period of time, temporary access roads shall be retired. This includes reshaping, mulching, and seeding, in combination with water bars.

E. Leave logging debris on exposed soil, dry washes, and at points of concentrated drainage from skid trails and road. Do not pile debris in live or wet-weather streams.

F. Do not service logging equipment where it will have an impact on soil or water quality.

G. Skidding on steep slopes shall be done on a gradual grade rather than straight up the slope, and skidding shall be alternated between several skidding trails to minimize soil exposure and disturbance.

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6. I understand that a violation of any provision of the **Tree and Vegetation Protection** of Henry County, Georgia which has been provided to me by the Henry County Environmental Compliance and Plan Review Department in conjunction with my submission of this agreement can result in criminal penalties, the cessation of any and all work being conducted upon the property described in this document, and the denial of a certificate of occupancy for any structure constructed or placed thereon.

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7. I expressly state that all information provided on this Declaration Statement is true, correct, and complete, and agree that I will supplement this Declaration Statement with updated information (i.e., date of completion of removal of trees) within 10 business days of such activity.

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Authorized Signature

Date Filed

Sworn to and subscribed before me
this _____ day of _____, _____.

Notary Public

Approved By: Henry County Environmental Compliance
and Plan Review Department

Date

Practices” as set forth in paragraph (E) below.

- C. Land that has been designated silviculture may subsequently be developed, provided that a development plan has been prepared and approved by the administrator prior to any clearing, grading, clear-cutting, or other land disturbance. The purpose of the development plan is to ensure that cutting or harvesting of trees occurs in such a manner as to avoid the practice called “clear-cutting” prior to any subsequent development.
- D. Prior to clearing, harvesting, or cutting trees, or any grading or land disturbance, a combined timbering and logging permit shall be obtained from the County, according to procedures set forth in Section 12.02.06(H). The development plan shall include a forest management plan for the timberlands site. The management plan shall demonstrate compliance with erosion control standards set forth in Section 8.05.00, protection of soil and water resources, and compliance with best management practices.
- E. Georgia Forestry Commission’s “Best Management Practices” (BMPs) include, but are not limited to:
 - 1. Analyze and plan site preparation, taking into account all aspects of streamside management zones.
 - 2. Avoid the cutting of roads or trails unless absolutely necessary. If roads/trails are necessary, do not locate them on ridge-tops and avoid use of soft roads/trails during wet ground conditions.
 - 3. Avoid harrowing, root raking, or bulldozing.
 - 4. When forestry activities are completed for a particular period of time, temporary access roads shall be retired. This includes reshaping, mulching, and seeding, in combination with water bars.
 - 5. Leave logging debris on exposed soil, dry washes, and at points of concentrated drainage from skid trails and road. Do not pile debris in live or wet-weather streams.
 - 6. Do not service logging equipment where it will have an impact on soil or water quality.
 - 7. Skidding on steep slopes shall be done on a gradual grade rather than straight up the slope, and skidding shall be alternated between several skidding trails to minimize soil exposure and disturbance.
- F. In addition to the BMP’s set forth above and by the Georgia Forestry Commission, the property owner shall not conduct any other land disturbing activities for a period of three (3) years after the completion of such forestry practices. (See Section 8.05.01(A)(6))

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5.03.04 Exemptions

The following situations are exempt from the provisions of Section 5.03.00.

- A. Individual homeowners within platted subdivisions. The exemption does not include an exemption from requirements for protective buffers along streams, creeks, and reservoirs as set forth in Chapter 3.
- B. All properties for which a covenant has been established with the Henry County Board of Tax Assessors, pursuant to sections 48-5-7.1 and 48-5-7.4 of the O.C.O.G., shall be exempt from the terms of this ordinance so long as such covenant has not been breached and/or remains in effect.
- C. The following situations within all residential districts shall also be exempted:
 - 1. Where the addition to a principal structure will constitute structural and exterior changes to the home.
 - 2. Where the construction of an accessory structure(s) and/or uses including, but not limited to, swimming pools and tennis courts, is permitted, including an accessory residential living facility (a.k.a. quest quarters).
 - 3. The removal of diseased, deceased, infested or dying trees, or living pine trees or other trees which may pose a danger to an existing or proposed home, or other structure.
 - 4. Mass grading is allowed for lots 10,890 square feet or smaller.

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8.05.00 EROSION AND SEDIMENTATION CONTROL

8.05.01 Applicability

- A. This section shall apply to any land-disturbing activity undertaken by any person on any land except for the following:
 - 1. Surface mining, as the same is defined in O.C.G.A. 12-4-72, "Mineral Resources and Caves Act";
 - 2. Granite quarrying and land clearing for such quarrying;
 - 3. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion;
 - 4. The construction of single-family residences, when such construction disturbs less than one (1) acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in Section 8.05.03 and this paragraph;
 - 5. Agricultural operations as defined in O.C.G.A. 1-3-3, "definitions", to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock,

including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;

6. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Section 8.05.02(C)15 & (D), no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three (3) years after completion of such forestry practices;
 7. Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture (USDA), and meets the standards within the Manual for Erosion and Sediment Control in Georgia or the USDA-NRCS Georgia Field Office Technical Guide;
 8. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of Department of Transportation or State Tollway Authority which disturb one (1) or more contiguous acres of land shall be subject to provisions of O.C.G.A. 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the County. The county shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
 9. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the County shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and
 10. Any public water system reservoir.
- B. Except for construction of single-family residences, where compliance with Section 8.05.02 is required, the Division Director or designee shall enforce compliance with the minimum

requirements as if a permit had been issued. Violations shall be subject to the penalties set forth in Chapter 12.

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