

Policy and Procedure 18-2 Harvest Inspections

Issued By:	Robert W. Farrell, State Forester
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Codes/Mandates:	Code of Virginia: §2.2-4000A ; §10.1-1181.1 through §10.1-1181.7 ; §10.1-1162 through §10.1-1169 ; §62.1-194.2
References:	Virginia’s Forestry Best Management Practices for Water Quality Technical Guide Virginia’s Forestry Best Management Practices for Water Quality Field Guide
Forms:	IFRIS Harvest Inspection Report [Form 18.2 Harvest Inspection] <i>Form may be used as a backup if IFRIS is unavailable or as a worksheet to collect information for IFRIS; information must be entered into IFRIS.</i>

CONTENTS

PURPOSE	1
POLICY	1
DEFINITIONS	1
PROCEDURES	2
Inspection Process	2
Right to Inspect	2
Landowner Denies Access	2
What to Inspect.....	2
When to Inspect.....	2
Pre-Inspection Notification	2
Complete Inspection	3
Water Quality Concern Identified.....	3
Linear Infrastructure Land Conversion Projects	3
AUTHORITY	3
INTERPRETATION	3
APPROVAL	3

PURPOSE

To protect and conserve the waters of the Commonwealth by recording information concerning harvesting operations; to ensure compliance with the Silvicultural Water Quality Law, the Debris in Streams Law and the Seed Tree Law, and to provide for consistency in reporting of law activities.

POLICY

The Virginia Department of Forestry is committed to ensuring the protection of Virginia’s water resources during harvest operations. The Agency is required to inspect all commercial harvesting operations within the Commonwealth. It is the policy of VDOF to inspect all harvest operations within **20 calendar days** of the anticipated start date received on the harvest notification, and to complete at least one follow-up inspection within **45 calendar days** of the initial inspection, continuing inspections until harvest is complete

DEFINITIONS

“Agency” and “VDOF” means the Virginia Department of Forestry.

“Commonwealth” means the Commonwealth of Virginia.

“**Linear Infrastructure Land Conversion Project**” means any man-made project such a roads and highways, power lines, pipelines, etc., that creates extensive linear intrusions into forested ecosystems and which results in the conversion of land use from forest to some other use.

Operator" means any person that operates or has operated or exercises or has exercised control over any silvicultural activity.

Owner" means any person that (i) owns or leases land on which silvicultural activity occurs or has occurred or (ii) owns timber on land on which silvicultural activity occurs or has occurred.

PROCEDURES

Inspection Process

Right to Inspect

The Silvicultural Water Quality Law authorizes the State Forester or his designee to inspect harvest operations to determine if the activity is causing or likely to cause pollution.

Landowner Denies Access

If the landowner denies access to the property, the VDOF inspector will not attempt to inspect the site and leave the property immediately. The VDOF inspector will report the matter to the regional water quality engineer who will contact the local magistrate to obtain an inspection warrant to perform the inspection as required by the Code of Virginia ([§10.1-1181.1 through §10.1-1181.7](#)).

If the magistrate denies the warrant request, the water quality engineer will notify the regional forester. The regional forester will contact the water quality program manager for further legal action.

What to Inspect

- ◆ Area field staff will inspect all non-industrial private, industrial and state-owned forestland commercial harvesting operations where VDOF has received a harvest notification.
- ◆ Area field staff will also inspect other known harvesting operations during normal work activities as identified.

When to Inspect

- ◆ Complete the initial harvest inspection within **20 calendar days** of the anticipated start date received on the notification.
- ◆ Complete at least one follow-up inspection within **45 calendar days** of the initial inspection, continuing inspections until harvest is complete.

Pre-Inspection Notification

Area field staff are required to make a reasonable attempt to notify the appropriate landowner(s) of the parcel(s) **prior to inspection**.

- ◆ Attempt to notify the landowner(s) **in person and by letter** if the landowner lives on the contiguous or adjacent property where the inspection will occur.
- ◆ Notify the landowner(s) by letter (not in person) in the event the landowner does not live within close proximity to the location or if the inspector is unaware of the landowner's home location.
- ◆ If the logging notification does not provide the landowner's proper contact details, the inspector will not attempt to mail the letter but will still attempt to notify the landowner in person as described above.
- ◆ Send an inspection notification letter to all landowners and timber owners whose contact information is provided by the logger as a part of the harvest notification. The regional program support technician will mail the letter(s).

- ◆ There is no official waiting period required after the letter is mailed to initiate an inspection.

Complete Inspection

- ◆ Complete harvest inspections at least once during the harvest (open inspection) and once upon completion of the harvest operation (final inspection), and any time a visit to the site is made during the course of the harvesting operation.
- ◆ Perform inspection immediately if a water quality complaint is received for a specific tract [{See VDOF Policy and Procedure 18-6 Water Quality Complaint Investigation}](#).
- ◆ Record harvest inspection in the IFRIS system.

Water Quality Concern Identified

- ◆ If a water quality concern is identified, proceed with Law Enforcement Action [{See VDOF Policy and Procedure 18-3 Water Quality Law Enforcement}](#).

Linear Infrastructure Land Conversion Projects

- ◆ When notified of a Linear Infrastructure Land Use Project the VDOF Inspector will visit the site according to the initial inspection timeline indicated under “when to inspect”. All information will be entered into IFRIS. Tract follow-up inspection schedule will remain the same and closeout will occur when the timber harvesting is completed within the boundary of a county. Since these projects fall within the authority of a land disturbing permit, any water quality issue discovered during the course of the timber removal phase of the project should be referred to the local permitting authority (Local E&S Program, VDOT or DEQ).

AUTHORITY

This policy and procedure is issued by the Virginia state forester.

INTERPRETATION

The water quality program manager and chief of operations is responsible for the interpretation of this policy and procedure.

APPROVAL

I certify that this policy and procedure is approved and ready for publication.

Matt Poirot

Water Quality Program Manager Name (Print)

Water Quality Program Manager Signature

Ed Zimmer

Deputy State Forester Name (Print)

Deputy State Forester Signature