

## **402 KAR 3:020. Master logger program.**

RELATES TO: KRS 149.330, 149.334, 149.342, 149.344, 149.346

STATUTORY AUTHORITY: KRS 149.334(5), 149.342(4), (5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 149.334 authorizes the cabinet to promulgate administrative regulations relating to KRS 149.330 to 149.355, the Kentucky Forest Conservation Act. KRS 149.342(3) requires the cabinet to specify the requirements for the Master Logger Program and KRS 149.342(4) requires the cabinet to specify the requirements for a temporary master logger designation. This administrative regulation establishes the education and training requirements for the master logger program and the requirements for the temporary master logger designation.

Section 1. Master logger program training course. The master logger program training course shall consist of three (3) one (1) day sessions covering the following topics:

(1) Information on the environmental impacts of timber harvesting operations and the use of best management practices to reduce or eliminate potential adverse effects of timber harvesting operations on water quality;

(2) Laws and administrative regulations impacting logging operations; and

(3) Professional logger safety education.

Section 2. Registration form and fee. A person wishing to attend the master logging program training course shall complete and file a Kentucky Master Logger Registration Form accompanied by a fee of eighty-five (85) dollars.

Section 3. Designation as master logger. A person who successfully completes the master logger program training course shall be designated a master logger. This designation shall be for a period of three (3) years from the date of completion of the course.

Section 4. Designation card. (1) The Division of Forestry shall issue a wallet-sized master logger designation card to a person who successfully completes the master logger program training course.

(2) The division shall issue a designation card to a person who has previously completed the master logger program in accordance with KRS 149.342(7).

(3) The master logger in charge of a timber harvesting operation shall maintain a current master logger designation card, along with a photo identification card such as a driver's license, on his person at all times when he is on the timber harvesting operation site.

Section 5. Reciprocity. A person who has successfully completed a program in another state which is equivalent to the master logger program training course under Section 1 of this administrative regulation may apply for the issuance of a designation card under Section 4 of this administrative regulation by filing a Kentucky Master Logger Reciprocity Application Form and paying a fee of fifty (50) dollars. The division shall determine that the program is equivalent and that the person successfully completed the program prior to issuing a designation card under Section 4 of this administrative regulation.

Section 6. Continuing education requirements. (1) A person who wishes to renew his master logger designation card shall complete six (6) hours of continuing master logger education every three (3) years. Continuing master logger education shall consist of one (1) or more of the following subjects: forest management, silviculture, forest health, ecosystem management, timber har-

vesting, laws and administrative regulations relating to timber harvesting and water quality, logging safety, or advanced best management practices.

(2) Application for renewal and fee. A person wishing to renew a master logger designation and receive a current card shall prior to expiration of the current designation card:

(a) Complete the continuing education requirements established in subsection (1) of this section;

(b) File a Kentucky Master Logger Renewal Form; and

(c) Pay a fee of twenty-five (25) dollars.

Section 7. Revocation of designation as master logger. The cabinet shall revoke the designation card of a master logger who fails to timely apply for renewal, or to comply with the continuing education requirements established in Section 6 of this administrative regulation. The cabinet shall remove the name of the master logger from the list maintained by the division pursuant to KRS 149.342(6).

Section 8. Reinstatement of designation. A person whose master logger designation has been revoked shall attend and successfully complete the master logger training course established under Sections 1 and 2 of this administrative regulation in order to have his designation as a master logger reinstated.

Section 9. Kentucky temporary master logger. (1) A person who wishes to be designated a Kentucky temporary master logger shall:

(a) Submit a Kentucky Temporary Master Logger Designation Form and pay a fee of fifty (50) dollars; and

(b) Register and pay the applicable fee in accordance with Section 2 of this administrative regulation for a three (3) day Kentucky master logger training program, or an approved equivalent reciprocal training program, scheduled to be held within four (4) months after the date of registration for the training program.

(2)(a) The applicant shall be designated a Kentucky temporary master logger upon issuance of the Kentucky temporary master logger designation card by the Division of Forestry, and may then begin serving as the temporary master logger on-site and in charge of timber harvesting operations.

(b) The designation card shall state the name and address of the person designated, the date of issuance, and the date of expiration of the designation.

(c) The Kentucky temporary master logger designation shall expire four (4) months from the date of issuance. A renewal shall not be issued. A person shall not receive more than one (1) Kentucky temporary master logger designation in his lifetime.

(d) The Kentucky temporary master logger in charge of a timber harvesting operation shall maintain a valid Kentucky temporary master logger designation card, along with a photo identification card such as a driver's license, on his person at all times when he is on the timber harvesting operation site.

(3)(a) The logger or operator of a timber harvesting operation who uses a Kentucky temporary master logger shall, prior to beginning the harvest, notify the appropriate local regional office of the Division of Forestry of each operation on which the temporary master logger will be on-site and in charge.

(b) Notification shall be made by letter, facsimile, email, telephone conversation, or in person. A message left on an answering machine or voice mail service shall not constitute valid notification.

(c) In the notification, the logger or operator shall identify the anticipated date of harvest and the location of the timber harvesting site in sufficient detail to enable the division to locate the site in

the field. The location shall be identified in at least one of the following ways:

1. Provide the name of the landowner, the county, and the latitude and longitude of the site to the nearest one-tenth (1/10) of a minute or the UTM (Universal Transverse Mercator) coordinates to the nearest 100 meters;

2. Provide the name of the landowner, the county, and a USGS (United States Geological Survey) 7.5-minute topographic quadrangle map or reproduction thereof, marked to show the name of the quadrangle map, the map scale, the north arrow, and the exact location of the site; or

3. Provide the name of the landowner, the county, the nearest named community and the approximate distance and direction from the community to the site, the name and number of the nearest highway or street, and a description of how to reach the site from the nearest road intersection or other appropriate landmark.

(d) The cabinet shall revoke the designation of the Kentucky temporary master logger on-site and in charge of timber harvesting operations if harvest activity is started on the site before valid notification is provided in accordance with this subsection.

(4) A logger or operator who has started harvest activity without a Kentucky master logger or Kentucky temporary master logger on site and in charge of harvest activities shall not be eligible to receive a Kentucky temporary master logger designation, and shall not begin to use a Kentucky temporary master logger on the site.

Section 10. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "Kentucky Master Logger Registration Form", March 2006;

- (b) "Kentucky Master Logger Reciprocity Application Form", November 1998;

- (c) "Kentucky Master Logger Renewal Form", March 1999; and

- (d) "Kentucky Temporary Master Logger Designation Form", March 2006.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Forestry, 627 Comanche Trail, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (25 Ky.R. 1759; 2411; eff. 5-19-1999; 32 Ky.R. 1328; 1684; 1887; eff. 5-5-2006; TAm eff. 5-12-2015; Crt eff. 7-3-2018.)