

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S4/21/21

# A Bill

SENATE BILL 385

5 By: Senator A. Clark  
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## For An Act To Be Entitled

8 AN ACT TO ESTABLISH A GATED RESIDENTIAL COMMUNITY  
9 LOGGING PERMIT; TO REQUIRE AN INDIVIDUAL WHO IS  
10 LOGGING IN A GATED RESIDENTIAL COMMUNITY TO FOLLOW  
11 THE ARKANSAS FORESTRY COMMISSION'S BEST MANAGEMENT  
12 PRACTICES FOR WATER QUALITY PROTECTION; AND FOR OTHER  
13 PURPOSES.  
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### Subtitle

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16 TO ESTABLISH A GATED RESIDENTIAL  
17 COMMUNITY LOGGING PERMIT; AND TO REQUIRE  
18 AN INDIVIDUAL LOGGING IN A GATED  
19 RESIDENTIAL COMMUNITY TO FOLLOW THE  
20 ARKANSAS FORESTRY COMMISSION'S BEST  
21 MANAGEMENT PRACTICES.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code Title 15, Chapter 32, Subchapter 1, is  
28 amended to add an additional section to read as follows:

29 15-32-102. Gated residential community logging permit.

30 (a) Before logging in a gated residential community as described in  
31 subsection (b) of this section, an individual shall:

32 (1) Apply for and obtain a gated residential community logging  
33 permit from the Department of Agriculture; and

34 (2) Certify in the application that he or she will follow the  
35 Arkansas Forestry Commission's Best Management Practices for Water Quality  
36 Protection.



1       (b) An individual shall obtain the gated residential community logging  
2 permit under subsection (a) of this section before logging in a gated  
3 residential community if, within a period of six (6) months, the individual  
4 is cutting ten (10) or more trees that are:

5               (1) Over six inches (6") in diameter per acre;

6               (2) Located on three (3) or more acres; and

7               (3) Located inside of the gated residential community and within  
8 two thousand feet (2000') of a residential dwelling within the gated  
9 residential community.

10       (c)(1) The department shall conduct an inspection after the individual  
11 has logged on one (1) acre to ensure the individual is following the  
12 commission's Best Management Practices for Water Quality Protection.

13               (2)(A) If the individual has not complied with the commission's  
14 Best Management Practices for Water Quality Protection, the department shall  
15 allow the individual fourteen (14) days to comply with the commission's Best  
16 Management Practices for Water Quality Protection.

17               (B)(i) Following the fourteen (14) days provided under  
18 subdivision (c)(2)(A) of this section, the department shall reinspect for  
19 compliance with the commission's Best Management Practices for Water Quality  
20 Protection.

21               (ii) If upon *reinspection* the department finds that  
22 the individual has not complied with the commission's Best Management  
23 Practices for Water Quality Protection, the department shall revoke the  
24 individual's gated residential community logging permit.

25       (d) If an individual's gated residential community logging permit is  
26 revoked under subdivision (c)(2)(B)(ii) of this section, he or she shall not  
27 be issued another gated residential community logging permit under this  
28 section until he or she has shown compliance with the commission's Best  
29 Management Practices for Water Quality Protection as verified by the  
30 department.

31       (e) The department shall issue to an individual only one (1) gated  
32 residential community logging permit at a time under this section.

33       (f) The fee for a gated residential community logging permit under  
34 this section is one hundred dollars (\$100).

35       (g) This section does not apply to a public utility as defined in §  
36 23-1-101 operating as an electric utility or a municipal electric utility

1 operating under § 14-200-106.

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/s/A. Clark

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