

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

A Bill

SENATE BILL 385

5 By: Senator A. Clark
6

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.
14

Subtitle

15
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.
22
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

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 within two thousand feet (2000') of a residential
8 dwelling within the gated residential community.

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

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

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

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

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

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

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

34
35
36