

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Lands and Forests, Region 7  
2715 State Hwy 80, Sherburne, NY 13460  
P: (607) 674-4017 | F: (607) 674-9034  
www.dec.ny.gov

## Notice of Firewood Sales

Enclosed is information for an upcoming home firewood sale you have expressed interest in. **Sealed bids** for the enclosed home firewood sales will be opened **at 2:00 p.m. Wednesday, May 17, 2017** at the Lands and Forest Office on Route 80 west of Sherburne NY. Bids must be submitted using the attached bid form(s). They can be sent by mail to the above address or hand delivered to the office during normal business hours; bids received after the bid opening will not be accepted. *Faxed or email bids will not be accepted.*

### Firewood Bidding Rules:

- You may bid on as many firewood lots as you wish. Lots will be awarded to the high bidder. If you are high bidder on multiple lots, you will only be awarded one lot. For any tie bids, the high bidder will be determined by a lottery. The Department reserves the right to reject any and all bids.
- The high bidder for each firewood lot will be required to execute a local sale contract and pay the full bid amount **by 4:00 pm, June 1, 2017** or the contract will be awarded to the next highest bidder.
- In addition to the bid price, the Buyer must pay \$5.00 for NYS DEC liability insurance coverage. Cash cannot be accepted. All payments must be in the form of a check or money order.
- If the Buyer is working with other people as a partnership, all partners must sign a Designation Form.
- If the Buyer intends to resell the wood, they must complete a Resale Certificate.
- The Buyer must submit proof of Worker's Compensation and Disability Benefits insurance or provide a NYS Workers Compensation Board CE-200 exemption certificate at the time of contract execution.
- The attached Firewood Sales Rules apply to all sales in the auction.
- All firewood must be cut and removed by **September 18, 2017**. Skidding is not permitted.
- Any person operating a chainsaw will be required to wear: hard hat, eye protection, hearing protection, and cut-resistant chaps or pants. Additionally, the chainsaw must have a properly functioning chain brake.

### New York State Firewood Regulations

Transportation, sale and possession of "New York-Sourced Firewood" more than 50 miles linear distance from the producer's labeled source of the firewood is prohibited. No contract will be awarded to an address further than 50 miles from the woodlot.

All persons who cut and transport untreated firewood, from a New York Source, must complete and possess a certificate of source. The high bidder of local sales having firewood will receive a "Certificate for Transport and Possession of New York-Sourced

Untreated Firewood”.

For additional information on these regulations, contact the NYS DEC Division of Lands & Forests office or see:

- The regulations can be found at: <http://www.dec.ny.gov/regs/4079.html#44382>
- The “Frequently Asked Questions” about this regulation can be found at: <http://www.dec.ny.gov/animals/44008.html>
- The "Self-Issued Certificate of Source" for persons who cut and transport firewood for their own use is at: [http://www.dec.ny.gov/docs/lands\\_forests\\_pdf/selfisscert.pdf](http://www.dec.ny.gov/docs/lands_forests_pdf/selfisscert.pdf)

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## **FIREWOOD SALES RULES**

Failure to abide by these rules could result in the termination of your contract, loss of future purchases and legal action.

- (1) **MOVEMENT OF UNTREATED FIREWOOD OVER 50 MILES FROM ITS SOURCE IS PROHIBITED BY LAW.** Visit the DEC website to learn more. (<http://www.dec.ny.gov/animals/44008.html>)
- (2) **PERSONAL PROTECTIVE EQUIPMENT FOR CHAINSAW USERS.** Any person operating a chainsaw for any purpose while cutting firewood is required to wear Personal Protective Equipment (PPE), including at least the following: hard hat, eye protection, hearing protection, and cut-resistant chaps or pants. Chainsaws must be equipped with properly functioning safety devices including a chain brake. Anyone operating under a firewood contract must have read Logging Safety: A Field Guide, which is available online at <http://www.health.ny.gov/publications/3132/3132.pdf>. A hard copy is also available in our office and may be picked up at the time of contract execution. By signing your firewood contract, you are agreeing that you and all designated partners have read and understood this safety manual.
- (3) Contracts must be in the possession of the contractor when on State Land and available for inspection by any employee of DEC. Failure to produce the contract could result in DEC ordering immediate cessation of cutting.
- (4) All workers must be listed on the Workers' Compensation form and signed on the Designation Form. No names or signatures may be added without the approval of the DEC and the Workers' Compensation Board. Anyone working on a sales contract must be at least 18 years old.
- (5) Sales contracts may be suspended at any time when weather, environmental or other considerations dictate.
- (6) Stone walls, especially roadside, should not be covered by tops. Keep walls visible. Stone walls can be breached only with permission by DEC.
- (7) Marked trees and Sale Area - only those trees marked with paint at breast height (4 ½ feet above the ground) and on the stump or have been otherwise designated by the DEC are to be cut. If there is no spot of paint at breast height on one tree in a clump of stems, it is intended that the tree be left. All marked trees will be cut, even if too small or unacceptable to use for firewood.

- (8) Stumps - keep stumps as low as possible but above the stump (lower) paint mark. Stumps should be no higher than diameter of tree.
- (9) Roadside trees - trees in the vicinity of roads or trails should be felled away from them when possible. All tops, limbs, logging debris, etc. shall be at least 25 feet from the ditch line of roads and the edge of recreational trails. All woods roads will be left clear of tops, limbs or logging debris.
- (10) Hung trees and tops - a hanging tree or top (tree severed from the stump and hanging against another tree or lopped top) is a hazard to yourself and the public. If you "hang" a tree up, block it off or pull it down immediately, also do not leave bucked tops hanging. If it is hung in a second tree that is not marked for sale, that second tree cannot be cut. If you have a tree or top you cannot get down, contact with the Forester in charge of the sale before proceeding.
- (11) Occupational Safety and Health Administration (OSHA) - OSHA requirements relating to safety and safety equipment should be followed at all times by the contractor.
- (12) Unmarked dead or hazardous trees - may be cut, pushed or pulled down when necessary to comply with OSHA regulations, but must be left on the site next to the stump and may not be utilized by the contractor. In this situation, when a contractor cuts an unmarked tree, the contractor must notify DEC within one business day. When a contractor identifies a hazard tree which is too dangerous to cut or work around and will impact the completion of the contract, the contractor must notify DEC. If the hazardous situation cannot be resolved or mitigated, DEC (upon consultation with the contractor) will decide on an acceptable solution.
- (13) Skidding - the skidding of trees (dragging trees over the ground behind a vehicle or animal) will not be allowed. Wood must be removed by the use of wagon, cart or other wheeled vehicle. Under no circumstances will skidding be allowed on truck trails, town, county, state highways or on any recreational trail. Any damage done to roads must be repaired immediately.
- (14) Litter - absolutely no littering will be tolerated. This includes: cans, bottles, lunch debris, oil cans, bar oil or any other trash.
- (15) Rutting - rutting in the firewood sales area will not be allowed and must be repaired. As soon as rutting starts you must stop immediately.
- (16) Theft - the trees that you have bought are your property for the term of the contract. The State assumes no responsibility for theft. Removal of State trees without authorization is also considered theft, and will be pursued to the fullest extent of the law.

(17) Contract Extensions – A contract extension of one week may be granted by the supervising forester under extenuating circumstances. Any extension request must be submitted in writing before **September 11, 2017**.

**The job you are doing is important to the growth and development of our forests. The trees being removed will create more growing space for the better quality trees which remain. We can increase the growth of the forest, while improving overall health, wildlife habitat and water qualities under managed conditions. Thank you for your help.**