

National Forestry Regulations

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Information

This document was originally published in French. In the event of a discrepancy between a version in another language and the French version, the French version shall be considered as authoritative.

National Forestry Regulations

Foreword

The forest is a fragile natural environment which needs to be preserved. The balance of such a complex ecosystem requires that any human activities carried out in the forest comply with rules of good conduct. The forest also plays an important social role because of its potential for providing opportunities for public access and landscape value for space planning.

The *Office National des Forêts* (ONF) is certified in compliance with ISO 9001 and ISO 14001. ONF has made a commitment to achieve PEFC forest certification, in collaboration with its partners in the timber industry. ONF has defined an environmental policy under ISO 14001 and has undertaken to implement the sustainable management quality policy prepared by PEFC regional entities¹. These approaches include protective measures for the forest environment which ONF must comply with and enforce.

Persons engaged in activities in a public forest (state-owned forests and forests owned by communities or public institutions under the public forest law system) should ensure that they do not impair the integrity of the forest environment, that they adhere to good professional practice with regard to the quality of work carried out in the forest and provide for their own safety as well as the safety of third parties and other users. The rules of good conduct described hereinafter are based on good practice and professional practice recognized and shared by the industry as a whole.

The National Forestry Regulations make such rules compulsory. They are binding on any persons involved in activities in a public forest in whatever capacity, in order to harvest timber, whether they are:

- professionals: timber buyers, harvesting companies and forest contractors, including their employees, agents, providers or sub-contractors,
- or members of the public: individuals collecting estovers and taking or purchasing small products.

All these persons are referred to hereinafter by the term *intervening party*; the following provisions are enforceable against them in so far as they concern the area of competence and scope of liability associated with their status. When a contract giver, the intervening party must communicate all provisions and necessary information concerning these Regulations and the supplementary conditions of contract to the persons working on his behalf.

The term *ONF agent* is used as a generic term to refer to the ONF person qualified to take the decision at issue. This person is usually named in the timber sales contract or contract for the supply of services (agent in charge of the felling coupe for example).

Harvesting works carried out by ONF or by Communes owning forests² under the public forest law system shall also be carried out in compliance with these Regulations.

Any non-compliance with these Regulations results in penalties defined in the timber sales contract (see the general conditions of sale) or contract for the supply of services.

¹ These Regulations comply with Appendix 7 "National set of rules for forestry" of the *Schéma français de certification forestière 2007-2011* (French Framework for Forest Certification 2007-2011).

² Throughout, the document refers to ONF as the manager of forests under the public forest law system and to the communities as owners. When one or the other carry out works themselves, they are bound by the liabilities and provisions vested in the intervening parties.

Any changes in the Regulations that might take place after these Regulations were approved and which would go further than the provisions therein shall be applied by the intervening party.

The National Forestry Regulations are applicable only to public forests in continental France (including Corsica). A document specific to French overseas Départements will be drafted later, taking account of their distinctiveness.

There can be no exemption from the Regulations except as a consequence of general temporary measures taken in an emergency and ordered by the Director General of ONF and specifying the scope of the exemption (geographical area and associated provisions). As the circumstances require, such an exemption may be applied to outstanding contracts.

The technical terms used in the Regulations are defined in the attached glossary.

1 PRESERVATION OF THE NATURAL FOREST ENVIRONMENT

1.1 Environmental protection

The intervening party is required to comply scrupulously with:

- effective laws and regulations, in particular in respect of forests and the environment concerning:
 - . the conservation of natural environments and fauna and flora,
 - . the conservation of biotopes and habitats,
 - . the protection of water and wetlands,
 - . the conservation of protected monuments and identified heritage features of special interest;
- other voluntary commitments made by ONF or the forest owner (PEFC commitments, commitments associated with ONF's environmental policy on account of its ISO 14001 certification, Natura 2000 contract or adherence to a Natura 2000 charter) which are specified in the supplementary conditions of contract;
- protective or inventory measures specific to the compartment being harvested and specified in the supplementary conditions of contract.

1.1.1 Biodiversity conservation

In order to conserve natural environments and animal and plant species, part of the forest land is subject to regulations (national parks, nature reserves and biological preserves, biotopes protected by prefectorial order) or to management contracts (regional nature parks, Natura 2000 sites).

In order to comply with these regulations and contracts, harvesting operations may be subject to specific provisions.

In all compartments, a decision may be made to leave dead or dying trees standing when trees are designated for felling, in order to contribute to the biodiversity of natural environments. Patches of ageing or senescent trees may be maintained intentionally within the boundaries of the harvesting site. Special provisions may apply to cause as little disturbance as possible to heritage animal species, while ensuring that a sufficiently long harvesting period is granted.

No substances shall be poured into the river system or the natural environment.

1.1.2 Soil conservation

A party intervening in the forest shall endeavour to conserve soil physical integrity by using appropriate equipment for local conditions and organising the works in such a way as to reduce impacts on soil caused by his activities.

Supplementary conditions may apply as required by soil characteristics. If not provided by the supplementary conditions, the choice of harvesting system is left to the intervening party.

Off-road haulage machinery and vehicles travel in the corridors, extraction roads and tracks designated by the ONF agent at the start of harvesting. Where there are no or not enough facilities, the intervening party shall adapt the harvesting technique he uses to the soil's physical capacity in the interest of soil conservation, after discussion with the ONF agent.

Any track opening involving civil engineering works requires the prior consent of the ONF agent and of the owner, where relevant. Works resulting in a cut or fill greater than 100 m² and higher or deeper than 2 m shall conform to the provisions of Article R. 421-23 of the Urban Code.

1.1.3 Conservation of water quality and wetlands

If an intervening party's site is located within a regulatory potable catchment area, he shall comply with effective prefectorial orders and regional PEFC rules which define specific rules for such areas. They are specified in the supplementary conditions of contract.

The intervening party shall take appropriate measures to protect the condition and quality of streams, wetlands and associated habitats. In particular, he makes appropriate provisions to prevent any lubricant and fuel spillages.

All due precautionary measures shall be taken during harvesting in order to preserve the quality of aquatic environments and drainage. For sites identified in the supplementary conditions with the words "water protection", harvesting is subject to specific supplementary precautions because of the presence of springs, streams, watercourses, ponds, pools, wetlands and potable water catchment areas.

Wetlands not subject to an inventory or a protection scheme (Natura 2000, special interest wetlands, biological preserves etc.) are also specified to the intervening party by ONF in the supplementary conditions so that he can take the necessary steps to avoid crossing the wetlands with machinery or storing timber on them.

In pursuance of Articles L. 214-3, L.215-9 and L. 215-14 of the Environmental Code concerning drainage and maintenance of watercourses and Article L. 432-2 of said Code concerning water pollution, the storage of logs and disposal of slash in streambeds, riverbeds and ditches is forbidden. Likewise, felling into a streambed or riverbed should be avoided as far as possible by using techniques such as directional felling.

It is forbidden to cross and travel along watercourses (streams and rivers) when not using the appropriate permanent facilities and infrastructures. If there are no such facilities, the intervening party is required to apply for an administrative authorization issued by the relevant authority in respect of police regulations governing watercourses if he wishes to use removable devices or travel along the watercourse on a temporary basis³.

1.1.4 Prevention of pollution risks

In order to reduce pollution risks the intervening party using non portable machinery shall possess appropriate storage, filling and disposal equipment for oils and hydrocarbons, specifically designed for these purposes, as well as absorbent products. This kind of equipment shall be in place permanently on the sites and/or in the machinery in order to prevent spillages in the natural environment and stop the flow of polluting substances in the event of a hose failure or other similar incident.

If the environment has been polluted, the intervening party shall also inform the local authority and ONF agent immediately.

1.1.5 Use of biolubricants

The intervening party shall comply with the regulations pursuant to Article 44 of the *Loi d'orientation agricole* (Agriculture Act) of 5 January 2006.

The extensive use of biodegradable lubricants or lubricants with a European Ecolabel is compulsory at all times for chainsaws and tree feller heads in sensitive natural areas.

³ Currently: DDAF or MISE (Mission Inter-Services de l'Eau)

Sensitive natural areas include:

- watercourses, canals, lakes and water stretches, ponds, lagoons, fresh water estuaries;
- shores and banks (area of ground located less than 10 m away from the water edge) of watercourses, canals, lakes and water stretches, ponds, lagoons, fresh water estuaries;
- dunes, coastal heathland, beaches and lidos, foreshores and coastal cliff edges;
- the following protected spaces: central areas of natural parks, natural reserves, biological preserves in state-owned forests, sites pertaining to the *Conservatoire de l'espace littoral et des rivages lacustres* (Shoreline and Bankline Protection Board), wetlands such as defined in Article L. 211-1 of the Environmental Code;
- immediate, close and distant regulatory catchment areas associated with a drinking water supply in pursuance of Article L. 212-1 of the Environmental Code.
- and, where relevant, other sensitive areas defined by regulations pursuant to Article 44 of the Agriculture Act.

In line with the commitments made by ONF as part of its environmental policy, this obligation will be extended gradually to include all public forests by 31 December 2011.

1.1.6 *Tree marking*

If the intervening party needs to make markings, he should not use the colours or marking methods used by the ONF agent on the site. The use of paint is only permitted on marked trees or if an exemption has been granted by the ONF agent.

1.2 *Protection of forest stands*

1.2.1 *Protection of unmarked stems during harvesting*

Harvesting of stems shall be carried out in a manner that preserves the stand in place which shall not sustain any direct damage as a result of the intervening party's actions. In particular, final crop trees and designated trees of biological interest shall be preserved. Hardwood maidens and seedlings broken during harvesting shall be cut back by the intervening party.

1.2.2 *Preservation of natural seedlings (regeneration phase and selection forest) and young plants*

Particular care shall be taken with regard to felling direction in the case of felling coupes where regeneration growth is present: the intervening party ensures that stems are felled directionally with as little contact as possible from the falling stems or subsequent extraction activities with seedling patches.

Depending on the condition of the seedlings concerned, the supplementary conditions may prescribe one or more of the following rules in order to protect regeneration growth:

R1: Total ban on harvesting works (felling, skidding, extraction) between 15 April and 31 August

R2: Ban on felling between 15 April and 31 August.

R3: Ban on skidding and extraction between 15 April and 31 August.

When rules R2 and R3 are prescribed, crown processing and dismantling are allowed during the ban period.

In the case of rule R3, felling is permitted and crown dismantling is carried out as felling advances.

R4: Crown processing and dismantling outside the period from 15 April to 31 August.
Supplementary conditions may modify the conditions above, in mountainous areas for example.

1.2.3 Preservation of stands against parasites

For softwood felling coupes at risk from parasite spread, specific information is included in the supplementary conditions of contract, such as:

“Conifer-base polypore” risk (*Heterobasidion annosus*)

In such a case, the intervening party is responsible for implementing the requisite preventative measures to stop the spread. Such measures include the application of a urea or boron solution (product references provided by the ONF agent) on stumps as trees are felled and in any case no later than half a day from felling, either by hand (paint-on treatment or spraying), or mechanically when tree fellers are equipped with treatment devices.

“Bark beetle” risk

In such as case, specific provisions or prefectorial orders may prescribe a strict time frame in which to carry out the extraction of products out of the forests, as well as specific slash management options.

When the timber cannot be transported sufficiently far away from a softwood stand, the intervening party may be ordered to debark the timber on the felling area or landing or, exceptionally and with the ONF agent’s permission, to treat it with an insecticide on the landing (in so far as the landing location is compatible with such a treatment, i.e. it is outside a protected area, far from a water supply source, ditch or watercourse). If such an insecticide treatment is carried out, it should be done with an appropriate registered commercial product and applied by a certified individual/company (see Article L. 254 of the Country Code). Treated timber shall be identified (see Section 3.4 also).

If parasites are detected on timber while on a landing, the timber owner may be formally notified to take appropriate preventative measures at once or take the products away from the forest immediately.

1.3 Fire protection

Fires shall be lit and used in the forest in strict compliance with policing regulations and prefectorial orders in respect of forest protection against fire, and strict compliance with fire ban periods in forests shall be ensured.

In the event of a fire, the intervening party, his staff and subcontractors are required to:

- first call emergency services immediately,
- then alert the closest ONF agent as well as the local authorities or Gendarmerie.

Throughout harvesting, the intervening party shall keep brush-cut edges of fire lanes as well as firebreaks clear of obstructions and in working order. He shall ensure that vehicles and machinery used for the harvesting works are parked in such a manner that they do not impede access and circulation of emergency services.

2 PROTECTION OF PERSONS AND PROPERTY – LIABILITY OF THE INTERVENING PARTY

The intervening party has a third-party liability for any damage inflicted upon another person as provided by general liability law, or by special laws applicable in the specific circumstances (in particular Articles L. 135.10 and L. 135.11 of the Forestry Code, and Article L. 110.1 of the Environmental Code in respect of environmental liability). He shall provide proof that he holds appropriate professional liability insurance for his activities.

The intervening party operates in the forest on his sole liability toward third parties.

He has penal liability for any offences committed while carrying out his activities on such conditions as prescribed by effective laws and regulations, especially the Labour Code, Forestry Code, Country Code and Environmental Code.

2.1 Due respect for other forest users

Many different activities are carried out in the forest, such as walking, hiking on marked footpaths, horse riding, cycling, hunting etc. These activities are carried out privately by a wide range of families or individuals not aware of professional practices in the forest, or by right-holders who have a contract with ONF or the forest owner. Forest site planning shall therefore allow for the fact that the forest is an open space and the intervening party shall take all safety measures required as a result of this.

ONF may need to specify the conditions under which work can be carried out in the forest on certain days, to allow for hunting or walking or in any other particular circumstances associated with the use of the forest by other right-holders. The supplementary conditions of contract shall contain information on such provisions. Specific regulations applying to felling in certain national or regional parks are also entered in the supplementary conditions.

In addition, the intervening party is required to inform other forest users of any harvesting works to be carried out and associated risks, considering visitor numbers and felling coupe accessibility. In any case, he should comply with the regulations in effect concerning felling coupe reporting (Decree 2003-131 of 12 February 2003 and Article L. 324-11-3 of the Labour Code) and signage.

As far as possible, the intervening party shall maintain the facilities in place on the site clear of obstructions and in working order. If he has to prohibit the use of these facilities for safety reasons, he shall put up appropriate signage for the duration of harvesting.

2.2 Conservation of the natural heritage

The intervening party shall preserve cultural and architectural heritage features of special interest, historical monuments and listed or scheduled sites located within and around the boundaries of the harvesting site. These features are identified in the supplementary conditions of contract and on the ground so that any special protection measures they need can be planned.

If any archaeological heritage features are discovered by chance, the intervening party shall declare the chance find immediately at the Mairie (town hall) in accordance with Article L. 531.14 of the Heritage Code and notify the ONF agent.

The intervening party shall take care to avoid damage to identified trees of special interest, such as resulting from wounds or soil compaction in their vicinity.

2.3 Site safety

The intervening party is responsible for taking all the required safety precautions, at his own expense, in respect of persons and belongings during the planning and execution stages of the works in order to prevent hazards of whatever kind which may be caused by harvesting.

The intervening party maintains his own safety and that of his employees in strict compliance with regulations and with occupational health and safety rules in particular, as well as with the DUER, *Document Unique d'Evaluation des Risques* (unique document for risk assessment). In particular, he ensures that all persons engaged in a particular activity on the site:

- have adequate training or experience for the task they are carrying out;
- have been given approved personal protection equipment (PPE) which is suitable for the job and periodically changed, after an assessment of the risks associated with each workstation has been conducted and in compliance with effective regulations; are informed of their obligation to use the equipment and are actually using it;
- have been given equipment and machinery with all compulsory safety devices and which is regularly serviced in accordance with the manufacturer's instructions.

In an emergency, the intervening party, when faced with a particular danger during harvesting, shall take all relevant steps immediately to prevent an accident from happening. As may be necessary, he asks for the help of the police and emergency services.

If an explosive war device is found, the intervening party shall:

- suspend work in its vicinity;
- alert the ONF agent immediately, who will ensure that all necessary steps to neutralize the device are implemented;
- resume operations with the agreement of the ONF agent.

Where applicable, in areas which are particularly affected by this problem, the intervening party shall comply with any specific territorial procedures modifying these provisions.

2.4 Legal liability

The intervening party is deemed to be very familiar with the terrain on which he is required to operate on the basis of the supplementary conditions of contract in particular. During the preliminary meeting at the start of harvesting (see Section 3.2.1), the ONF agent specifies the information provided by the contract by adding any necessary information.

The intervening party is thus deemed to know any structures, facilities, infrastructures, buildings etc. visible and apparent, located within and immediately around the boundaries of the site, without objecting he was not informed about such things by ONF or the forest owner.

The information provided by the ONF agent does not exempt the intervening party from the fulfilment of his regulatory obligations where applicable, in particular in respect of the application of Decree 91.1147 dated 14 October 1991 concerning the presence of underground, aerial or subaquatic structures for the transport or distribution of electricity, hydrocarbons, gas, telecommunications etc.

ONF or the forest owner may be held liable for any accidents occurring during harvesting and caused by the spontaneous or induced explosion of war devices, slumping or sliding, caving in of old underground facilities or by the presence of remains of various military equipment (iron stakes, barbed wire), only in so far as it can be established by evidence that they have committed an actual and serious fault.

3 GENERAL HARVESTING CONDITIONS

3.1 Site planning

3.1.1 *General principle of the professional's responsibility for site planning*

The intervening party is responsible for site planning. In the absence of specific provisions, he is responsible for choosing the felling and extraction techniques and equipment, which he is required to adapt to:

- the felling coupe conditions,
- the requirements for protection of the natural environment, the forest and its facilities,
- the safety of operators and other forest users.

He conforms to all effective laws and regulations concerning his activities and the machinery and equipment he uses, which he is deemed to be familiar with and have control over.

The intervening party shall take due care with all facilities located on or immediately around the site (pipelines, aerial or underground power lines, playgrounds, game enclosures...) as well as with all routes and roadsides used for access to the site. In particular, he is required to deal directly with the facility operator and take the relevant steps (notice of intent to start works) as prescribed by the above-mentioned Decree 91.1147 of 14 October 1991 and comply with any legislative provisions which may be notified to him.

In the event of damage to fencing (young stand protection against wild animals) the intervening party is required to make all necessary temporary repairs as a matter of urgency to maintain protection and alert the ONF agent without delay.

Where necessary, for sites bordering on or crossed by a public road open to traffic, the intervening party shall obtain an order to regulate or stop traffic temporarily from the relevant authorities. Suitable signage shall be put up and maintained in accordance with the provisions of the operator of the road at issue and government directions on road signage (Official Journal of 30 January 1993).

3.1.2 *Working hours*

The intervening party cannot work on Sundays or public holidays.

In addition, without prejudice to the provisions specific to the Forestry Code, timber removal is prohibited between 10pm and 5am.

The intervening party may be exempted from these provisions by a written exemption granted by the ONF agent.

3.1.3 *Installation of temporary site facilities*

The procedure to install temporary site facilities (mobile shelters, caravans etc.) or any shelter, workshop or shed in the forest, as required by harvesting, shall first be authorized in writing by the ONF agent, who shall choose the appropriate location and determine the terms and conditions for such a use of forest land. The intervening party is responsible for any damage and nuisance resulting from the installation and use of these facilities.

3.1.4 Preservation of reproductive material from classified stands or seed stands

Felling coupes marked in classified softwood seed stands are identified in the supplementary conditions: these will show the words "Seed collection" and specify the species for which there is a compulsory felling period, which is specific to each species.

Crown processing may only take place once the harvesters have finished their work or by authorization of the ONF agent.

Felling coupes marked in seed class hardwood stands, where seeds need to be collected, are identified in the supplementary conditions; they bear the description "Seed collection" and specify the species and period during which felling is prohibited (except in the case where it has been authorized by the ONF agent).

3.2 Conduct of operations

3.2.1 Preliminary meeting at the start of harvesting

A preliminary meeting at the start of harvesting is organised between the intervening party or his appointed representative and the ONF agent. It is incumbent on both the intervening party and the ONF agent to give each other a 48 hours notice when setting a date for the meeting.

The preliminary meeting enables the buyer to obtain all information relevant to the conduct of operations and enables the ONF agent to clarify the most important facts.

Its aim is to:

- to clearly identify the site boundaries, stand and trees in the stand (marking of trees to be felled, trees to be retained);
- to recall the environmental provisions to be complied with;
- to gain an understanding of constraints and risks specific to the felling coupe (time frame and prohibited periods, equipment to be treated with care, protection and special areas, road network, harvesting and extraction, extraction routes, slash management, presence of seedlings, landing location, presence of structures, facilities etc.);
- to identify any issues in relation to attendance of the public and actions to undertake;
- to verify that the machinery is appropriate to the features of the terrain (soil condition) and complies with the supplementary conditions;
- to identify the various operators, especially the representative of the intervening party (as the beneficiary of the harvesting contract), who shall be contactable at all times and able to understand and speak French;
- to verify the credentials of the staff responsible for using insecticides in consideration of the specificities of the harvesting site;
- to specify how the emergency services shall be called in the event of an emergency;
- to define how and when the ONF agent shall be contacted, before the start of the works and before they resume following a period of inactivity.

An inventory of the felling coupe, roads servicing the coupe and facilities may be conducted in the presence of both parties before the start of operations.

3.2.2 Compliance with professional practice during harvesting

The intervening party conducts harvesting according to recognized good and customary professional practice and in accordance with effective standards, in particular with regard to stem felling and conversion, product skidding and extraction as well as timber grading and scaling.

As a minimum, the intervening party shall comply with the rules of professional practice repeated below:

Stem felling

Except if particular provisions are given, stems are felled as close to the ground as possible (at the base), when topography permits. What remains of the hinge on the stump shall be removed and the felling plane shall be cut horizontally. For stems marked on the stump, the part of the tree with the hammer imprint shall remain undamaged and not come away from the ground or be obscured. For trees marked on the stump, notching of the stump is required except otherwise provided by the supplementary conditions or by explicit exemption given by the ONF agent, in the case of mechanized felling in particular.

Felling is directional and takes account of the extraction direction and of any extraction roads or cable lines. All necessary arrangements, in particular with regard to directional felling, shall be made so that falling crowns cause the least possible damage to retained trees, seedling patches and plantations, including during extraction.

Every effort shall be made for harvested trees to be put to the ground immediately. If this is not possible, the area of risk shall be delineated immediately and trees shall be taken down as soon as possible. If a designated stem is lodged in a retained stem, the lodged tree is taken down by appropriate means as necessary and if damaged, the retained stem may be felled subject to the prior approval of the ONF agent.

The supplementary conditions may prescribe the topping of certain stems before felling. Topping shall be carried out by qualified staff.

Stem conversion

Logs shall be carefully lopped (and any forks shall be removed), with the knots completely sawn off, at the location of felling and cross-cut to a suitable length, especially if they have a fork or pronounced sweep, in order to preserve the stand and facilities during skidding and extraction operations. The butt end is cornered and trimmed to facilitate product extraction.

Product skidding and extraction

Product extraction is carried out via the extraction roads and secondary roads servicing the felling coupe or via routes authorized by the ONF agent. When additional routes need opening, this shall be done at the start of harvesting operations, with the prior consent of the ONF agent.

The skidding of products inside the stand is carried out using a cable or articulated arm or any other method likely to reduce stand damage (cable-crane, animal traction etc.). Loads are suitable to the ground bearing capacity. Log trailing is possible provided that the trail is not larger than the width of the tractor and that logs are lifted as much as possible; in all cases outside mountainous regions, it is forbidden on surfaced or metalled roads, except with the prior consent of the ONF agent.

If some converted timber is inaccessible to off-road haulage machinery and cannot be extracted without damaging the soil or stand, the intervening party and ONF agent shall agree on the opening of new extraction roads. If this is the case, these shall be opened as provided by Article R. 421-23 of the Urban Code (cut or fill greater than 100 m² and taller or deeper than 2 m).

When cable logging (by long distance cableway or cable crane) is carried out, notice shall be given to the Direction Générale de l'Aviation Civile before the start of harvesting for lines higher than 50 m above the ground.

In the event of prolonged bad weather likely to affect the condition of the cutover, the intervening party or the ONF agent suspends skidding and extraction in order to preserve the forest environment and in particular the soil's physical integrity. The interruption is strictly limited to the time necessary for the soil to drain. If necessary, it gives rise to an extension of the contract execution time frame. The procedures for contract suspension, restart and extension are set out in the contract provisions.

3.3 Product stacking

Harvested products are stacked on the landings provided, in such a manner that they do not hamper traffic or damage the forest or facilities and do not pose a threat to the safety of people. With regard to the latter point, the intervening party is obliged to ensure that the landing is safe by ensuring that the timber stacks are perfectly stable and by putting up signage if the timber stacks pose a safety risk. The use of the harvesting site cutover and landings takes place on the responsibility of the intervening party.

The intervening party is reminded that in accordance with Article L. 135-8 of the Forestry Code, he is not allowed to stack timber on the cutover/site or on the landings allocated to him, which do not originate from the felling coupe/site, unless expressly allowed to do so by the ONF agent.

Landings shall be restored after use.

3.4 Treatment for pin worm holes

When felled timber cannot be removed within the time frame required to avoid any degradation of the products, timber debarking or treatment may be carried out on the landing, provided the natural environment is protected as per Title 1 of these Regulations and only with the written authorization of ONF. The intervening party is then required to provide an Approval as prescribed by Act 92/533 of 17 June 1992 on the application of agricultural phytosanitary products and similar products by service providers. Suitable signage is put in place after treatment.

3.5 Product removal, traffic on forest roads not accessible to the public

Without prejudice to the special provisions of the Road Network Code on damage due to improper use of public or country roads as a consequence of the removal of forest products, the intervening party is responsible for damage due to the misuse of private forest roads used for product extraction and transport. The intervening party is also liable for any damage due to the improper use of the harvesting roads for which right of way belongs completely or in part to abutting owners and which the owner's right-holders use for the purposes of harvesting.

As a right-holder, the intervening party is authorised to have access to the forest roads not accessible to the public for the duration of harvesting.

Throughout the harvesting period, the intervening party shall keep the forest roads open to traffic by ensuring that they are not blocked for a long period (except in the case of specific technical constraints. e.g. use of a cable crane). If he has to block traffic, the intervening party shall place road signs on either side of the blockage to inform the public of the road closure. The blockage arrangements shall be removed if the harvesting works are suspended without the authorization of the ONF agent.

In the event of concurrent harvesting operations in the same forest area, particular care should be taken to allow free access to all intervening parties.

The intervening party is required to clean up the roads of any material deposited during timber extraction which is likely to hamper traffic. He should also ensure that the ditches, grips, waste pipes, drainage ditches and any other drainage structures are kept in good operating order and that the road signs and other traffic control devices are maintained in good condition.

In order to keep the surface course of forest roads in good condition and to avoid imprints, the intervening party is required to use appropriate devices under truck stabilisers.

Outside mountainous areas, machinery with chain fitted tyres and tracks is not allowed on surfaced forest roads, except if an explicit exemption has been granted by the ONF agent.

In the event of prolonged bad weather likely to seriously affect the condition of the roads and tracks used, the operator of the affected road network may decide to restrict the traffic temporarily. With respect to forest roads, restrictions to traffic are strictly limited to the time required for the relevant roads and areas to drain. Thaw barriers may be put in place on forest roads by the ONF agent or the road owners.

3.6 Management of harvesting slash

In order to protect regeneration growth, facilitate the breakdown of organic matter and conserve soil integrity which may be affected by travelling off-road haulage machinery, products remaining on the felling area, whether they are part of the sale or not, are managed as provided by the supplementary conditions.

In all cases, slash management shall be carried out:

- away from drainage and boundary ditches, as well as from watercourses, ponds or wetlands;
- away from footpaths, bridle ways and serviced areas for public access;
- away from boundary and compartment limits.

In the case of steep slopes, timber pieces removed from the logs (butts etc.) are arranged longitudinally in the direction of the greatest slope to stop them from rolling.

Whatever the slash management option used, slash shall not cover the stumps of felled trees included in the felling coupe.

Given the silvicultural objectives or the specific features of the terrain under consideration, the various options of slash management likely to be prescribed by the supplementary conditions are specified herinafter, in accordance with good professional practice:

If a specific option is not prescribed by the supplementary conditions, the option to be used is to spread the slash on the felling area.

<i>Options for slash management</i>	Description
Leaving on site unprocessed	Leave crowns on site unprocessed.
Dismantling of crowns	Leave crowns (or other products) on site after dismantling and cross-cutting into 2 m lengths maximum.
Chipping	Chip slash on the cutover.
Redistribution on the felling area	Redistribute slash on the cutover to facilitate breakdown and reduce damage to seedlings. Process slash into 1 m lengths maximum in the case of regeneration felling coupes and 2 m lengths maximum in the case of other types of coupes.
Spreading on extraction roads	Lay slash across extraction tracks as extraction advances, with main branches transverse to direction of machinery travel. The intervening party shall ensure by all means necessary that extraction is actually carried out on the extraction roads which have slash mats.
Forming windrows	Form small size windrows no larger than 3 to 4 m wide, as extraction progresses.
Stacking	Do not stack against standing trees or over seedlings or plantation areas. Stacks are formed as extraction progresses.

3.7 Disposal of miscellaneous non-forest waste

In order to conserve the natural qualities of the site and the biological integrity of the forest environment, the intervening party shall remove from the site, ancillary areas and the forest all harvesting waste other than slash, especially metal, glass or plastic objects (cans, cables, chains and other manufactured waste items).

The intervening party is responsible for the disposal of this waste via the appropriate channels (Art. L. 541-2 of the Environmental Code) and for its recycling whenever possible.

3.8 Equipment maintenance

Maintenance of mechanical equipment shall be kept to a minimum in the forest and carried out outside the forest instead, in a workshop or serviced area. However, if such maintenance operations need to be carried out in the forest, the intervening party shall take all necessary precautions (distance from watercourses and water stretches, waste recovery system etc.).

3.9 Restoration of sites to their former state

Restoration of sites to their former state includes the repair of damage and cleaning of the sites on such technical conditions and in the time frame set out in the contract, at the intervening party's expense and on his sole responsibility.

As such, the intervening party shall in particular:

- replace or restore forest boundary bollards, barriers, posts, walls, wire and other fences, tracks separating compartments, ditches and all facilities on the cutover, in place at the start of harvesting and damaged, destroyed or displaced by his activities;
- fill in ruts and restore waste pipes on extraction roads and tracks;
- carry out the works prescribed in the authorisation on the location of authorised facilities (shelter, shed etc.);
- pick up and remove all debris and slash, restore facilities such as barriers, ditches, conduits etc. and fill in holes and ruts on the landings;

- repair damage caused on forest roads including secondary roads. If external materials are used, the intervening party seeks the agreement of the ONF agent about the use of such materials.

The restoration of the sites to their former state is recorded in a harvesting completion report drawn up in the presence of both parties on the basis of the site inventory at the start of harvesting or during the felling acceptance process.

3.10 Acceptance

During felling acceptance as provided by the sales contract or the contract for the supply of services, it is verified whether these Forestry Regulations have been complied with.