



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Peter Goldmark - Commissioner of Public Lands



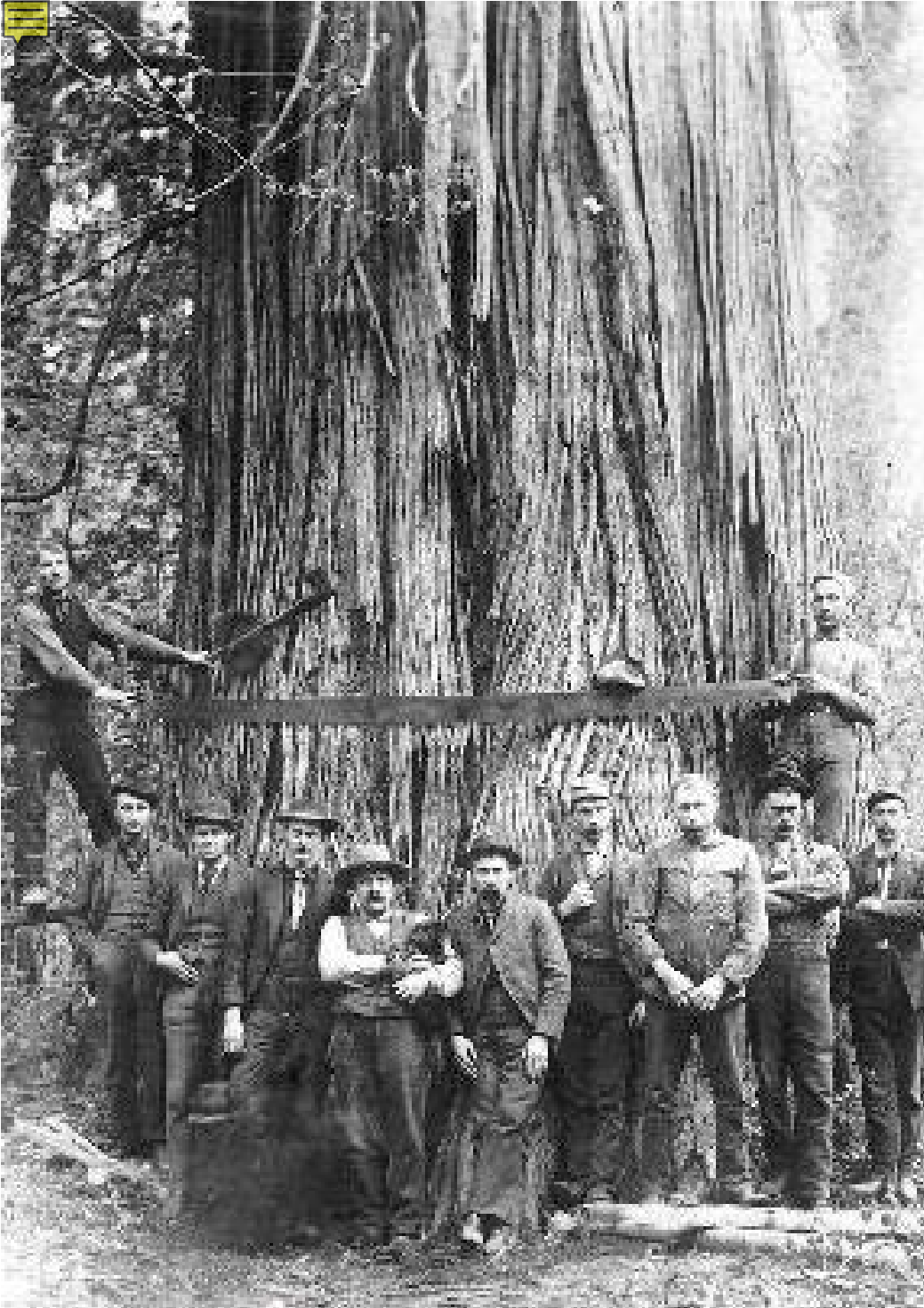
Forest Practices Program

Brooke Acosta
Forest Practices Division
Region Support Specialist, Operations



WASHINGTON STATE DEPARTMENT OF
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Forest Practices Act – RCW 76.09

- ▶ Legislature finds and declares that forest land resources are among the most valuable of all resources in the state...
- ▶ Enacted in 1974
- ▶ Established the Forest Practices Board (FPB) to adopt rules



Forest Practices Act

- ▶ Beginning of administrative framework
- ▶ Protect public resources while maintaining a viable timber industry in Washington
 - Water, fish, wildlife, capital improvements of the state





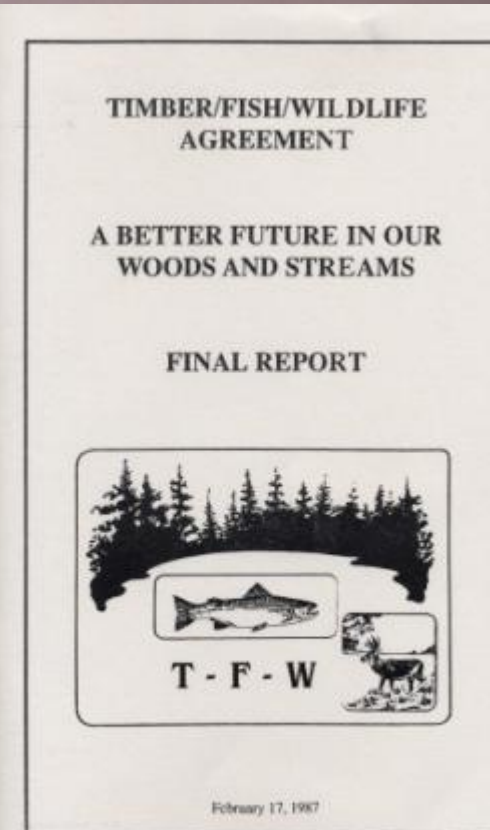
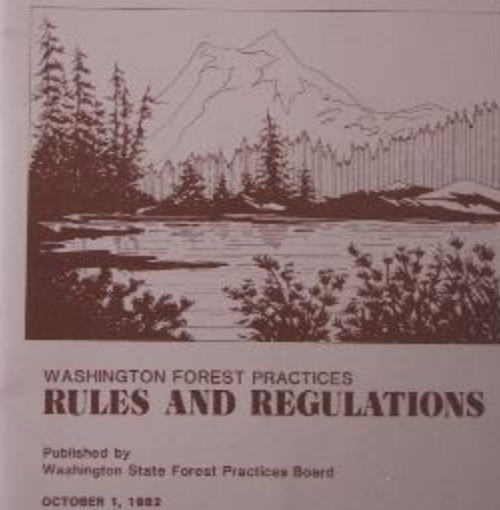
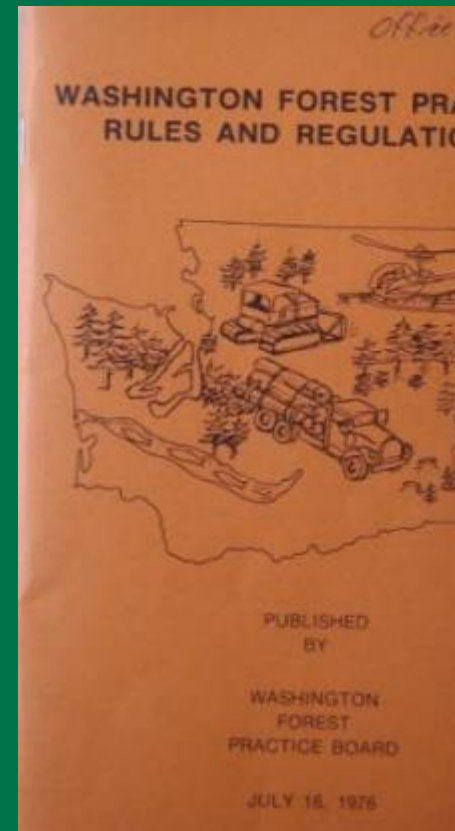
Forest Practices Board

- ▶ Independent state agency
- ▶ DNR provides staff support to the FPB
- ▶ 13-member board
 - Represent a variety of interests including six members of the general public
 - Chaired by Commissioner of Public Lands or designee
- ▶ See handout “The Washington Forest Practices Board” for contact information



Forest Practices Rules

- ▶ Title 222 Washington Administrative Code (WAC)
- ▶ 1976 - Permanent rules adopted
 - Water quality
 - Stream bank integrity
- ▶ 1987 – Timber/Fish/Wildlife (TFW) rule package
 - Riparian buffers
 - Adaptive management



Forest Practices Rules

- ▶ 1992 – Watershed analysis
 - Wetland protection
 - Chemical application
 - Unstable slopes
- ▶ 2001 – Forests & Fish Rules
 - Riparian protection
 - Road Maintenance and Abandonment Plan (RMAP)
 - Ensure compliance with Endangered Species Act (ESA) and Clean Water Act (CWA)

FORESTS AND FISH REPORT

dated April 29, 1999



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Forest Practices Rules

- ▶ 2006 – Forest Practices Habitat Conservation Plan (FPHCP)
 - Formalized compliance with the ESA for aquatic species
- ▶ 2013 – Forest Practices Hydraulic Projects (FPHP)
 - DNR assumes jurisdiction for forest practices activities in or over typed water



Rules Based on Science

- ▶ Forests and Fish Report & Rules
- ▶ Adaptive Management Program
 - ▶ Forests and Fish Policy Committee
 - ▶ Cooperative, Monitoring, Evaluation and Research (CMER) Committee



Cooperative Monitoring, Evaluation
and Research Committee





Department of Ecology (ECY)

- ▶ “Forest practices rules pertaining to water quality protection shall be adopted by the board after reaching agreement with the director of the department of ecology...” [RCW 76.09.040(1)]
- ▶ Rules marked with an asterisk(*) pertain to water quality protection and have been adopted or amended by the FPB with agreement from ECY





Clean Water Act
**Environmental
Protection
Agency**

**Forest
Practices
Board**
Adopts Rules

DOE
**State
Authority for
Clean Water
Act**

DNR
**Implements the
Rules**

Collaboration

**Technical
Assistance**





If you follow the rules...

Board Manual

- ▶ Advisory technical supplement to the forest practices rules
- ▶ 26 sections that provide guidance on implementing rules in the field
- ▶ Designed to guide field practitioners, DNR foresters, landowners, etc.
- ▶ www.dnr.wa.gov





Implementing the Rules

- ▶ Department of Natural Resources

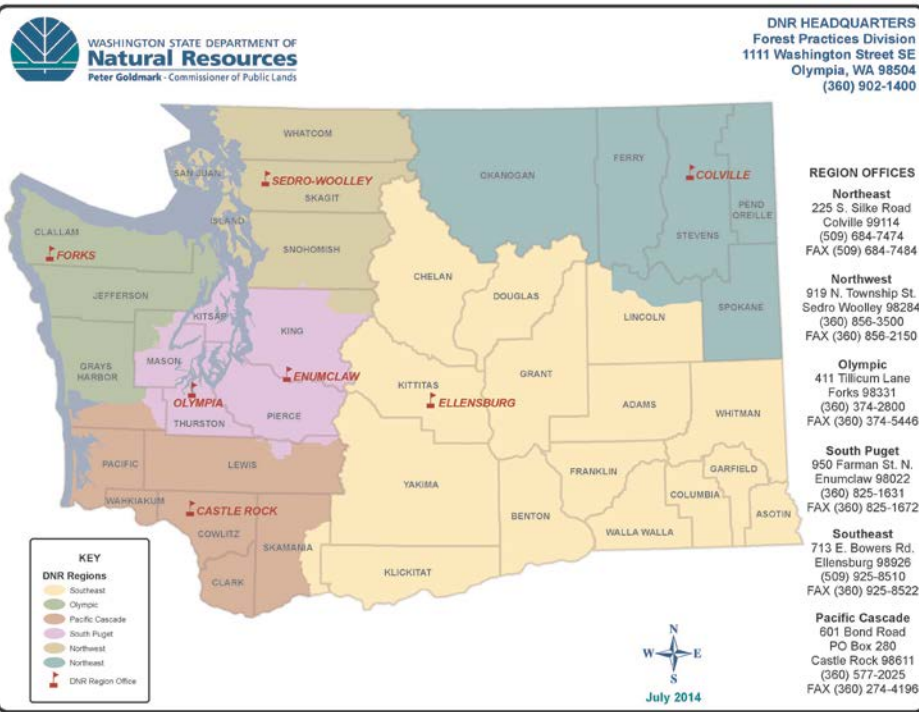
- Forest Practices Program

- ▶ Six Regions

- Region map handout

- ▶ Website:

www.dnr.wa.gov



Forest Practices Application/Notification (FPA/N)



WASHINGTON STATE DEPARTMENT OF
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Forest Practices Application/Notification Eastern Washington

For DNR Region Office Use Only	
FPA/N #:	
Region:	
Received Date:	

PLEASE USE THE INSTRUCTIONS TO COMPLETE THIS APPLICATION. TYPE OR PRINT IN INK.

1. Landowner, Timber Owner and Operator

Legal Name of LANDOWNER	Legal Name of TIMBER OWNER (if different than Landowner)	Legal Name of OPERATOR (if different than Landowner)
Mailing Address:	Mailing Address:	Mailing Address:
City, State, Zip	City, State, Zip	City, State, Zip
Phone ()	Phone ()	Phone ()
Email:	Email:	Email:

2. Contact Person

Contact Person:	Phone ()
	Email:

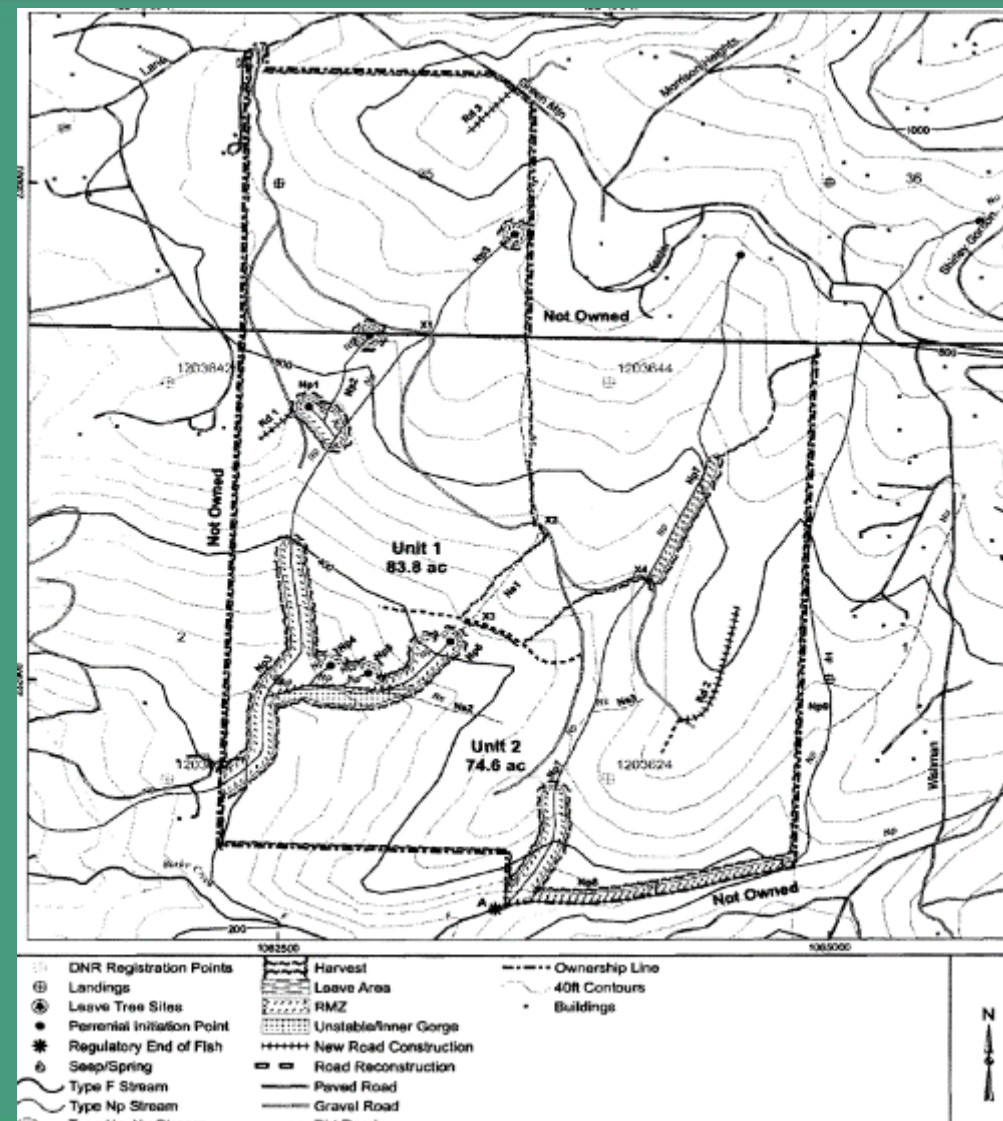
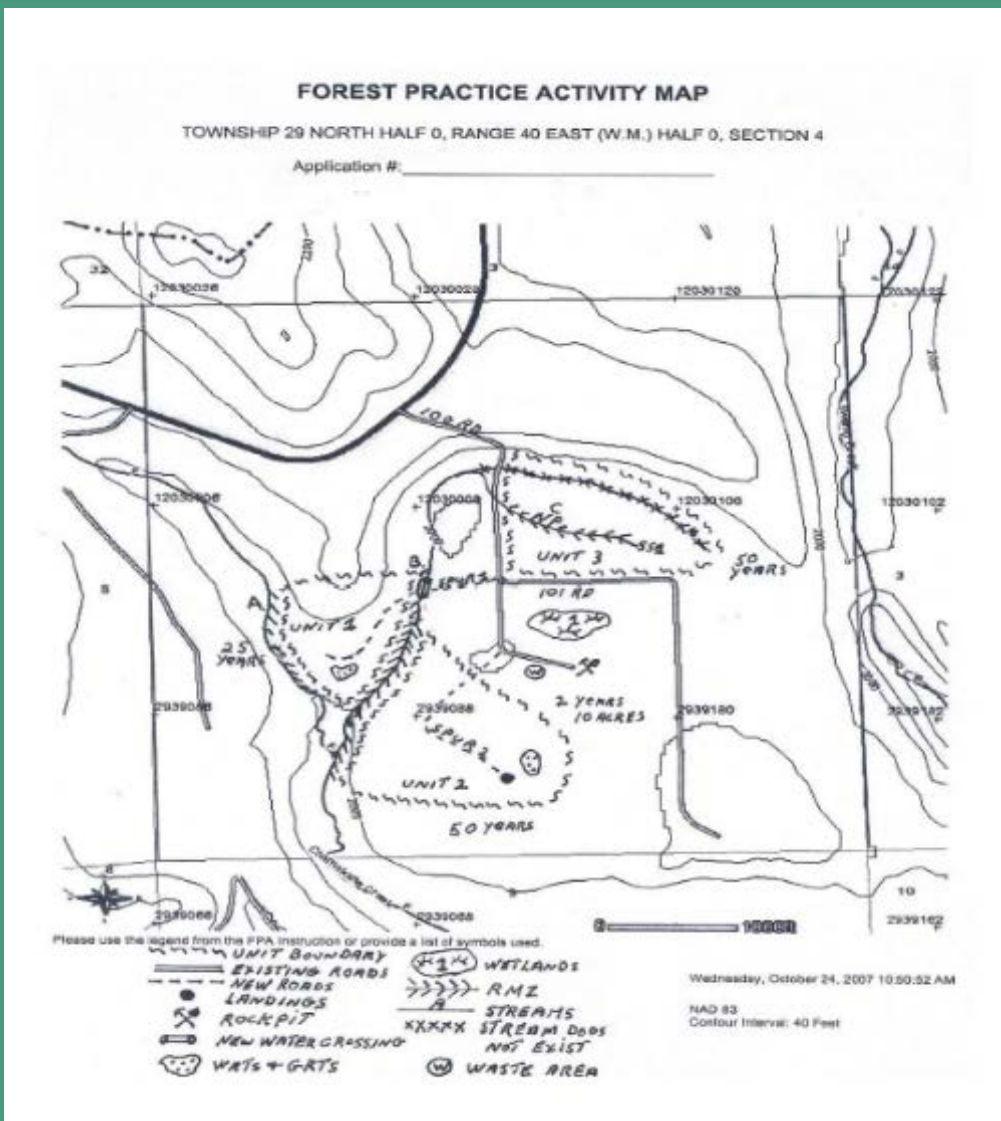
NOTE: You are required to verify Type Np, and Ns water types within 200 feet of your proposed forest practices activities prior to submitting a Forest Practices Application / Notification. Use the Additional Information section, additional pages, the Water Type Classification Worksheet, and/or a Water Type Modification form to explain how you verified water types. See Water Typing Requirements in the instructions.



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Forest Practices Application/Notification (FPA/N)



Forest Practices Application/Notification
Office Checklist Page 1
Region _____

FPA/N #: _____
 Received Date: _____
 WDFW Concurrence Due Date: _____
 WDFW Concurrence Review Completed: _____
 Comments Due Date: _____
 Decision Due Date: _____
 FP Forester: _____
 Shutdown Zone: _____
 RMAP #: _____

FPA/N CLASSIFICATION: [] II [] III [] IVG [] IVS RMAP Exempt: [] 80/20 [] No Forest Roads [] Ag [] LLO
 Landowner Name: _____ Project Name: _____

WRIA: _____ WAU: _____
 WRIA: _____ WAU: _____
 Legal Description: _____
 Activity Type: Harvest _____ ac Spray _____ ac Stream Crossing(s) _____
 Road Construction _____ ft Road Abandonment _____ ft Rock Pit _____ ac

ALTERNATIVE PRESCRIPTIONS
 Alternate Plan
 Ten-Year Forest Management Plan
 Columbia River Gorge National Scenic Area
 Watershed Analysis: _____
 Habitat Conservation Plan
 Landowner Option Plan for Northern Spotted Owl
 Cooperative Habitat Enhancement Agreement

RESOURCE REVIEW
 Unstable Slopes (Risk: Highway, Water: _____)
 Soils Map (Highly Erodible & Very Unstable)
 SLPSTAB
 Landslide Hazard Zonation
 Landslide Polygon
 Rain-on-Snow and Outside Approved WA
 Hydric Soils
 Wetland [] Forested, [] A, [] B
 In WMZ of [] A, or [] B Wetland
 In RMZ/ELZ of Type [] S, [] F, [] N water
 Water Verification
 Bull Trout Overlay
 HCP Bull Trout Population
 Bald Eagle nest or roost within 660 feet
 Group A or B Water Supply (TRAX code DM or MU)
 Hatchery (TRAX code S)(Name: _____)
 Even-Aged Harvest greater than 120 Acres
 Ground-based Equipment on Slopes greater than 40%
 Road Construction on Slopes greater than 65%
 Saltwater Islands (Name: _____)

ASSOCIATED NON-SCANNED DOCUMENTS – On file with the FPA/N at the region office.
 SEPA Checklist/Documents
 Large Landowner Road Maintenance and Abandonment Plan

ASSOCIATED SCANNED DOCUMENTS
 Conversion Option Harvest Plan
 FPHP Plans & Specifications
 Qualified Expert Report
 Natural Regeneration Plan
 Shoreline Permit
 Marbled Murrelet Form
 FPBM Appendix(s) _____
 Small Landowner RMAP Checklist
 CMZ Assessment Form
 Hardwood Conversion Form
 Wetland Mitigation Plan
 Water Protocol Surveys [] Modification Form# _____
 Water Classification Worksheet
 Shade Documentation (Stream Shade Assessment Worksheet)
 Watershed Analysis Worksheet
 DFC Printout
 Slope Stability Informational Form

EARR Tax Credit [] Yes [] No Form completed by _____
ADDITIONAL COMMENTS:

Office Review

- ▶ Forest Practices Risk Assessment Tool (FPRAT)
 - ▶ Initial Screening via Office Checklist
 - ▶ Many data sources in one mapping site
- ▶ Classification
- ▶ FPA Review System (FPARS)
 - ▶ Notification system

Forester Responsibility

- ▶ Forester notified by FPARS
 - ▶ Office Review
 - ▶ Field Review
 - ▶ Approval/Disapproval
- ▶ Field check approved permits
- ▶ Enforcement





Forest Practices Jurisdiction

Forest Practice:

“...any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, processing timber, or removing forest biomass...”





Forest Practices Jurisdiction

Forest Land:

“...all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.”





Forest Practices Jurisdiction

- ▶ State
- ▶ Private
- ▶ Local government
- ▶ Non-federal/tribal



Forest Practices



Timber harvest



Precommercial Thinning



Road construction



Pesticide application



Tree Planting



Culvert installation



Forest Land

YES

NO



Classification of Forest Practices Applications (FPA)

- ▶ **Class I**: No direct potential to damage a public resource
- ▶ **Class II**: Less than ordinary potential to damage a public resource
- ▶ **Class III**: Public resources on or near site, therefore potential for damage exists
- ▶ **Class IV Special**: has potential for substantial impact to the environment
- ▶ **Class IV General**: Conversion from forest land





Class I

- ▶ No FPA/N required – no fee
- ▶ Routine road maintenance
- ▶ Tree planting
- ▶ Cutting less than 5,000 board feet of timber for personal use (i.e., firewood or fence posts)
- ▶ Culture and harvest of Christmas trees



Class II

- Requires FPA/N and applicable fee
- Notification – activities may begin five days after receipt
- Renewals of previously approved FPA/Ns with no modifications
- Salvage logging where no public resources are present
- Partial cutting less than 40% live timber volume

Instructions:

- You may renew your current Forest Practices Application or Notification if:
- You are not proposing to modify the uncompleted operation.
 - There are no outstanding enforcement actions associated with the application/notification.
 - The current forest practices rules do not require a change in the nature and extent of the forest practice.
 - You are within 60 days of expiration.

Fill out this form. Send the forms with the appropriate fees to the department region office that is responsible for the geographic area of the operation. Type or print in permanent ink. You can find a list of DNR region offices to the DNR web site at <http://www.dnr.wa.gov> and clicking on "Regions".

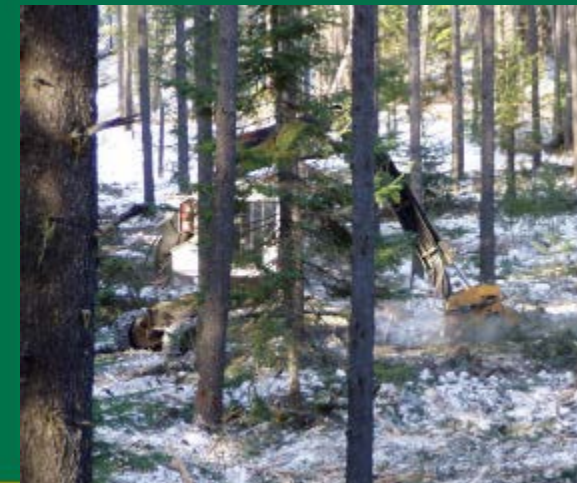
Renewal requests must be received and accepted at the region office prior to the expiration date of the forest practices application or notification.

APPLICATION NUMBER: _____ EXPIRATION DATE: _____

Classification of the original forest practice: Class II - Class III - Class IV General - Class IV Special -

Are you a Small Forest Landowner per RCW 76.09.450? Yes No
If yes, is entire proposed harvest on a single contiguous ownership consisting of one or more parcels?

Are you proposing any modifications of the original forest practices?
 Yes. Stop. You must complete a new Forest Practice Application/Notification Form.





Class III

- ▶ Requires FPA and applicable fee
- ▶ FP activities not included in Class I, II, IV
- ▶ Harvest or road construction near public resources
- ▶ Forest Practices Hydraulic Project
- ▶ Aerial application of pesticides
- ▶ Opening new rock pit



Class IV General

- ▶ Requires FPA and fee
- ▶ Conversion from forest land to a use incompatible with growing timber
- ▶ May require processing with the local government, city/county
- ▶ Requires an environmental checklist in compliance with the State Environmental Policy Act (SEPA)



Class IV Special

- ▶ Requires FPA and fee
- ▶ Certain aerial applications of pesticides (WAC 222-16-070)
- ▶ Specific forest practices on lands designated as critical habitat (WAC 222-16-080)
- ▶ Forest practices on potentially unstable slopes or landforms (WAC 222-16-050(d)(i))





Class IV Special

- ▶ Forest practices in areas with archaeological sites/resources
- ▶ May require a report from a technical expert
- ▶ Requires an environmental checklist in compliance with the State Environmental Policy Act (SEPA)

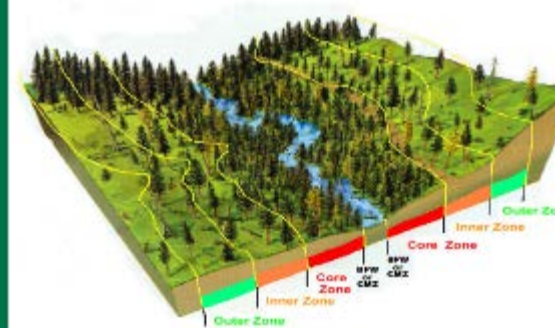


Purpose of the Rules

- ▶ Protect public resources while maintaining a viable timber industry
- ▶ A large portion of the rules are focused on protecting water
 - Water Typing – WAC 222-16-031
 - Timber Harvesting – WAC 222-30
 - Unstable Slopes – WAC 222-16-050
 - Road Construction and Maintenance – WAC 222-24
 - Forest Chemicals – WAC 222-38



Riparian Management Zones
A Graphic Representation





Water Typing

- ▶ S – Shorelines of the State (Chapter 90.58 RCW)
- ▶ F – Fish bearing streams
- ▶ Np – Non-fish perennial streams
- ▶ Ns – Non-fish seasonal streams



Type F Waters

- ▶ Presumed to have fish when the following physical characteristics are present:
 - Defined channel two feet or wider at bankfull width
 - Gradient less than 16%
 - Sub-basin 50 acres or less
 - Gradient less than 20%
 - Sub-basin greater than 50 acres



Type F Waters

- ▶ Certain ponds or impoundments
- ▶ Domestic water sources used by more than 10 residential or camping units upstream of the diversion point for 1,500 feet or until the drainage area is reduced by 50%, whichever is less





Type Np Waters

- ▶ Non-fish bearing
- ▶ Flow year-round
- ▶ Do not go dry any time during a year of normal rainfall
- ▶ Certain "sensitive sites"
 - ▶ Headwall seep
 - ▶ Side-slope seep
 - ▶ Np intersection
 - ▶ Headwater spring
 - ▶ Alluvial fan





Type Ns Waters

- ▶ Non-fish bearing
- ▶ Seasonal
- ▶ Surface flow is not present for a portion of the year during a year of normal rainfall
- ▶ Must be physically connected by an above-ground channel to Type S, F or N waters





Timber Harvesting

- ▶ The harvest section establishes Riparian Management Zones (RMZ) based on water type
- ▶ “The goal of the riparian rules is to protect aquatic resources and related habitat to achieve restoration of riparian function...”
- ▶ Wetlands provide fish and wildlife habitat, protect water quality, moderate and preserve water quantity





Riparian Functions

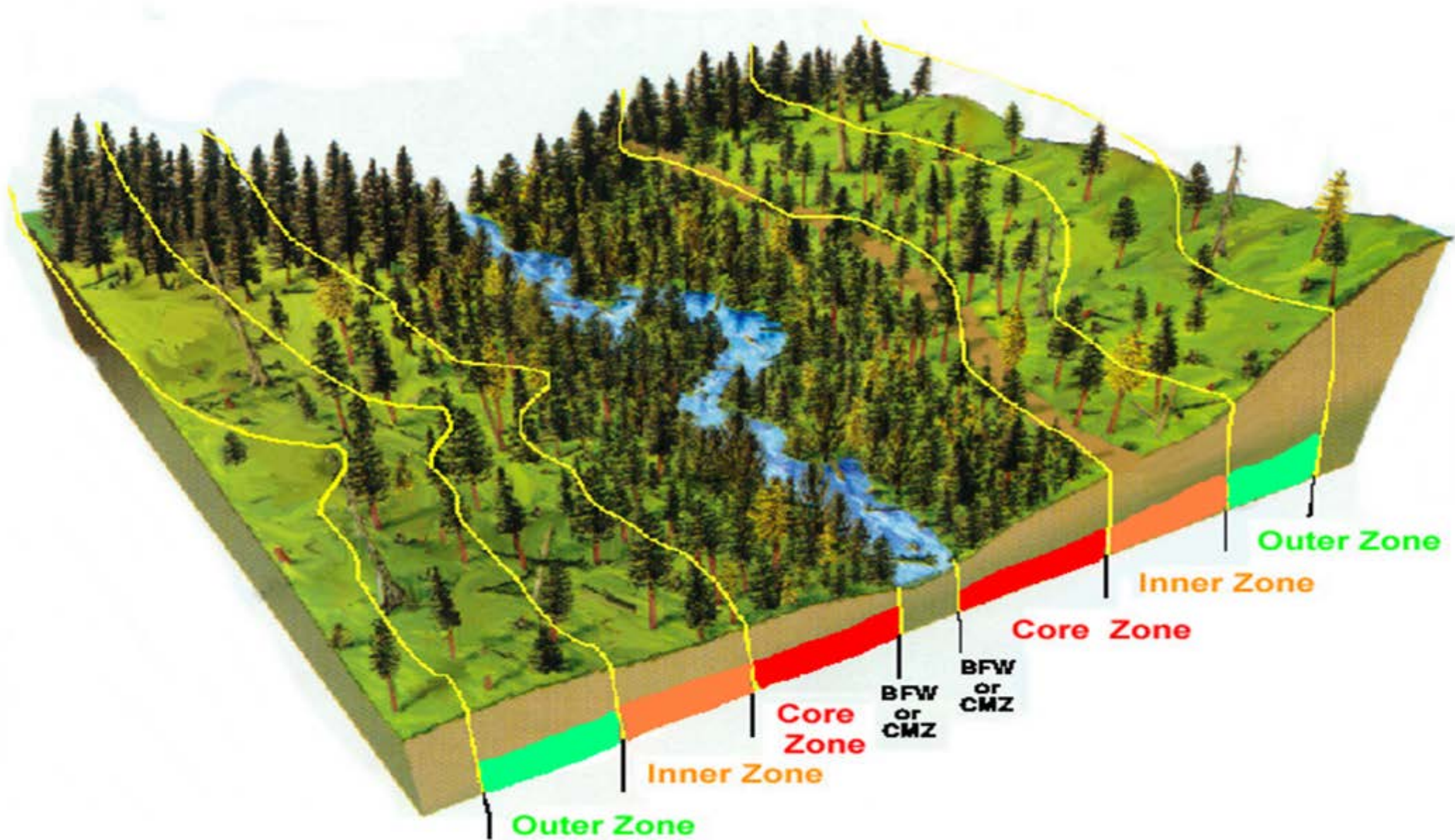
- ▶ Shade
- ▶ Bank stability
- ▶ Woody debris recruitment
- ▶ Sediment filtering
- ▶ Nutrients
- ▶ Leaf litter fall



Riparian Management Zones

A Graphic Representation

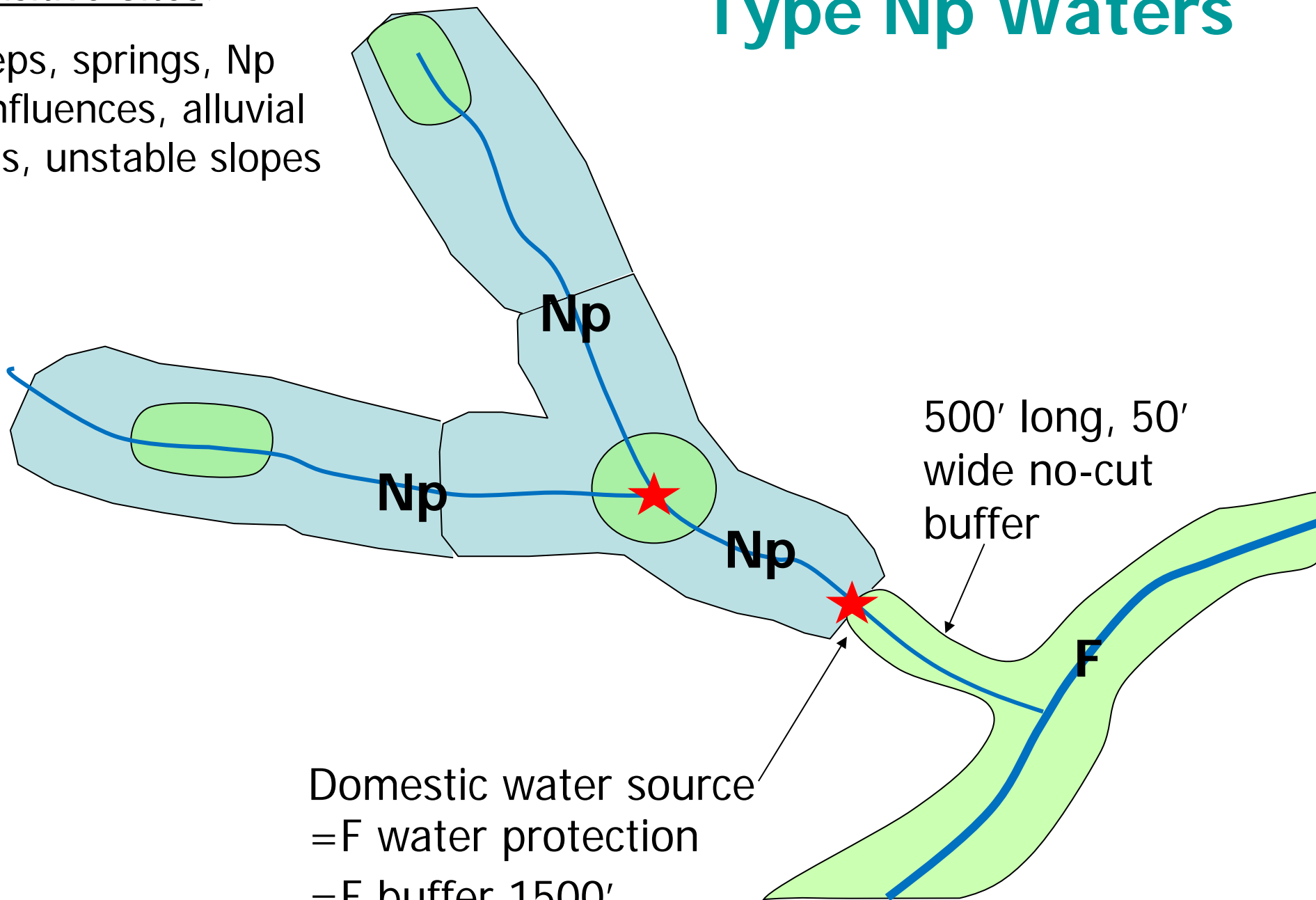
Type S and F Waters



Sensitive Sites:

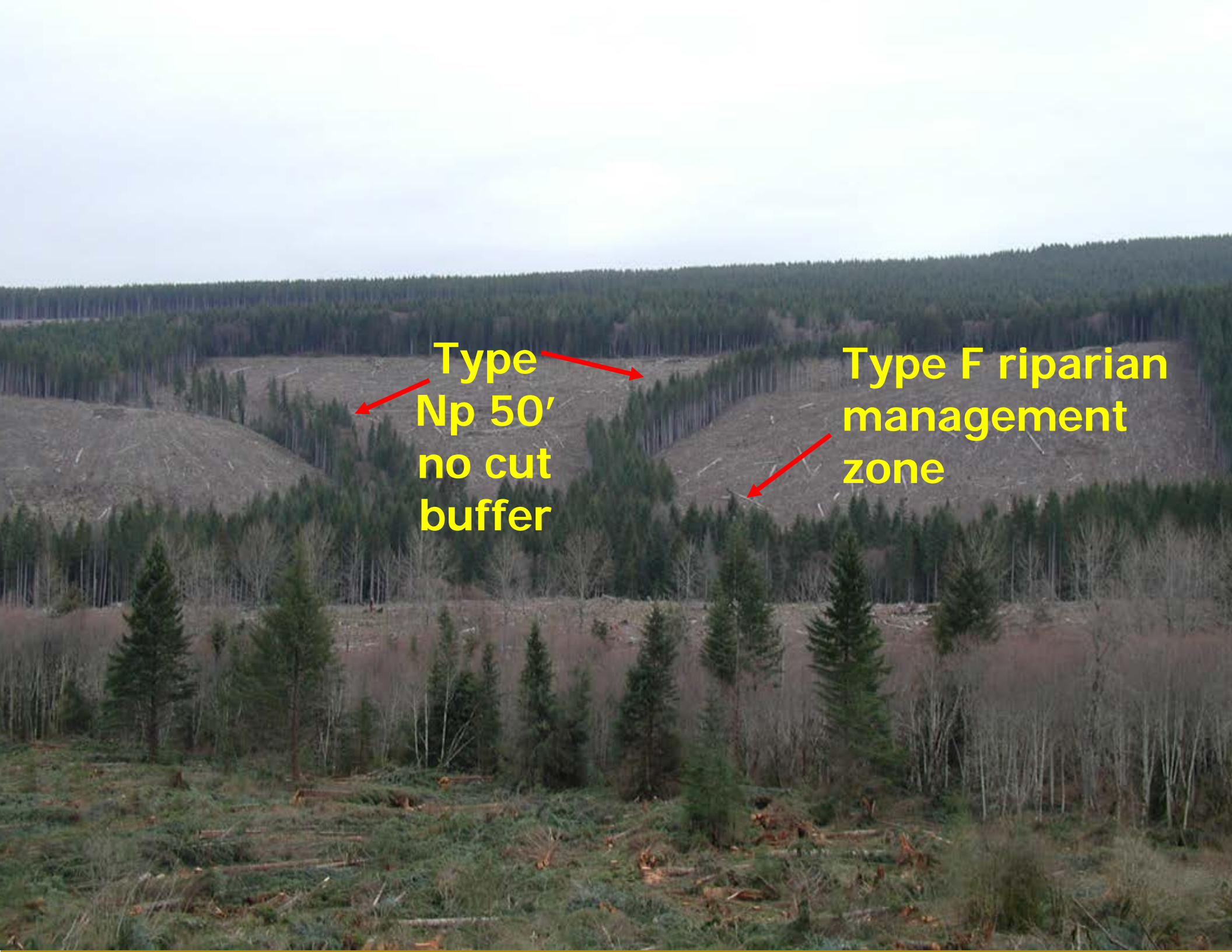
seeps, springs, Np
confluences, alluvial
fans, unstable slopes

Type Np Waters



500' long, 50'
wide no-cut
buffer

Domestic water source
=F water protection
=F buffer 1500'
upstream from intake



Type
Np 50'
no cut
buffer

Type F riparian
management
zone



Road Construction & Maintenance

“... roads must be constructed and maintained in a manner that will prevent potential or actual damage to public resources. This will be achieved by constructing and maintaining roads so as not to result in the delivery of sediment and surface water to any typed water in amounts, at times or by means, that preclude achieving desired fish habitat and water quality...” **[WAC 222-24-010(2)]**





Road Construction & Maintenance

Goals:

- ▶ Provide for fish passage at all life stages
- ▶ Prevent road related landslides (mass wasting)
- ▶ Minimize delivery of sediment and surface runoff to all typed streams
- ▶ Avoid capture and redirection of surface or groundwater
- ▶ Divert most road runoff to the forest floor





Road Construction & Maintenance

Goals:

- ▶ Design water crossing structures to the 100-year flood level
- ▶ Protect stream bank stability, the existing channel and riparian vegetation
- ▶ Minimize construction of new roads
- ▶ Assure no-net-loss of wetland function
- ▶ Assure no-net-loss of fish habitat





Unstable Slopes

- ▶ WAC 222-16-050(1)(d)(i)
- ▶ Potential to deliver sediment or debris to a public resource or threaten public safety
- ▶ Goal of the Forest Practices rules is to NOT increase mass wasting (i.e., landslides) above natural background rates



(A3) Convergent Headwalls

(A2) Bedrock Hollows

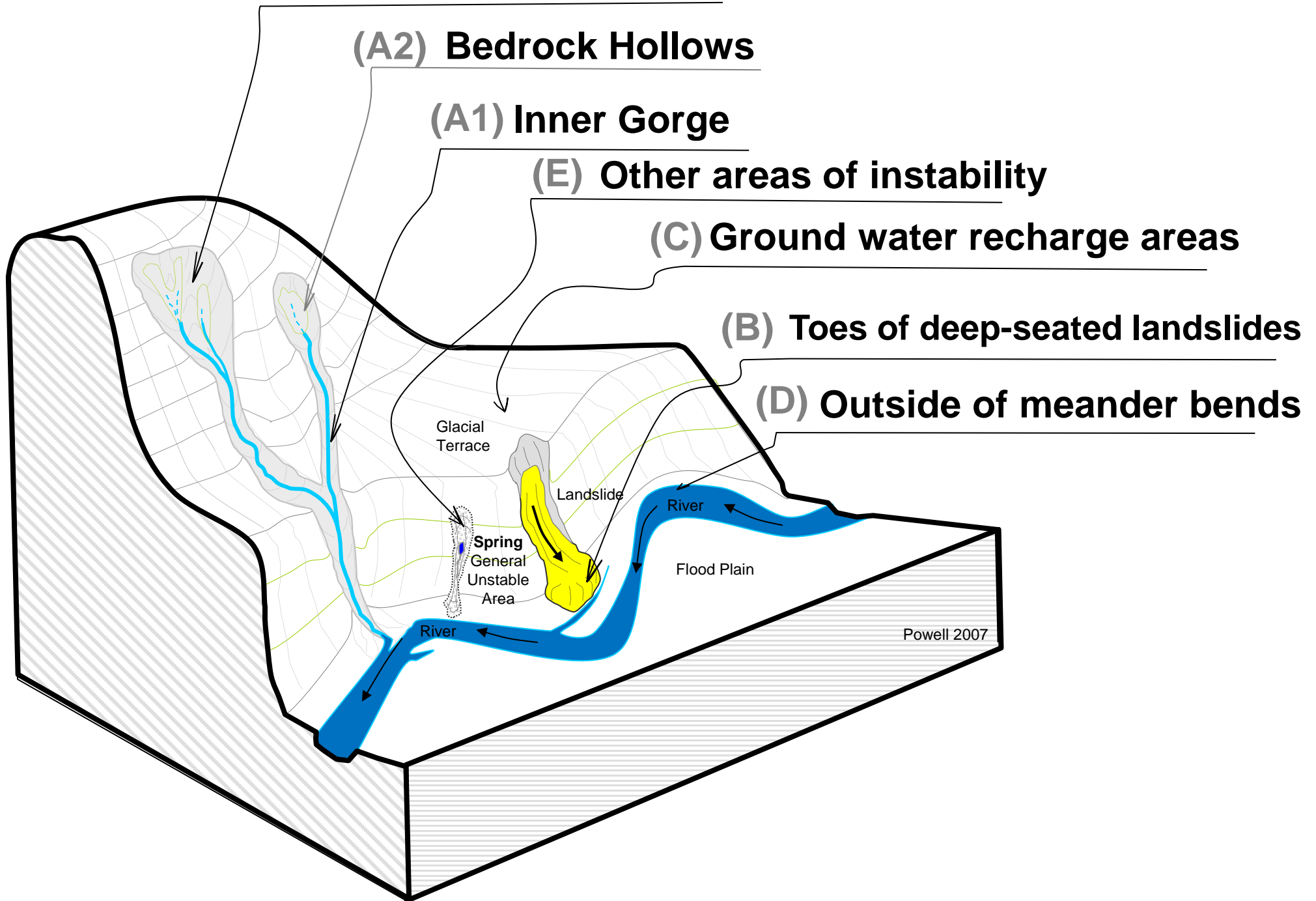
(A1) Inner Gorge

(E) Other areas of instability

(C) Ground water recharge areas

(B) Toes of deep-seated landslides

(D) Outside of meander bends



Powell 2007

Unstable landforms listed in WAC 222-16-050

Unstable Slopes

- ▶ Most landowners choose to avoid potentially unstable slopes
- ▶ High level of review by DNR, experts and public
- ▶ Expert report (geotechnical report from a Qualified Expert)
- ▶ SEPA





Forest Chemicals

“The purpose of these regulations is to regulate the handling, storage and application of chemicals in such a way that the public health, lands, fish, wildlife, aquatic habitat, wetland and riparian management zone vegetation will not be significantly damaged and water quality will not be endangered by contamination. This section in no way modifies the state department of agriculture regulations governing chemicals.” WAC 222-38-010



Aerial Chemical Application



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Forest Practices Application/Notification For Aerial Chemicals

For DNR Region Office Use Only	
FPA/N #:	
Region:	
Received Date:	

YOU MUST USE THE INSTRUCTIONS TO COMPLETE THIS APPLICATION.

TYPE OR PRINT IN INK:

1. Landowner, Timber Owner and Operator

Legal Name of LANDOWNER	Legal Name of TIMBER OWNER	Legal Name of OPERATOR
Mailing Address:	Mailing Address:	Mailing Address:
City, State, Zip	City, State, Zip	City, State, Zip
Phone ()	Phone ()	Phone ()
Email:	Email:	Email:

2. Contact person.

Contact Person	Phone ()
	Email:

3. Are you substituting prescriptions from an approved state or federal conservation agreement or watershed analysis?

No. Yes. Write "Using prescriptions" in tables that apply. Attach or reference prescriptions/crosswalk on file.

4. Complete the following property description:

¼ ¼ (quarter quarter)	Section	Township	Range	East/ West	County
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Aerial Chemical Application

6. Chemical Information - Show all buffers on your Activity Map

Type of Chemical (Herbicide, rodenticide, insecticide,	EPA Number	Contiguous Acres Being Treated	Will You Spray Within 100 feet of Agricultural Land?	Will You Spray Within 200 feet of a Residence?	Will You Spray Within 100 feet of Surface Water?

7. Have you reviewed this forest practices activity area to determine whether it may involve historic sites and/or Native American cultural resources? Read the instructions before answering this question.

No. Yes.

8. We understand that applying chemicals is not an activity included as part of the DNR's Incidental Take Permit for aquatic species. We affirm that the information contained herein is true, and understand that this proposed forest practice is subject to the Forest Practices Act and Rules as well as all other federal, state or local regulations. Compliance with the Forest Practices Act and Rules does not ensure compliance with the Endangered Species Act or other federal, state or local laws.

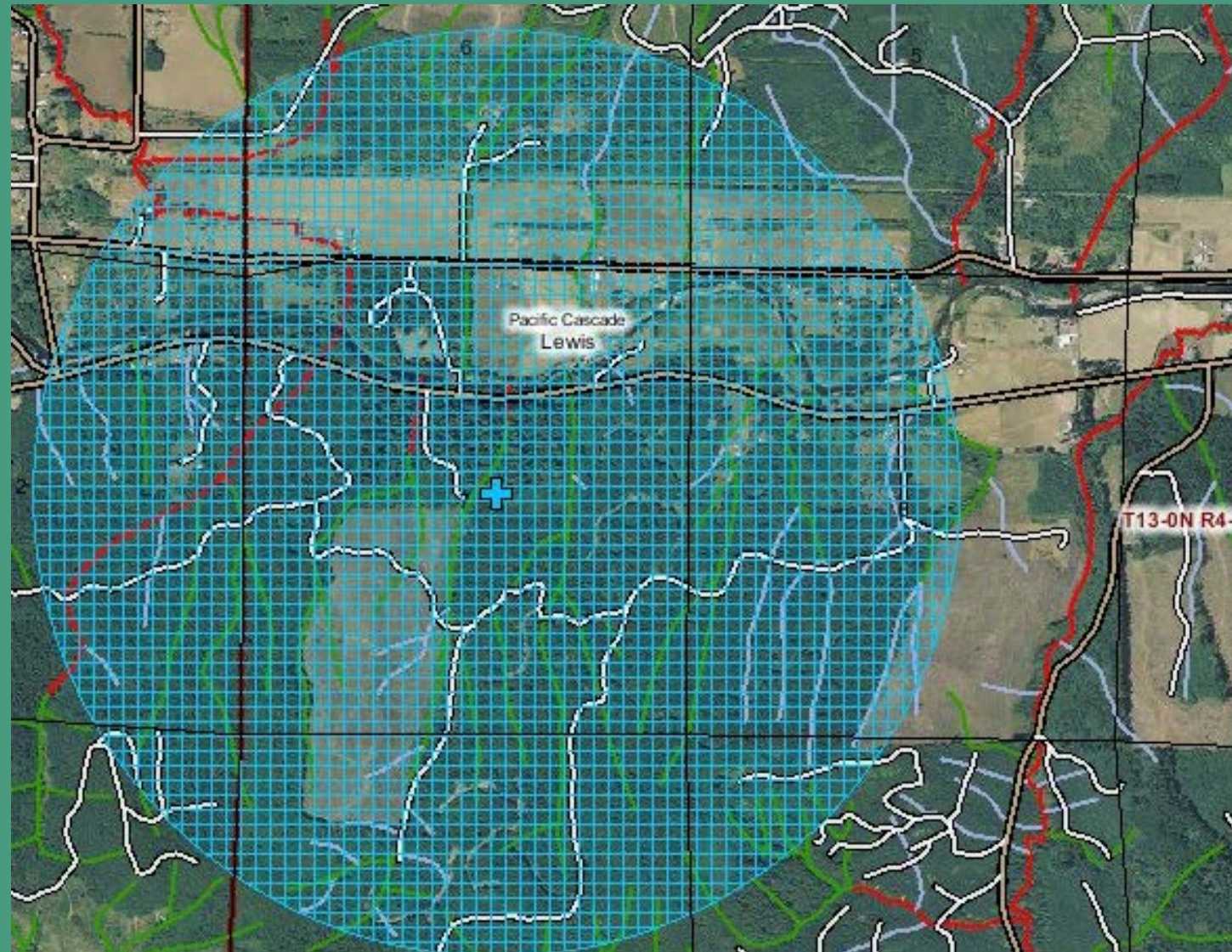
<p><u>Signature of LANDOWNER</u></p> <p><u>Print</u></p>	<p><u>Signature of TIMBER OWNER</u> (If different than landowner)</p> <p><u>Print</u></p>	<p><u>Signature of OPERATOR</u> (If different than landowner)</p> <p><u>Print</u></p>
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Screening/Review Tools

Forest Practices Risk Assessment Tool (FPRAT)

- Legend**
- Section Lines
 - Group A & B Spring Water Systems
 - Group A & B Spring Water 200 Foot Buffer
 - Group A & B Surface Water Intakes
 - Group A & B Surface Water System One Mile Buffer



Screening/Review Tools

WSPRS

Pesticide Information Center Online

Print

Pesticide Information Center Online (PICOL) Databases

Welcome to Washington State University's label databases. These databases are operated by WSU with funding from the Washington State Department of Agriculture, the Oregon Department of Agriculture, Oregon State University, and WSU. The databases are updated daily.

Registered Labels

The label database can be searched by using selected information from pesticide products registered in Oregon and/or Washington. Washington data includes Section 3, Section 24c, Section 18 and federal supplemental labels. It does not include EUPs. Oregon data includes Section 3, Section 24c and federal supplemental labels. It does not include EUPs. Electronic copies (i.e., PDFs) of Washington labels are uploaded as we receive them from WSDA. NOTE: THESE WEB LABELS ARE FOR INFORMATIONAL PURPOSES ONLY. THIS DATABASE IS NOT A SUBSTITUTE FOR OBTAINING AND READING PESTICIDE LABELS. PICOL INFORMATION HAS NO LEGAL STATUS, WHEREAS THE LABEL IS A LEGAL DOCUMENT.

Section 24c

This site contains nine SLN Quick Search Lists for Washington and Oregon. Users may also access the full PICOL database via the Registered Labels button above to perform more detailed searches for SLNs.

Maintenance of the PICOL tolerance database has been discontinued. We sincerely apologize for any inconvenience. In its place we recommend users access the [USEPA Tolerance Database](#) or the [USDA Foreign Agriculture Service Maximum Residue Limit Database](#).

[Puyallup Research and Extension Center](#), 2606 West Pioneer, Puyallup, WA, 98371-4900, 253-445-4611, [Contact Us](#)

<http://cru66.cahe.wsu.edu/LabelTolerance.html>



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Classification

Chapter 222-16

Definitions

KEY FOR EVALUATION OF SITE SPECIFIC USE OF AERIALY APPLIED PESTICIDES

Question	Question	Resp	Action
1 (a)	Is the pesticide on the pesticide list (WAC 222-16-070(1))?	Yes No	go to 2 go to 1(b)
1 (b)	Is the pesticide being used under a Dept of Agriculture Experimental Use Permit (WAC 16-228-1460)?	Yes No	Class III Class IV Sp
2	Is the toxicity rating for the pesticide to be used "Danger - Poison" as designated in the pesticide list (WAC 222-16-070(1)(b))?	Yes No	Class IV Sp go to 3(a)
3 (a)	Is <i>Bacillus thuringiensis</i> (BT) the only pesticide being used on this application?	Yes No	go to 3(b) go to 4(a)
3 (b)	Is there a Threatened or Endangered species or the critical habitat (Federal) or critical habitat (State) of a species within the application area that is susceptible to the BT strain being used?	Yes No	Class IV Sp Class III
4 (a)	Is this operation occurring over ground water with a high susceptibility to contamination as specified in EPA 910/ 9-87-169 or in documentation provided by the department of ecology?	Yes No	go to 4(b) go to 5(a)
4 (b)	Is this pesticide a state restricted use pesticide for the protection of ground water under WAC 16-228-1231?	Yes No	Class IV Sp go to 5(a)
5 (a)	Is the operation adjacent (within 100 ft.) of surface water?	Yes No	go to 5(b) go to 5(a)





QUESTIONS?



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