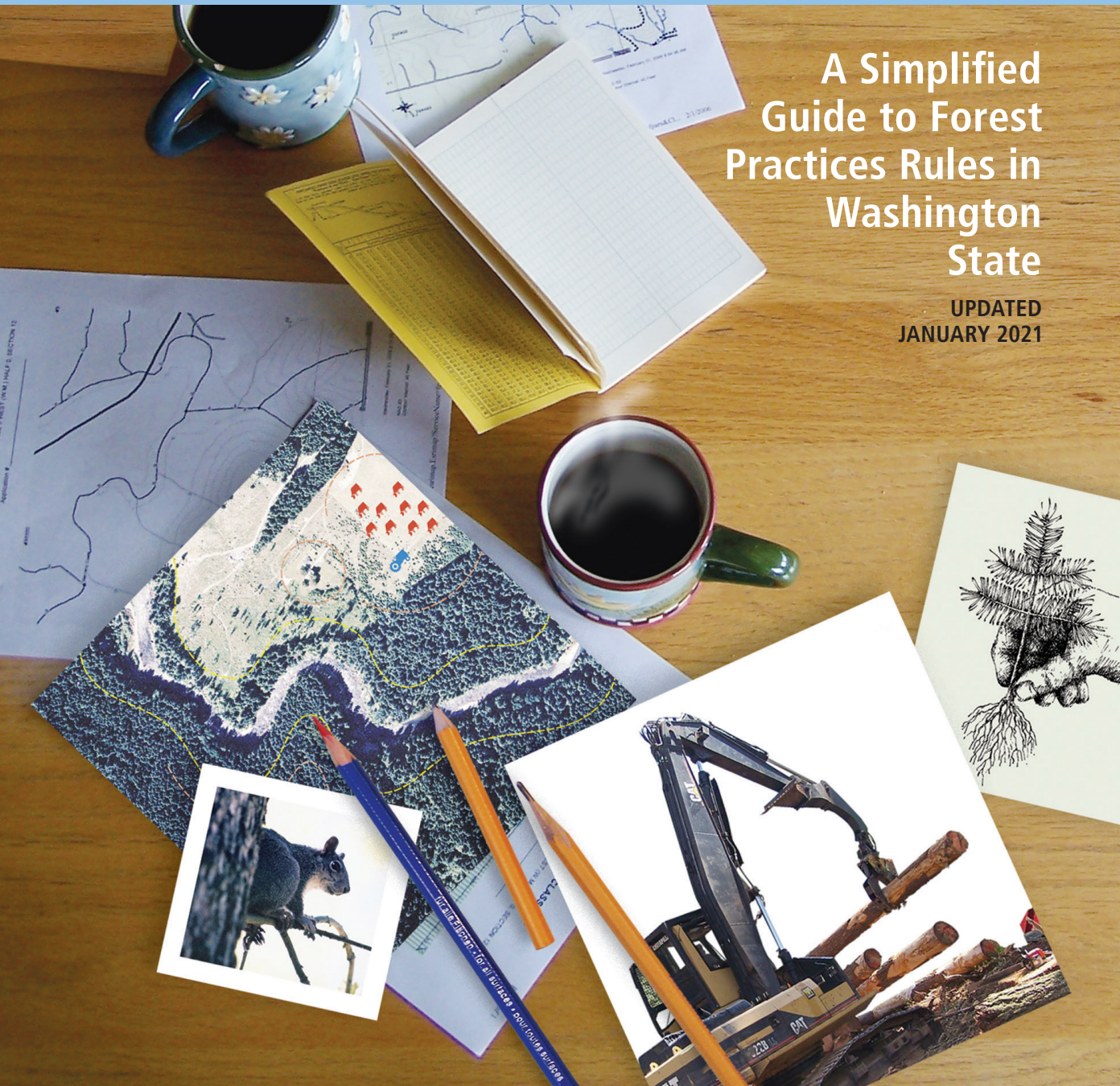


FOREST PRACTICES ILLUSTRATED



A Simplified
Guide to Forest
Practices Rules in
Washington
State

UPDATED
JANUARY 2021





FOR MORE INFORMATION, CONTACT THE NEAREST DEPARTMENT OF NATURAL RESOURCES REGION IN WHICH YOUR PROPERTY IS LOCATED

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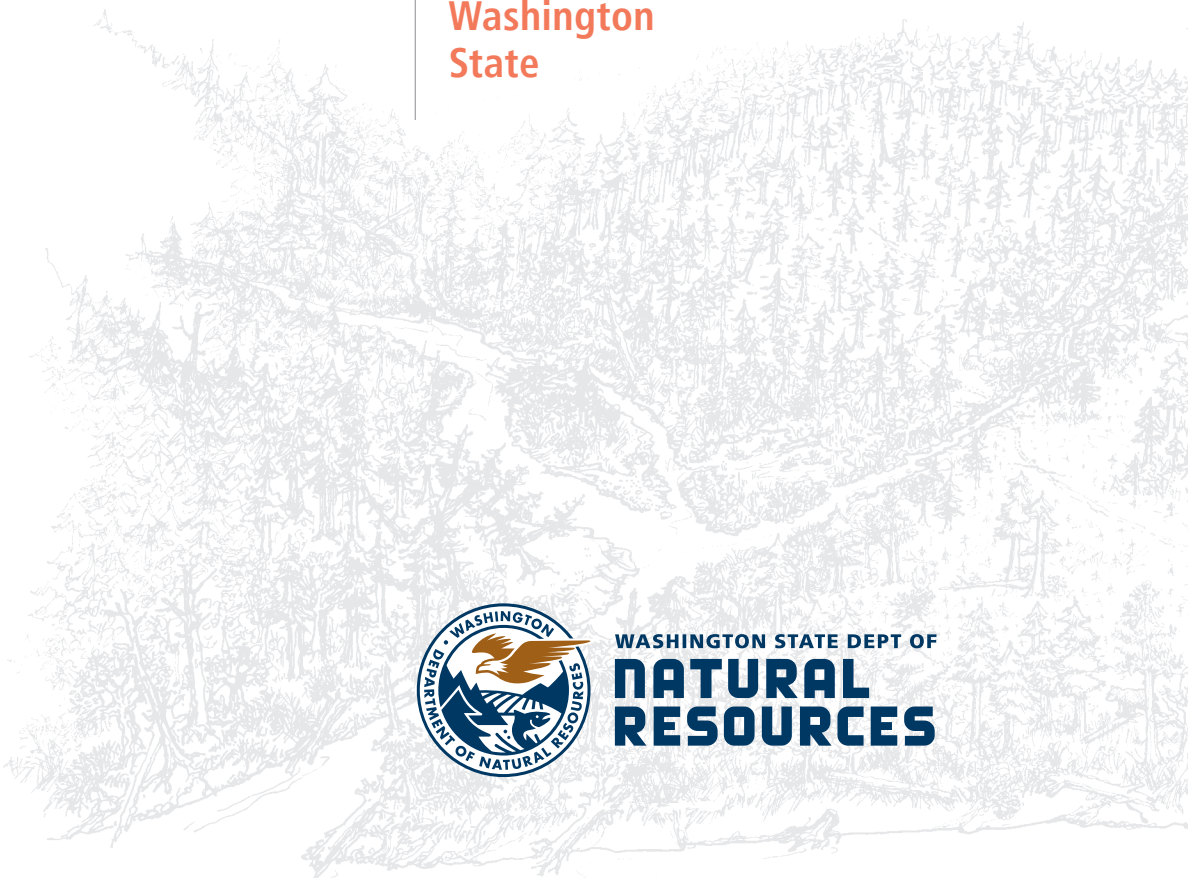
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FOREST PRACTICES ILLUSTRATED

A Simplified
Guide to Forest
Practices Rules in
Washington
State



WASHINGTON STATE DEPT OF
**NATURAL
RESOURCES**

How to Use This Book

These first few pages contain answers to the most commonly asked questions about the Forest Practices Rules and the application filing, review, and approval process.

The rest of the book is divided into four chapters:

- ▶ Introduction
- ▶ Cultural Resources
- ▶ Forest Roads
- ▶ Timber Harvest

Each chapter has a helpful “Suggestions for Success” section which corresponds to the information, illustrations and photographs in the text.

At the end of the book you’ll find a glossary of terms commonly used in forestry and forest practices. You’ll also find a reference list of sources for additional information and assistance. We hope you will find this book useful in successfully planning and carrying out your forestry operations. We welcome your suggestions for improving this book. Comments about this publication should be addressed to:

**Department of Natural Resources
Forest Practices Division**

PO Box 47012
Olympia, WA 98504-7012
(360) 902-1400

Additional copies of this publication and downloadable PDFs are available through DNR region offices, and on the Department of Natural Resources internet website at:

**[dnr.wa.gov/programs-and-services/
forest-practices](http://dnr.wa.gov/programs-and-services/forest-practices)**

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Persons with a disability who need this document in an alternative format may contact DNR at (360) 902-1000 or by using the Washington State Telecommunications Relay Service (TRS) by dialing 711.

SYMBOLS FOUND THROUGHOUT THE BOOK



Forest Practices
Application/
Notification



Forest Practices
Application
Activity Map



Forest Practices
Board Manual



Forest Practices
Rules



Avoid/Do Not
Symbol

Disclaimer: The State of Washington’s Department of Natural Resources (DNR) makes no warranty that the thoughts and ideas expressed here are adequate for the reader’s purposes in general or for the reader’s compliance with local, state or federal laws concerning forest practices. The thoughts and ideas in this publication are intended as forest practices assistance. This book is not meant to interpret the Act or rules or make enforceable those suggestions which exceed legal requirements. Further, DNR makes no express or implied warranty concerning the thoughts and ideas expressed herein. Any use of trade, product or business name is for descriptive purposes only and does not imply endorsement by the State of Washington or DNR.

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Second edition (first edition printed 2007).

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Department of Natural Resources
Forest Practices Division

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Protecting cultural resources helps preserve human traditions, culture, and history. This chapter explains what they are, offers general guidance to state laws, and answers common questions.

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Proper planning is required to protect resources when constructing and maintaining new and existing roads. This chapter presents information regarding new and existing roads, landings, road maintenance, and stream crossings.

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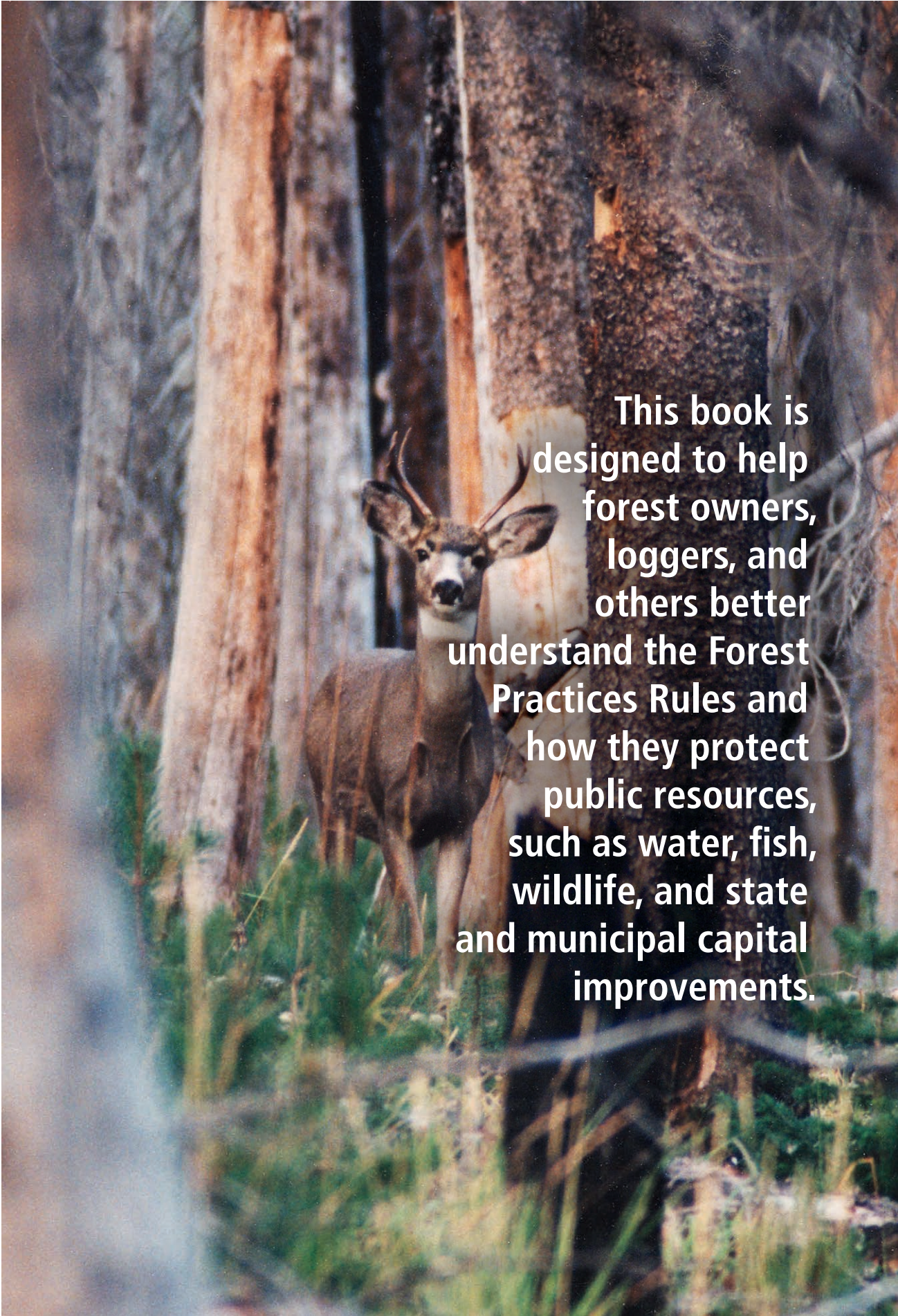


WASHINGTON STATE DEPT OF
**NATURAL
RESOURCES**

The Washington State Department of Natural Resources (DNR) produced this publication. The Commissioner of Public Lands, a statewide elected official who chairs the state Forest Practices Board and the state Board of Natural Resources, administers DNR.


The Department:

- ▶ Administers the state Forest Practices Rules and provides forest fire protection, prevention and regulation on more than 12 million acres of non-federal, public, and private lands.
 - ▶ Assists non-industrial private forest owners through the Forest Stewardship Program.
 - ▶ Provides urban forestry assistance to municipalities through the Urban & Community Forestry Program.
 - ▶ Manages more than 5 million acres of forest, range, agricultural and aquatic (submerged) lands to produce income to support state services and to provide many more public benefits, such as recreation.
 - ▶ Manages 3 million acres of state trust lands to help support public schools, universities and colleges, Capitol buildings, prisons, state institutions, local services in many counties, and the state general fund.
 - ▶ Provides many other public benefits, such as outdoor recreation, fish and wildlife habitat, clean air and water.
- ▶ Protects about 13 million private and non-federal public forested acres from wildfire with more than 1,200 firefighters and support staff, including 500 permanent DNR employees who have other duties in the agency.
 - ▶ Manages 120,000 acres of conservation lands and 38,400 acres of Natural Area Preserves. Natural Resources Conservation Areas are managed as opportunities for outdoor environmental education and appropriate low-impact use, while protecting outstanding scenic and ecological values. Natural Area Preserves are used for scientific and educational purposes and protect high quality native ecosystems and rare plant and animal species representing Washington's natural heritage.
 - ▶ Provides geologic education, regulation and research that reduces hazards to the public from natural disasters, such as earthquakes and landslides.



This book is designed to help forest owners, loggers, and others better understand the Forest Practices Rules and how they protect public resources, such as water, fish, wildlife, and state and municipal capital improvements.

Introduction



Washington's forests provide abundant resource benefits: timber and wood products, fish and wildlife habitat, clean air and water, opportunities for outdoor recreation, and natural beauty. Since 1974, the state has regulated forestry activities on non-federal public and private lands through the Forest Practices Act. This law and its corresponding rules are designed to protect Washington's public resources and maintain a viable forest products industry.

This book is designed to help forest owners, loggers, and others better understand the Forest Practices Rules and how they protect public resources, such as water, fish, wildlife, and state and municipal capital improvements. In it, you'll find commonly encountered rules, with photographs and illustrations that show what these operations look like. Rules that apply only to special or limited circumstances are not included. In addition to information about the rules, this book contains supplemental information to help you plan and conduct your forestry operations to be more successful.

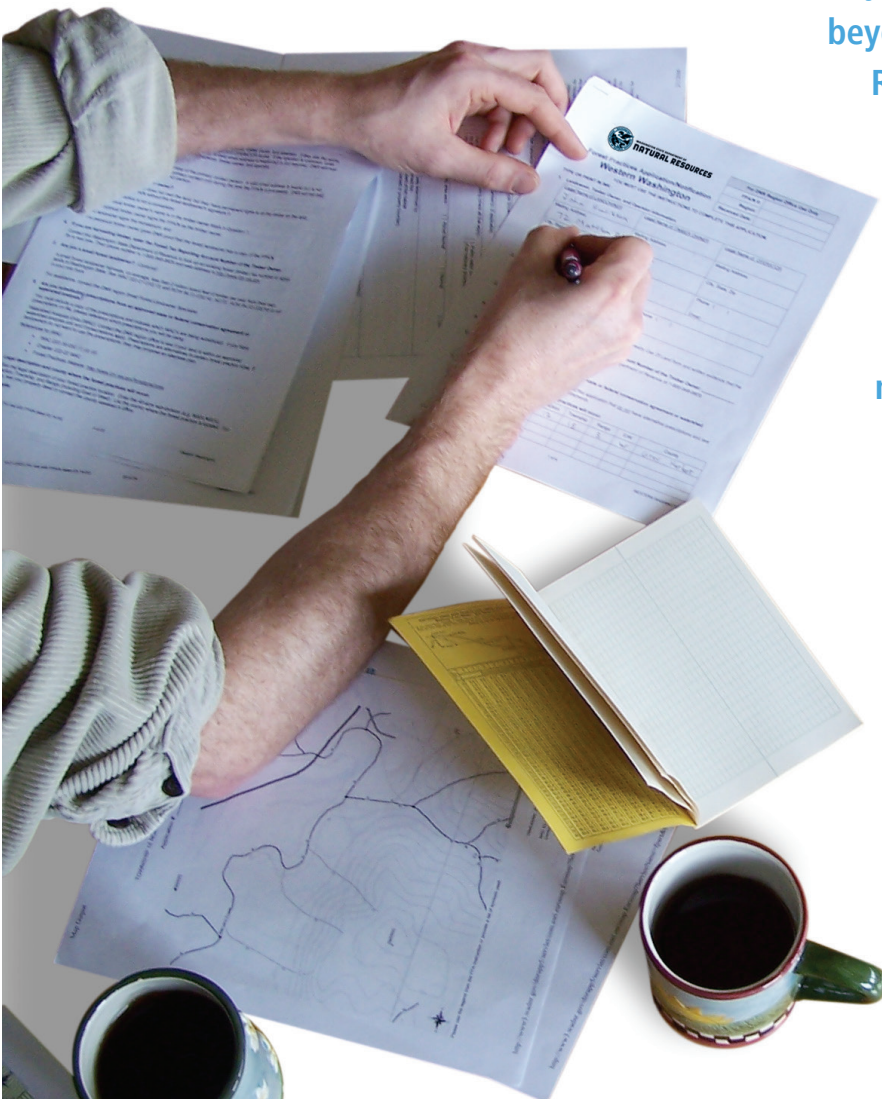
This book is not a substitute for either the Forest Practices Rules or for professional expertise. You must refer to the rule book to know how to comply with the Forest Practices Act and the Forest Practices Rules. If you are not experienced in forestry operations, the professional expertise of a consulting forester can be very helpful, particularly if your activities will include timber harvesting or road construction.

See the Resources section, beginning on page 136, for more information.

Frequently Asked Questions

This book provides many helpful suggestions beyond Forest Practices Rules that you might want to consider.

This book does not interpret the rules or create additional requirements that you have to abide by in your forest practices activities.





What are forest practices?

Practices related to growing, harvesting, or processing timber, including but not limited to, road construction and maintenance, thinning, salvage, harvesting, reforestation, brush control, and using fertilizers or pesticides. The Washington State Forest Practices Act and its corresponding rules regulate these practices.

What are Forest Practices Rules?

They are rules that protect soils, water, fish, wildlife, and capital improvements (roads, power lines) from impacts related to forest practices on private, county, and state forest land. The Forest Practices Rules were adopted by the Legislature in 1974 and published as Title 222 of the Washington Administrative Code (WAC).

Does the *Forest Practices Illustrated* book cover all of the Forest Practices Rules?

No. This book includes selected Forest Practices Rules that relate to timber harvest, road construction, reforestation and use of pesticides or fertilizer. It is not a substitute for the Forest Practices Act, Rules, or Board Manual. This book is not a guide on how to fill out your Forest Practices Application/Notification (FPA/N), but provides many helpful suggestions you might want to consider. If you have questions regarding compliance with Forest Practices Rules, refer to the rule book. The *Forest Practices Illustrated* does not interpret the rules or create additional requirements you have to abide by in your forest practices activities.

Where possible, additional information has been included that landowners stated would be helpful to them. Contact your regional DNR office for a copy of the Forest Practices Rules, Board Manual and Act, or access them on the DNR Internet Forest Practices webpage at www.dnr.wa.gov.

Activities related to growing, harvesting, or processing timber are regulated through the Forest Practices Act and its corresponding rules.

Why do we have Forest Practices Rules?

In 1974, the Washington State Legislature passed the Forest Practices Act, Chapter 76.09 of the Revised Code of Washington (RCW). The purpose of the Act is to protect public resources while maintaining a viable forest products industry.

The Legislature also required the Forest Practices Board to adopt Forest Practices Rules to carry out the objectives of the Forest Practices Act.

Who makes the Forest Practices Rules?

Rules are developed through a political and technical process. This process involves stakeholders such as state agencies, Tribal governments, landowners, environmental groups, and others. The Forest Practices Board adopts the Forest Practices Rules. This board consists of thirteen people representing a variety of interests. See RCW 76.09.030

Who enforces the Forest Practices Rules?

The Washington Department of Natural Resources (DNR) regulates forest practices on private and state land.

When do I need to file a Forest Practices Application/Notification (FPA/N)?

Forest practices that may require an FPA/N include: harvesting timber, salvaging standing and down wood, constructing forest roads, installing and replacing stream crossings on forest roads, and applying forest chemicals with an aircraft.

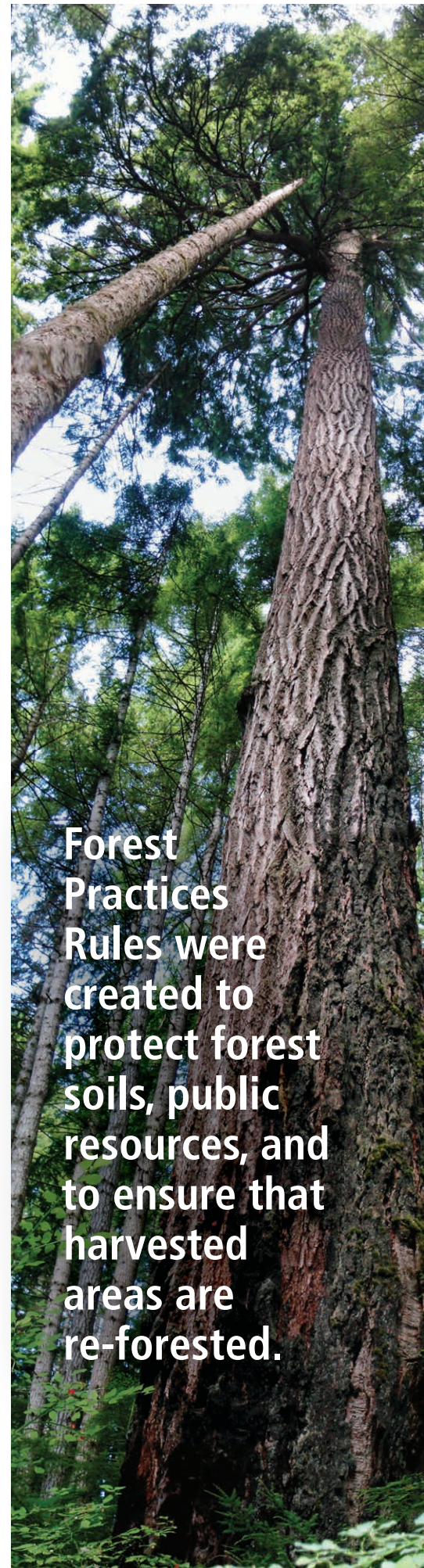
Some counties and cities issue permits for activities that will convert forest land to other uses. For a list of current municipalities with jurisdiction of forest practices involving conversion of land to a nonforestry use visit: www.dnr.wa.gov.

Who is responsible for filing the FPA/N?

The landowner is responsible, although a landowner representative can also file the FPA/N.

Who is responsible for signing the FPA/N?

The landowner, timber owner, and operator must all sign the FPA/N.



Forest Practices Rules were created to protect forest soils, public resources, and to ensure that harvested areas are re-forested.

Are there forestry activities that do not require an FPA/N?

Yes, but Forest Practices Rules must still be followed so that public resources are protected. Some examples of such practices include:

- ▶ Tree planting
- ▶ Seedling protection devices
- ▶ Seeding grasses and forage
- ▶ Hand slashing competing vegetation
- ▶ Cutting less than 5,000 board feet per year (approximately one log truck load) of timber for personal use (i.e., not for sale) when no resource issues exist.

Where do I obtain an FPA/N?

On the DNR internet webpage at www.dnr.wa.gov or at the DNR region office which serves the area where your forest land is located. The Forest Practices Application/Notification also has a set of instructions that is beneficial to look through prior to filling out the FPA/N. If you have questions contact your Regional DNR office and ask for Forest Practices.

How long will it take for my FPA/N to be processed?

DNR has 30 calendar days to approve, approve with conditions, or disapprove most FPA/Ns. DNR has more than 30 days to review applications that require Environmental Impact Statements. Certain hydraulic projects require additional review from the Department of Fish & Wildlife. The 30 day time period begins the day the Department determines the FPA/N is complete.

Do I need to include anything with my FPA/N?

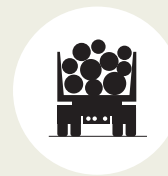
The FPA/N instructions detail how to produce a complete application. These instructions can be found at www.dnr.wa.gov/programs-and-services/forest-practices. The forest landowner, timber owner, and operator must all sign the FPA/N.

Is the decision to approve my FPA/N dependent upon anything besides the information in my application?

Circumstances requiring special resource protection, such as potentially unstable slopes, threatened or endangered species, archaeological or historic sites, water quality protection and special prescriptions for sensitive areas within a watershed analysis unit may affect the application decision.

How long is my FPA/N valid?

The standard is three years; multi-year permits are valid for up to five years. Each may be renewed for one additional three year period if the proposal has not changed, there are no outstanding enforcement issues, and the rules and laws affecting the proposal have not changed. In addition, small forest landowners may submit long-term applications for up to fifteen years.



If you cut or remove less than **5,000 board feet** of timber for personal use per year during any 12-month period, you are not required to submit an FPA/N.



**Get Your
Forest Practices
Application/
Notification (FPA/N)
at dnr.wa.gov**

Where do I submit my FPA/N?

Applications are received at the region office and reviewed for completeness. The region office uploads applications into the DNR Forest Practices Review System (FPARS). Applications are posted and are available to interested stakeholders and the public via FPARS search.

Is there a fee for filing an FPA/N?

Fees vary depending on the proposed activity. The DNR application fee is due at the time an application is submitted. Application fees are established by the Legislature and are subject to change. See www.dnr.wa.gov for current fee schedule.

Who reviews my FPA/N?

DNR Forest Practices region staff, the Departments of Ecology and Fish and Wildlife, Washington Tribal Governments, local governments (cities and counties), and other interested parties.

What is the appeal process for the application?

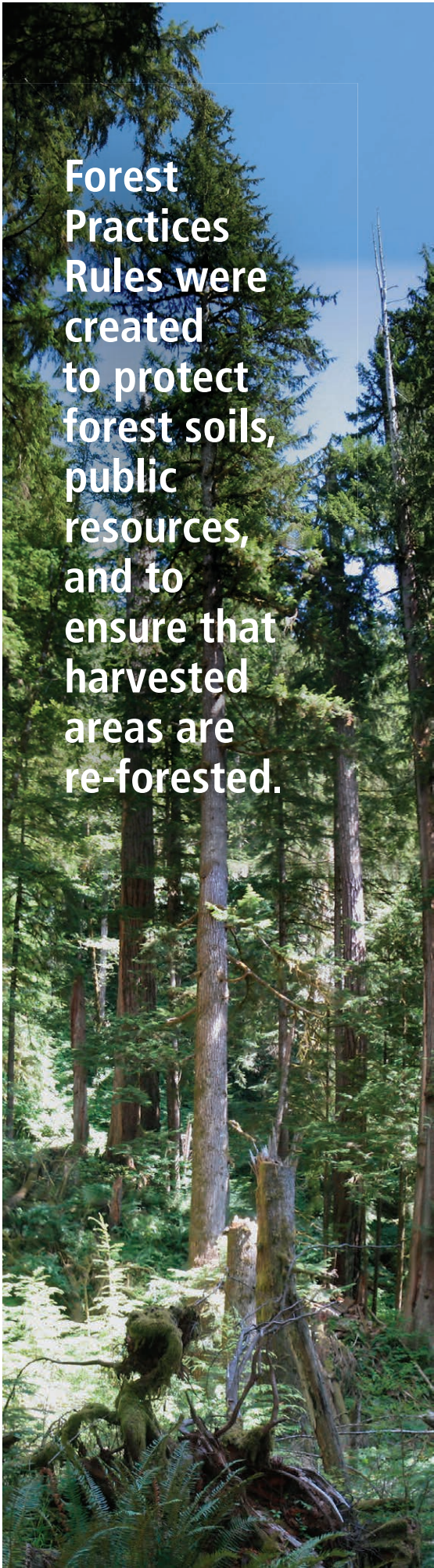
Appeals must be received by the Pollution Control Hearings Board within 30 days of the approval or disapproval of the application. For more information on appeals, visit the Pollution Control Hearings Board web page at www.eluho.wa.gov/Board/PCHB.

What is the Timber, Fish and Wildlife Agreement (TFW) and how does it affect my application?

In 1987, several public agencies, environmental organizations, Tribes, and timber landowners forged the TFW agreement as a positive alternative to confrontations between groups and potential lawsuits related to forestry issues. The goal of TFW is to protect public resources while maintaining a viable timber industry. Agencies and organizations participating in the TFW process may review and comment on FPA/Ns.

What is SEPA and how does it affect my FPA/N?

The State Environmental Policy Act (SEPA) is the process for public review of your proposed operation. It requires projects be evaluated for their impacts to the environment. An environmental checklist is required for property that was platted, for conversions, and for operations that may have potentially significant impacts on the environment.



Forest Practices Rules were created to protect forest soils, public resources, and to ensure that harvested areas are re-forested.

Are there circumstances requiring special resource protection that may affect my FPA/N?

In some cases, the following may affect the approval of your application and the activities that you may conduct:

- ▶ Potentially unstable slopes
- ▶ Threatened or endangered species
- ▶ Cultural, archaeological, or historic sites
- ▶ Special prescriptions for sensitive areas within a Watershed Analysis Unit
- ▶ Water quality protection

What happens if my land is in a DNR Watershed Administrative Unit?

Contact your local DNR region office to verify whether your land is within a completed Watershed Analysis Unit and if prescriptions apply. Prescriptions are alternatives to certain Forest Practices Rules. If landowners do not want to use the prescriptions, they may use current rules or propose an Alternate Plan.

What if I plan to convert forest land to a non-forestry use?

Some counties and cities issue permits for activities that will convert forest land to other uses. For a list of current municipalities with jurisdiction of forest practices involving conversion of land to a nonforestry use visit: www.dnr.wa.gov.

If your proposal is located in unincorporated areas of one of these counties or within one of these cities you do not need an FPA/N from DNR. Instead, you will need a permit from your county/city planning department. In other areas, you need an FPA/N and a SEPA checklist.

If there is a violation, who is responsible?

The landowner, timber owner, and/or the operator.

Are there other regulations and requirements which apply to forestry operations?

Yes. See the Resources section on page 136. Also refer to chapter 222-50 WAC in the Forest Practices Rules.

Where can I get information and assistance?

Your local DNR region office staff is available to answer questions about the Forest Practices Application/Notification (FPA/N) or about the Forest Practices Rules. See the Resources section on page 136.

DNR's Application/Notification Fees

(RCW 76.09.065)

See www.dnr.wa.gov for current fee schedule.

Forest practices not requiring an application fee (not including timber harvest):

- ▶ Road construction
- ▶ Applying chemicals
- ▶ Opening or expanding a rock pit

\$1,500 for timber harvest on forest land in the following circumstances:

- ▶ Conversion to a use incompatible with forestry (building a house)
- ▶ On forest land* that is located inside the urban growth boundary (includes city limits)

***EXCEPT** the fee is **\$100** for small forest landowners if the landowner can demonstrate they will not convert the land by providing one of the following with the forest practices application:

- ▶ Letter signed by the landowner and county or city that states the landowner will not convert to a non-commercial forestry use for 10 years AND a DNR approved written forest management plan.
- ▶ Conversion Option Harvest Plan approved and signed by the county or city

\$100 for small forest landowners submitting applications that involve timber harvest.

Watersheds and Forest Practices

This illustration represents forest practice activities in Eastern and Western Washington. If you look carefully, you can see the potential effects of these activities on the landscape. Many forest practice activities can affect the quality and quantity of water flowing through a watershed. A watershed is the area that catches snow and rain, which then drains or seeps into wetlands, lakes, streams, and groundwater.

Forest practices regulations are designed to protect natural resources. While these rules may seem complicated to the individual, when looked at in the bigger picture, it is clear the rules help provide greater public benefits.

To protect healthy watersheds, forest activities should be conducted in ways that maintain natural processes.

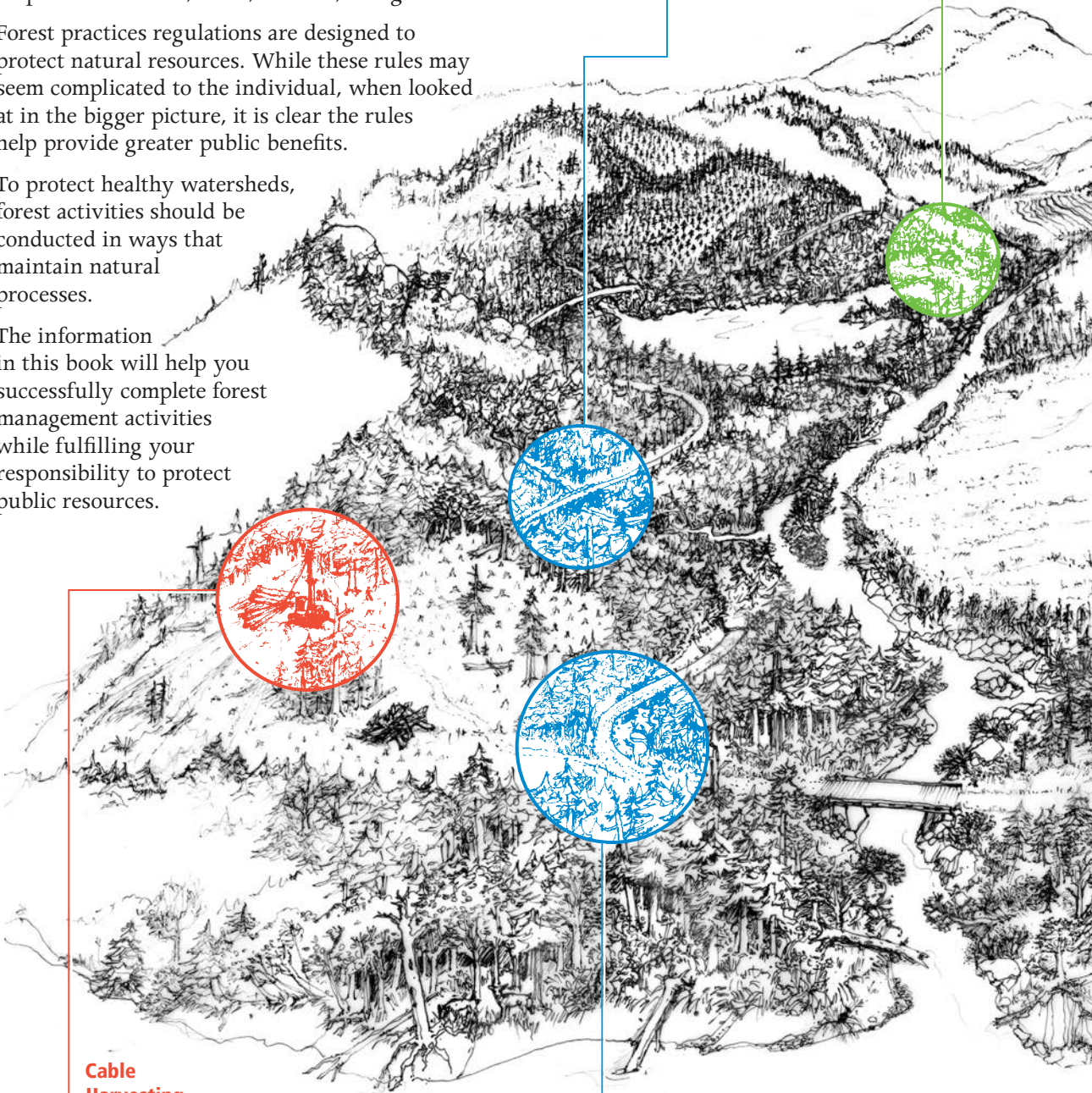
The information in this book will help you successfully complete forest management activities while fulfilling your responsibility to protect public resources.

Cultural Resources
See page 23

Stream Crossings
See page 46

Cable Harvesting Systems
See page 112

Forest Roads
See page 35



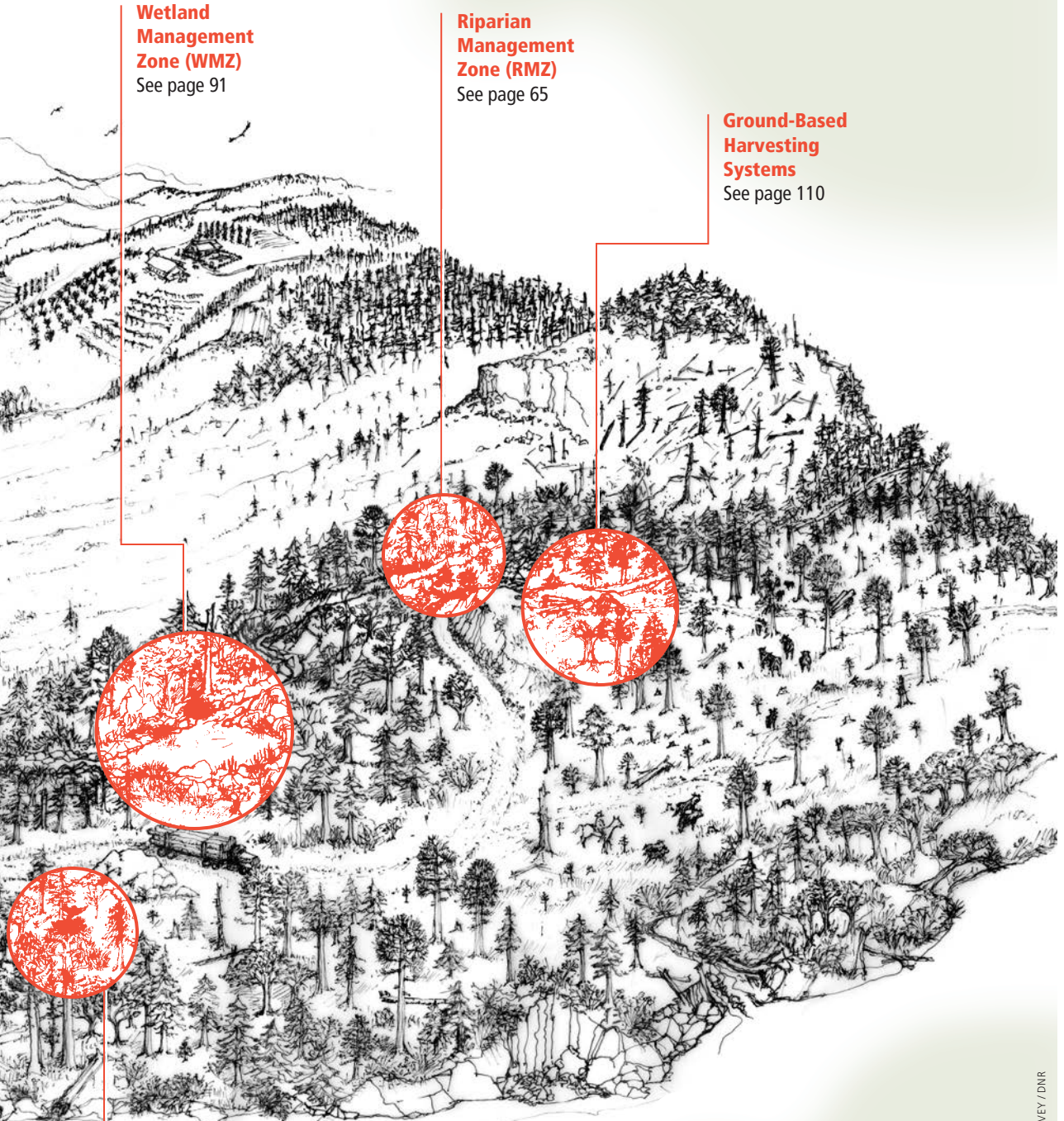
In the context of the bigger picture it is clear that the rules help provide greater public benefits.

Wetland Management Zone (WMZ)
See page 91

Riparian Management Zone (RMZ)
See page 65

Ground-Based Harvesting Systems
See page 110

Threatened and Endangered Species
See page 106



The Small Forest Landowner Office

The Small Forest Landowner Office (SFLO) delivers onsite assistance to landowners who have questions about how to manage their forests to meet the resource protection goals of the Forest Practices Rules.

Providing knowledge and advice for small forest landowners

The Small Forest Landowner Office (SFLO) was created in 2000 to serve as a resource for Washington's small forest landowners. The office provides assistance in applying forest practices rules, assistance for landowners applying for conservation easements, and technical expertise regarding the management of small forest holdings.



WHO IS A SMALL FOREST LANDOWNER?

You may qualify for one or more of these programs if you are a forest owner who harvests less than 2 million board feet of timber per year on average. Some programs may require additional qualifications.

FOREST LANDOWNER ASSISTANCE PROGRAMS



Family Forest Fish Passage Program

This cost-share program provides landowners 75 to 100 percent of the cost of repairing, replacing or removing fish barriers such as culverts, dams, weirs, spillways or other artificial instream structures that block fish from migrating to upstream habitat.



Small Forest Landowner Technical Assistance

In western Washington, the SFLO provides free technical assistance services to small forest landowners who need help with specific aspects of their Forest Practices Application, or help understanding forest practices rules and how those rules apply to their property. Any landowner harvesting fewer than 2 million board feet of timber per year on average is eligible to receive these technical assistance services at no charge.

Riparian Management Zones for Exempt 20-acre Parcels

SFLO staff can provide technical advice to small landowners to appropriately establish the riparian management zone buffers for harvests taking place on parcels of 20 or fewer contiguous acres and the landowner owns fewer than 80 acres of forest land in Washington state.



Alternate Plans

The SFLO assists landowners who wish to develop harvest plans that provide protection to public resources at least equal in overall effectiveness as provided by the rules while minimizing constraints to the ability for the small landowner to manage their forest lands.

Forestry Riparian Easement Program

This voluntary program reimburses eligible landowners willing to sell a 50-year conservation easement to the state for a minimum of 50 percent of the value of the trees they must, by law, leave uncut in riparian areas to protect water quality, wildlife habitat and other riparian functions.

THE SMALL FOREST LANDOWNER OFFICE PROGRAMS CAN HELP YOU

Need advice and resources to better manage your forestland?



Learn more online at dnr.wa.gov/sflo



A DNR Forester will visit your property for an on-site consultation



NEED ADVICE?

 360-902-1415

 dnr.wa.gov

 sflo@dnr.wa.gov



Long-Term Forest Practices Applications

To ease the regulatory burden on small forest landowners and allow them more flexibility in timing their harvests, SFLO helps landowners apply for Long-Term Applications. Valid for up to 15 years, this option allows landowners to react quickly to changing markets and unforeseen events such as forest health problems or weather related disturbance.

Forest Stewardship Program

Landowners can receive no-cost advice on many aspects of forest management, resource protection, wildlife management, animal damage control, and guidance to develop a Forest Stewardship Plan.

Forest Practices Habitat Conservation Plan (HCP)

The Department of Natural Resources (DNR), on behalf of the State of Washington, developed the Forest Practices Habitat Conservation Plan (HCP) in response to the federal listing of certain threatened and endangered fish species. The Forest Practices HCP describes how those listed fish species would be protected. The purpose of the Forest Practices HCP is to ensure that landowners who conduct forest practices activities in compliance with the Forest Practices Act and Rules will also be following the requirements of the Federal Endangered Species Act for those species. The approved Forest Practices HCP demonstrates that state and federal laws can work together to achieve public resource protection while allowing landowners to manage their forest land effectively.

On June 5, 2006, the NOAA Fisheries Service and the U.S. Fish and Wildlife Service issued the State of Washington incidental take permits for listed aquatic species, based on the protective measures described in the Forest Practices HCP. The permits are in effect for fifty years. Landowners will now be able to plan and operate in a more stable and predictable regulatory environment. This may provide some incentive for landowners to keep forest land in forestry instead of converting it to other uses that might be less desirable for salmon recovery. Having the approved Forest Practices HCP and the incidental take permits will help protect the state and landowners, operating in compliance with the Forest Practices Rules, from Endangered Species Act lawsuits.

In addition, the State of Washington will be able to compete for funding for programs that provide landowners with technical assistance incentives, such as the Forestry Riparian Easement Program and Family Forest Fish Passage Program. Having the approved Forest Practices HCP and broad support from stakeholders helps the state obtain additional funding to support these programs, as well as DNR's Adaptive Management Research and Monitoring program.

DNR also is working with the U.S. Environmental Protection Agency and the Washington State Department of Ecology to ensure that the Forest Practices Rules meet the goals and standards of the state Water Pollution Control Act and the Federal Clean Water Act.

The plan was developed in response to the federal listing of certain threatened and endangered fish species. It describes how those listed fish species would be protected.





The approved Forest Practices HCP demonstrates that state and federal laws can work together to achieve public resource protection while allowing landowners to manage their forest land effectively.