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NOTICE TO INDUSTRIAL OPERATORS ON FOREST LANDS PROTECTED BY WASHINGTON DEPARTMENT OF NATURAL RESOURCES

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Interpretive Statement regarding Tethered logging systems and IFPL applicability

RCW 76.04.325 authorizes the Department of Natural Resources (DNR) to regulate and/or restrict industrial operations on forest lands. DNR implements this authority under WAC 332-24. Part of those rules include the Industrial Fire Precaution Level system (IFPL) under WAC 332-24-301. That rule extensively describes various mechanical tools used in forestry operations (as well as other industrial operations). A summary of the rule's provisions appears below:

Level 1. Closed season - Fire precaution requirements are in effect. A fire watch/security is required at this and all higher levels unless otherwise waived.

Level 2. Partial hootowl - The following may operate only between the hours of 8 p.m. and 1 p.m. local time:

- Power saws except at loading sites;
- Cable yarding;
- Blasting;
- Welding or cutting of metal.

Level 3. Partial shutdown - The following are prohibited except as indicated:

- Cable yarding - except that gravity operated logging systems employing nonmotorized carriages or approved motorized carriages may operate between 8 p.m. and 1 p.m. when all block and moving lines, except for the line between the carriage and the chokers, are suspended ten feet above the ground;
- Power saws - except power saws may be used at loading sites and on tractor/skidder operations between the hours of 8 p.m. and 1 p.m. local time. In addition, the following are permitted to operate between the hours of 8 p.m. and 1 p.m. local time:
 - Tractor, skidder, feller-buncher, forwarder, or shovel logging operations where tractors, skidders, or other equipment with a blade capable of constructing fireline, are immediately available to quickly reach and effectively attack a fire start;
 - Mechanized loading and hauling of any product or material;
 - Blasting;
 - Welding or cutting of metal.

Level 4. General shutdown – All operations are prohibited.

“Tethered logging systems” involve winch-assisted, cable-assisted, traction-assisted, etc. operations that enable ground-based timber harvesting machines to operate on steep slopes. These are essentially new ways to employ existing tools for logging. Existing logging tools already described in the provisions of WAC 332-24-301 are discussed above. DNR interprets WAC 332-24-301 to apply to tethered logging systems, and operations employing those logging systems need to follow the provisions of WAC 332-24-301, which suspend operations when fire danger levels as expressed through the IFPL system so direct.

WAC 332-24-301(3)(a)(iii), which is included in the language above, creates an exception during IFPL level 3 shutdowns when “tractors, skidders, or other equipment with a blade capable of constructing fireline, are immediately available to quickly reach and effectively attack a fire start.” Tethered logging equipment cannot be “immediately available” to attack a fire start due to its deployment methodology. Therefore, DNR interprets WAC 332-24-301(3)(a)(iii) to apply only when *untethered* tractors, skidders, or other equipment with a blade” are on-site and capable of immediately constructing firelines.

DNR retains the ability to provide site-specific written waivers of otherwise shutdown activities under WAC 332-24-301(3)(c), if the activity is deemed fire-safe and occurs in low-hazard areas. Operators of tethered logging systems that do not have suitable untethered equipment available to attack a fire start may contact DNR to determine if such a waiver is possible for your operation.

These interpretations of DNR’s existing rule are effective immediately.