490 - Department of Natural Resources
Capital Project Request
2009-11 Biennium

Version: 01 Agency Requested
Report Number: CBS002
Date Run: 9/5/2008 11:09AM

Project Number: 20082001
Project Title: Riparian Open Space Program

Starting Fiscal Year: 2008
Project Class: Program
Agency Priority: 10

Project Summary
This funding enables the Department of Natural Resources, at the request of a landowner, to obtain a fee title or a permanent conservation easement to access timber lands.

Project Description
Changes to the state forest practices rules, adopted by the Forest Practices Board in March 2000, include “No harvest, construction or salvage permitted within the boundaries of a channel migration zone . . . ” (WAC 222-30-020 (12)). This rule is part of the comprehensive approach to forest practices established through the Forest and Fish legislation. Recognizing the potential financial burden on forest landowners because of salmon recovery efforts, the 1999 Legislature amended RCW 76.09.040 by authorizing the Riparian Open Space program. This program allows the state to acquire, at the request of a landowner, fee title or a permanent conservation easement to productive timbered lands within the channel migration zone of an unconfined avulsing stream channels. After acquisition, DNR has the option to hold and manage the lands or transfer them to another state or local government agency, or to a private nonprofit nature conservation corporation (as defined in RCW 64.04.130). It is estimated that 2.4 staff months per year will be charged to this project.

The Riparian Open Space Program (ROSP) was a product of the 1999 Forests and Fish Law (Engrossed Substitute House Bill 2091). It has been codified in the Forest Practices Act (chapter 76.09 RCW) and adopted as a rule in chapter 222-23 WAC. ROSP is administered through DNR Asset Management and Protection Division. ROSP ensures the long-term conservation of aquatic resources by acquiring a fee interest in, or easement on, lands and timber within a specific type of channel migration zone known as an “unconfined avulsing channel migration zone (CMZ).” A channel migration zone is the area where the active channel of a steam is prone to move. Unconfined avulsing CMZs are areas where abrupt shifts in stream or river location occur, resulting in a complex floodplain environment. These areas typically have very high ecological value as spawning and rearing habitat for salmon and other fish species.

Under the forest practices rules, no timber harvesting or road construction may occur within channel migration zones (CMZs) due to their ecological importance for fish life-cycle habitat needs. ROSP provides financial compensation for owners of unconfined avulsing CMZs who voluntarily sell the land to DNR or place a permanent conservation easement on the trees, land or both.

The Riparian Open Space Program conforms to the Department’s strategic goals and Governor’s “Priorities of Government” in the following ways:

a) DNR Strategic Goals:
• The public we serve widely and consistently holds DNR in high esteem
• Forest systems enjoy equal or greater health and productivity

b) POG:
• Improve the economic vitality of businesses and individuals
• Improve the quality of Washington’s natural resources

Riparian Open Space Program (ROSP) provides a benefit for forest land owners by providing financial compensation for purchase of unconfined avulsing channel migration zones (CMZs). Participation in the program is open to all qualified forest landowners. The Riparian Open Space Program provides a benefit statewide by providing for ecological protection and fisheries enhancement through the purchase of these very high ecological value spawning and rearing habitats.

The legislature recognized, in RCW 77.85.180(4), that the adoption of forest practices rules consistent with the forests and
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Description
fish report will impose substantial burdens on forest landowners. The purpose of the Riparian Open Space Program in compensating landowners and providing for ecological protection and fisheries enhancement helps to mitigate this burden.

This is a legislatively-mandated project.

Legislative appropriation from State General Fund.

DNR screens applications, prioritizes qualifying applications and acquires lands based on available funding. Applications are prioritized based on the order received, the ecological value of the land(s) and the immediacy of need on the part of the landowner.

Location
City: Statewide
County: Statewide
Legislative District: 098

Project Type
Acquisition - Land

Growth Management impacts
None.

New Facility: No

Funding

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Future Fiscal Periods

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Operating impacts

No Operating Impact