WASHINGTON STATE DEPARTMENT OF
Natural Resources

Forest Practices Application/Notification
Notice of Decision

FPA/N No: 2808590
Effective Date: 08/23/06
Expiration Date: 08/23/08
Shut Down Zone: 656/658
EARR Tax Credit: **[X] Eligible** **[] Non-eligible**
Reference: _____

DECISION:

[] NOTIFICATION	Operations shall not begin before the effective date.
[X] APPROVED	This Forest Practices Application is subject to the conditions listed below.
[] DISAPPROVED	This Forest Practices Application is disapproved for the reasons listed below.
[] CLOSED	Applicant has withdrawn approved FPA/N.

FPA/N CLASSIFICATION

[] Class II [X] Class III [] Class IVG [] Class IVS

Number of Years Granted on Multi-Year Request

[ ] 2 yrs [ ] 3yrs [ ] 4yrs [ ] 5 yrs

Conditions on Approval / Reasons for Disapproval

THIS OPERATION IS SUBJECT TO THESE CONDITIONS:

Tractor and wheeled skidding systems shall not be used on slopes greater than 40% favorable or 30% adverse.

Skidding with tractor or wheeled skidding systems shall not be used on erodible or saturated soils where excessive soil compaction will occur.

Operate ground-based equipment during periods of stable soil conditions. If excessive rutting or soil displacement occurs (over 6" or deeper on 10% or more of the area on which equipment is operated), stop yarding until dry conditions prevail.

A 30' equipment limitation zone will be maintained along harvest portion of all type Ns (5) stream.

Fell and yard away from all type water(s) and buffers.

This permit, its attached conditions, and any related official notices must be available on the work site while the operation is active. Landowner, timber owner, and /or operator are responsible for informing their workers of these permit requirements.

Notify DNR Northwest Region Office (360-856-3500) 48 business hours before commencing operation. Please provide the application number and legal description for your operation.

All roads shall be constructed and maintained to provide proper drainage of water and protect road surfaces and subgrades from erosion. Except for emergency road repair, this activity will typically be done during dry soil conditions unless otherwise approved by the DNR.

The forest practice proposal is located in the Woods Creek WAU. The applicant has indicated whether an area of resource sensitivity (ARS) will be affected, and has indicated which prescription(s) they will use in conducting the forest practice activity in the ARS. Approval of this application is subject to 1) confirmation by the DNR that the prescription(s) selected by the applicant is one or more of the prescriptions approved for the specific ARS; and 2)that the use of these prescriptions is required.

Issued By: Steven Huang S.H.

Region: Northwest

Title: Skykomish Forest Practice Forester

Date: 08/23/06

Copies to: [X] Landowner, Timber Owner and Operator

Appeal Information

You have 30 calendar days to appeal this Decision and any related State Environmental Policy Act determinations to the Forest Practices Appeals Board. You must follow the requirements of RCW 76.09.220(8) and WAC 223-08.

Certain economic development projects may have a different appeal process. RCW 43.21L and WAC 199-08 describes the alternate appeal process.

Additional information on both appeal processes is available from the Washington Environmental Hearings Office at http://www.eho.wa.gov/ or at (360) 459-6327.

Other Applicable Laws

Operating as described in this application/notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

Transfer of Forest Practices Application/Notification (WAC 222-20-010)

Use the "Notice of Transfer of Approved Forest Practices Application/Notification" form. This form is available at region offices and on the Forest Practices Division website: **http://www.dnr.wa.gov/forestpractices/**. Notify DNR of new Operators within 48 hours.

Continuing Forest Land Obligations (RCW 76.09.070, RCW 76.09.390, and WAC 222-20-055

Obligations include reforestation, road maintenance and abandonment plans, and harvest strategies on perennial non-fish habitat (Type 4) waters in Eastern Washington.

Before the sale or transfer of land or perpetual timber rights subject to continuing forest land obligations, the seller must notify the buyer of such an obligation on a form titled "Notice of Continuing Forest Land Obligation". The seller and buyer must both sign the "Notice of Continuing Forest Land Obligation" form and send it to the DNR Region Office for retention. This form is available at DNR region offices.

If the seller fails to notify the buyer about the continuing forest land obligation, the seller must pay the buyer's costs related to continuing forest land obligations, including all legal costs and reasonable attorney's fees incurred by the buyer in enforcing the continuing forest land obligation against the seller.

Failure by the seller to send the required notice to the DNR at the time of sale will be prima facie evidence in an action by the buyer against the seller for costs related to the continuing forest land obligation prior to sale.