WASHINGTON STATE DEPARTMENT OF
**Natural Resources**

**FPA/N No:** 2913708
**Effective Date:** JUNE 16, 2006
**Expiration Date:** JUNE 16, 2008
**Shut Down Zone:** 655
**EARR Tax Credit:** [X] Eligible [ ] Non-eligible
**Reference:** After Hours TBS; 30-078843

## Forest Practices Application/Notification
# Notice of Decision

**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[ ] **Closed** Applicant has withdrawn approved FPA/N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 [ ] 3 yrs [ ] 4 yrs [ ] 5 yrs

**Conditions on Approval / Reasons for Disapproval**

NOTE:

Refer to WAC 222-30-021 for equipment limitation zones associated with perennial or seasonal streams.

Refer to WAC 222-24-051, Item (11), for required maintenance on roads to be used for timber hauling.

Refer to WAC 222-30-030 for required stabilization associated with timber harvests.

Refer to WAC 222-24-040, Item(s) 3 & 4 for requirements associated with water crossings in type Np and Ns.

**Issued By:** Russell J. Hovey
**Title:** Forest Practices Forester
**Copies to:** **[X] Landowner, Timber Owner and Operator**

**Region:** Pacific Cascade
**Date:** June 16, 2006

## 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 attorneys' 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.