E. Chapter 76.09 RCW (Forest Practices)

The Forest Practices Act (the Act) was originally passed in 1974 – Washington’s first comprehensive law addressing the impacts of forest practices on the environment. The goal of the Act is to protect the state’s natural resources while maintaining a viable forest industry. The Act also established the Forest Practices Board (the Board). The Board works with the public, stakeholders and the Department of Natural Resources to develop and adopt forest practices rules and approve guidelines that apply to practices on non-Federal and non-tribal forestlands.
This page is intentionally left blank.
Chapter 76.09 RCW
Forest Practices

RCW Sections
76.09.010 Legislative finding and declaration.
76.09.020 Definitions.
76.09.030 Forest practices board - Created - Membership - Terms - Vacancies - Meetings - Compensation, travel expenses - Staff.
76.09.040 Forest practices rules - Adoption - Review of proposed rules - Hearings - Riparian open space program.
76.09.050 Rules establishing classes of forest practices - Applications for classes of forest practices - Approval or disapproval - Notifications - Procedures - Appeals - Waiver.
76.09.055 Findings - Emergency rule making authorized.
76.09.060 Applications for forest practices - Form - Contents - Conversion of forest land to other use - Six-year moratorium - New applications - Approval - Emergencies.
76.09.063 Forest practices permit - Habitat incentives agreement.
76.09.065 Forest practices application or notification -- Fee.
76.09.067 Application for forest practices - Owner of perpetual timber rights.
76.09.070 Reforestation - Requirements - Procedures - Notification on sale or transfer.
76.09.080 Stop work orders - Grounds - Contents - Procedure - Appeals.
76.09.090 Notice of failure to comply - Contents - Procedures - Appeals - Hearing - Final order - Limitations on actions.
76.09.100 Failure to comply with water quality protection - Department of ecology authorized to petition appeals board - Action on petition.
76.09.110 Final orders or final decisions binding upon all parties.
76.09.120 Failure of owner to take required course of action - Notice of cost - Department authorized to complete course of action - Liability of owner for costs - Lien.
76.09.130 Failure to obey stop work order - Departmental action authorized - Liability of owner or operator for costs.
76.09.140 Enforcement.
76.09.150 Inspection - Right of entry.
76.09.160 Right of entry by department of ecology.
76.09.170 Violations - Conversion to nontimber operation - Penalties - Remission or mitigation - Appeals - Lien.
76.09.180 Disposition of moneys received as penalties, reimbursement for damages.
76.09.190 Additional penalty, gross misdemeanor.
76.09.210 Forest practices appeals board - Created - Membership - Terms - Vacancies - Removal.
76.09.220 Forest practices appeals board - Compensation - Travel expenses - Chair - Office - Quorum - Powers and duties - Jurisdiction - Review.
76.09.240 Class IV forest practices - Counties and cities adopt standards - Administration and enforcement of regulations - Restrictions upon local political subdivisions or regional entities - Exceptions and limitations.
76.09.250 Policy for continuing program of orientation and training.
76.09.260 Department to represent state's interest - Cooperation with other public agencies - Grants and gifts.
76.09.270 Annual determination of state's research needs - Recommendations.
76.09.280 Removal of log and debris jams from streams.
76.09.285 Water quality standards affected by forest practices.
76.09.290 Inspection of lands - Reforestation.
76.09.300 Mass earth movements and fluvial processes - Program to correct hazardous conditions on sites associated with roads and railroad grades - Hazard-reduction plans.
76.09.305 Advisory committee to review hazard-reduction plans authorized - Compensation, travel expenses.
Hazard-reduction program - Notice to landowners within areas selected for review - Proposed plans - Objections to plan, procedure - Final plans - Appeal.
Implementation of hazard-reduction program - Cost sharing by department - Limitations.
Legislative findings - Liability from naturally falling trees required to be left standing.
Certain forest practices exempt from rules and policies under this chapter.
Long-term multispecies landscape management plans - Pilot projects, selection - Plan approval, elements - Notice of agreement recorded - Memorandums of agreements - Report, evaluation.
Single multiyear permit.
Intent - Small forest landowners - Alternate plan processes/alternate harvest restrictions - Report to the legislature.
Findings - Forests and fish report - Adoption of rules.
Sale of land or timber rights with continuing obligations - Notice - Failure to notify - Exemption.
Forests and fish account - Created.
Road maintenance and abandonment plans - Fish passage barriers.
Road maintenance and abandonment plans - Rules - Checklist - Report to the legislature - Emergency rules.
Application to RCW 76.13.150.
Small forest landowner - Fish passage barriers.
Small forest landowner - Defined.
Short title.
Air pollution laws not modified.
Shoreline management act, hydraulics act, other statutes and ordinances not modified - Exceptions.
Repeal and savings.
Application for extension of prior permits.
Effective dates - 1974 ex.s. c 137.
Severability - 1974 ex.s. c 137.
The following is a list of forest practices rules that are incorporated into the Forest Practices HCP. Forest practices rules pertaining to upland wildlife species and the application of forest chemicals are not provided for under the provisions of this HCP and therefore are not included in this list.

**WAC 222 - Forest Practices Rules**
**Chapter and Sub-Chapter**

**Chapter 222-08 - Practices and Procedures**
222-08-010 Purpose
222-08-020 Definitions
222-08-030 Function, organization, and office
222-08-040 Operations and procedures
222-08-050 Public records—Availability
222-08-060* Public records officer
222-08-070 Public records index
222-08-080 Protection of public records
222-08-090 Disclosure of public records
222-08-100 Petitions for adoption, repeal or amendment of a rule
222-08-120 Inapplicability of model rules adopted by the chief administrative law judge
222-08-130 Ethics standards
222-08-140 Orientation and training
222-08-150 Reporting procedures
222-08-160 Continuing review of forest practices rules

**Chapter 222-10 - State Environmental Policy Act Guidelines**
222-10-010 Policies and authorities
222-10-030 SEPA policies for potentially unstable slopes and landforms
222-10-035 Watershed analysis SEPA policies
222-10-040 Class IV-Special threatened and endangered species SEPA policies
222-10-041 Northern spotted owls
222-10-042 Marbled murrelets
222-10-050 Adoption by reference
222-10-070 Additional definitions
222-10-090 Designation of responsible official
222-10-110 Board’s SEPA public information center
222-10-120 Exemption for emergency actions
222-10-125 Exemption from RCW 43.21C.030 (2)(c)
222-10-130 Lead agency, agency with jurisdiction, consulted agency

**Chapter 222-12 - Policy and Organization**
222-12-010* Authority
222-12-020 Rule sections
222-12-030 Classes of forest practices
222-12-040 Alternate plans--Policy
222-12-0401 Alternate plans--Process
222-12-0402 Assistance available for small forest landowners
Chapter 222-16 - Definitions & RMAP Emergency Rule
222-16-010* General definitions
222-16-030 Water typing system
222-16-031 Interim water typing system
222-16-035 Wetland typing system
222-16-036 Wetland mapping
222-16-050 Classes of forest practices
222-16-051 Exception to Class IV-Special
222-16-060 Lands with a likelihood of future conversion
222-16-070 Pesticide uses with the potential for a substantial impact on the environment
222-16-080 Critical habitats (state) of threatened and endangered species
222-16-085 Northern spotted owl habitats
222-16-086 Northern spotted owl special emphasis areas and goals
222-16-087 Marbled murrelet special landscape
222-16-100 Planning options for the northern spotted owl
222-16-105 Cooperative habitat enhancement agreements

Chapter 222-20* - Application and Notification & RMAP Emergency Rule
222-20-010 Applications and notifications - Policy
222-20-015 Multiyear permits
222-20-020 Application time limits
222-20-030 Delivery of notifications and applications--Receipts--File numbers
222-20-040 Approval conditions
222-20-050 Conversion to nonforest use
222-20-055 Continuing forest land obligations
222-20-060 Deviation from prior application or notification
222-20-070 Emergency forest practices
222-20-075 Exotic forest insect or disease outbreaks
222-20-080 Application and notification expiration
222-20-090 Options for filing applications
222-20-100 Notice to parks and OAHP
222-20-110 Notice of forest practices to cities and towns
Chapter 222-21 - Small Forest Landowner Forestry Riparian Easement Program
222-21-005  Policy
222-21-010  Definitions
222-21-020  Criteria for accepting riparian easement
222-21-030  Document standards
222-21-035  Description of easement
222-21-040  Timber cruises
222-21-045  Valuation
222-21-050  Payment of compensation
222-21-060  Commercially reasonable harvest
222-21-061  Criteria when commercially reasonable harvest is not possible
222-21-065  Uneconomic to harvest
222-21-070  Blowdown and salvage
222-21-080  Eminent domain
222-21-090  Internal department of natural resources review of small forest landowner office compensation decisions

Chapter 222-22 - Watershed Analysis
222-22-010  Policy
222-22-020  Watershed administrative units
222-22-030  Qualification of watershed resource analysts, specialists, and field managers
222-22-040  Watershed prioritization
222-22-045  Cultural resources
222-22-050  Level 1 watershed resource assessment
222-22-060  Level 2 watershed resource assessment
222-22-070  Prescription and management strategies
222-22-075  Monitoring
222-22-076  Restoration
222-22-080  Approval of watershed analysis
222-22-090  Use and review of watershed analysis
222-22-100  Application review prior to watershed analysis

Chapter 222-23 - Riparian Open Space Program
222-23-010  Policy and definitions
222-23-020  Submitting and processing of applications for the riparian open space program
222-23-025  Priorities for conveyances—Use of lands conveyed
222-23-030  Conveyance forms and procedure

Chapter 222-24 - Road Construction and Maintenance & RMAP Emergency Rule
222-24-010  Policy
222-24-015  Construction in wetlands
222-24-020  Road location and design
222-24-026  Temporary roads
222-24-030  Road construction
222-24-035  Landing location and construction
222-24-040  Water crossing structures
222-24-050  Road maintenance and abandonment
222-24-051  Large forest landowner road maintenance schedule
222-24-0511 Small forest landowner road maintenance planning
222-24-0512 Forest landowner exempted from road maintenance and abandonment planning
222-24-052  Road maintenance
222-24-060  Rock quarries, gravel pits, borrow pits, and spoil disposal areas

Chapter 222-30 - Timber Harvesting
222-30-010  Policy--Timber harvesting
222-30-020  Harvest unit planning and design
222-30-021 Western Washington riparian management zones
222-30-022 Eastern Washington riparian management zones
222-30-023 Riparian management zones for exempt 20-acre parcels
222-30-025 Even-aged harvest--Size and timing
222-30-030  Stream bank integrity
222-30-040 Shade requirements to maintain water temperature
222-30-045 Salvage logging within riparian management zones
222-30-050  Felling and bucking
222-30-060  Cable yarding
222-30-065 Helicopter yarding
222-30-070  Ground-based logging systems
222-30-080 Landing cleanup
222-30-090 Postharvest site preparation
222-30-100 Slash disposal or prescribed burning
222-30-110 Timber harvesting on islands
222-30-120 Rate of harvest monitoring

Chapter 222-34 - Reforestation
222-34-010  Required reforestation--West of Cascades Summit
222-34-020 Required reforestation--East of Cascades Summit
222-34-030 Reforestation--Plans--Reports--Inspections.
222-34-040 Site preparation and rehabilitation
222-34-050 Urban and other lands exempted from the reforestation requirements.

Chapter 222-38 - Forest Chemicals
222-38-010  Policy-Forest chemicals
222-38-020 Handling, storage, and application of pesticides
222-38-030 Handling, storage, and application of fertilizers
222-38-040 Handling, storage, and application of other forest chemicals

Chapter 222-42 - Supplemental directives
222-42-010  Supplemental directives

**Chapter 222-46 - Consultation Enforcement**
222-46-010  Policy-Enforcement
222-46-012  Representatives on inspections
222-46-015  Enforcement within the CRGNSA special management area
222-46-020  Informal conferences
222-46-030  Notice to comply
222-46-040  Stop work orders
222-46-050  Corrective action
222-46-060  Civil penalties
222-46-065  Base penalty schedule
222-46-070  Injunctions, civil suits, disapprovals
222-46-080  Criminal penalty
222-46-090  Financial assurances

**Chapter 222-50 - Relationship to Other Laws and Regulations**
222-50-010  Policy
222-50-020  Other agency requirements
222-50-030  Interagency agreements
222-50-040  Safety and health
222-50-050  Forest fire prevention and suppression
222-50-060  Other regulatory programs administered by the department

* WAC was changed since December 2004 when the Draft FPHCP was published.

To obtain more information on Chapter 76.09 RCW and on WAC 222 - Forest Practices Rules, please contact the FPB Rules Coordinator.

**Mailing Address:**
FPB Rules Coordinator
DNR Forest Practices Division
PO Box 47012
Olympia, WA 98504-7012

**Email:** forest.practicesboard@wadnr.gov

**Phone:** 360-902-1400  
**Fax:** 360-902-1428  
**TTY:** 360-902-1125

**Website Address:** [http://www.dnr.wa.gov/forestpractices/](http://www.dnr.wa.gov/forestpractices/)