

# Forest Practices Type I, II and III Reviews

Handout #29 Revised: 2/28/11



## **What is the purpose of a forest practices review?**

Forest Practice Applications (FPA's) are regulated through the Washington State Forest Practices Act Revised Code of Washington (RCW) 76.09 and the Clark Count Code (CCC 40.260.080 Forest Practices. The purpose of the Forest Practices Code is to identify potential effects from logging on critical areas, such as wetlands, steep slopes, stream buffers, archaeological sites, and areas of known endangered species.

As of July 30, 2007, Clark County imposes an automatic 6-year parcel hold on all Non-Conversion FPA's. Any property logged without an FPA will receive an automatic 6-year parcel hold. An FPA may be required when there is a proposal to cut trees. The following questions should be taken into consideration before removing trees on your property:

## **Will land be developed to create building lots?**

If property is intended to be developed within six years of logging, a Conversion Forest Practice Permit will be needed from Clark County. In some instances, prior approval of the development and compliance of critical area permits may be necessary before the timber harvest permit is approved.

## **Will trees continue to be grown?**

If trees will be grown for at least six years, after a harvest, a Non-Conversion Forest Practices Application may be obtained from the Washington Dept. of Natural Resources.

When filing DNR Non-Conversion Forest Practices Application, an automatic parcel hold prohibiting development for 6-years is invoked. Specifically, building permits, land division and other development permits on all land logged under a Non-Conversion Forest Practice Application are prohibited. An owner of a legally established lot may apply for a waiver to the parcel hold for a Single Family Home. The waiver request shall demonstrate compliance with RCW 76.09, WAC 222-30 and other applicable Clark County Code requirements.

## **Uncertainty of future plans for the land?**

You may apply to Clark County for a Conversion Option Harvest Plan (COHP) before filing a Non-Conversion FPA with the DNR. A COHP is an agreement between the landowner and the County that may allow you to harvest some of your trees subject to specific conditions of approval. The conditions of approval will be determined after review of your proposal relative to your specific site's physical attributes.

Clark County agrees not to impose a parcel hold if there is compliance with the conditions of approval of the COHP. If the terms of the COHP are violated, the County will impose a six-year parcel hold on building permits, subdivision and other land use permits on all land logged under the agreement. It should be noted that the conditions of approval of a COHP might limit your overall harvest.

## **What is Clark County involvement in Timber Harvest Permits and Conversion Option Harvest Plans?**

The Department of Community Development reviews each application for potentially adverse impacts to critical areas and drainage caused by the proposed clearing. Mitigation and/or prevention measures to limit adverse environmental impacts to critical areas and for silt and erosion control are made as conditions of approval for the FPA. Additional permits and requirements may apply when any grubbing or stumping of the harvested areas is proposed.

A Clark County Forest Practices Forester will administer Timber Harvests for compliance with an approved application.

## **How do I apply for a Timber Harvest Permit or a Conversion Option Harvest Plan?**

Applicants shall submit a complete application to the Public Service Center, Permit Services Division, 1<sup>st</sup> Floor, 1300 Franklin Street, Vancouver. An application submittal shall include:

### Class IVG Forest Practice

1. \_\_\_ Completed Forest Practice Application;
2. \_\_\_ State Environmental Protection Act (SEPA) Checklist;
3. \_\_\_ Logging Site Plan including water type / site class map,
4. \_\_\_ Fees as identified in Chapter 6 of the Clark County Code.

### Conversion Option Harvest Plan (COHP)

1. \_\_\_ A narrative describing:
  - Objectives of the timber harvest,
  - Relationship of the harvest to future development of the site,
  - Built and natural features present at the site,
  - Measures to be taken to preserve and protect critical areas,
  - Harvest method including type of equipment to be used, and
  - Expected dates of commencement and completion of all harvest activity.
2. \_\_\_ A conceptual layout of a probable future site development that is:
  - Drawn to scale,
  - Based on the existing zoning and physical limitations of the property,
  - Based on the likely building areas, roads, driveways, septic system areas and lot configuration.
3. \_\_\_ Completed Forest Practice Application
4. \_\_\_ Logging Site Plan
5. \_\_\_ Fees as identified in Chapter 6 of the Clark County Code

If you have any questions regarding Timber Harvest Permits or COHP please call the Community Development Department, (360) 397-2375, Ext. 4714 or 4075.

## How much do FPA's cost?

Conversion option harvest plan (COHP) with approved current use timber management plan	<b>\$648</b>
COHP without approved current use timber management plan	<b>\$ 1,228</b>
Class IV G: -including SEPA	<b>\$ 3,166</b>
-without SEPA	<b>\$ 1,638</b>
Type I, single-family dwelling moratorium <u>or parcel hold</u> waiver, field reviews of non-exempt Class I forest practices	<b>\$ 2,067</b>
Open space/current use taxation applications	<b>\$1,953</b>
Type III, all other moratorium waivers	<b>\$2,838</b>
Hazard Tree Removal Determination, stand alone	<b>\$554</b>

## What other permits may I need?

You may need one or more of the following permits:

- Grading permit.
- Permit to work in a county right-of-way.
- Road Approach Permit (for access road installation).
- Hydraulics Project Approval (HPA) from Washington Department of Fish & Wildlife (WDF&W)
- Shoreline Permit
- Preliminary Land Division
- Wetland Permit
- Habitat Permit
- Floodplain Permit
- Joint Aquatic Resource Permits Application (JARPA)
- Archaeological Predetermination
- Geologic Predetermination

**Public Service Center  
Community Development Department  
1300 Franklin Street, 1<sup>st</sup> Floor  
P.O. Box 9810  
Vancouver, WA 98666-9810  
Phone: (360) 397-2375  
Web Page at: <http://www.clark.wa.gov>**



### **ADA COMPLIANCE PROGRAM:**

For an alternate format, contact the Clark County ADA Compliance Office, V (360) 397-2375-2025; TTY (360) 397- 2445;  
E-Mail: [ADA@clark.wa.gov](mailto:ADA@clark.wa.gov)



# Types I, II and III Forest Practices Application

Handout No. 29 Revised 11/30/07



Legal name of Landowner:	Legal name of Timber Owner:	Legal name of Forestry Operator:
Name of Agent:	Forest Tax Reporting Account No: _____	UBI No: _____ Corp Tax ID No: _____
Mailing Address	Mailing Address	Mailing Address
City State Zip	City State Zip	City State Zip
Phone (    ) E-Mail:	Phone (    ) E-Mail:	Phone (    ) E-Mail:

For information on tax reporting or tax numbers call the Department of Revenue at 1-800-548-8829.

Legal description:

Within ¼ sect. Of ¼ sect. of:	Section	Township	Range E/W	Parcel Number

*We affirm that the information contained herein is true, and understand that this proposed Forest Practice is subject to the current rules and regulations of the Forest Practices Act, as well as any applicable Federal, State or Local rules and regulations. We the undersigned also affirm compliance with the Clark County Code Chapter 40.380. Compliance with this application/notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.*

Landowner's Signature

Timber Owner's Signature

Forestry Operator's Signature

\_\_\_\_\_  
date:\_\_\_\_\_

\_\_\_\_\_  
date:\_\_\_\_\_

\_\_\_\_\_  
date:\_\_\_\_\_

**STAFF USE ONLY**

Date Received:\_\_\_\_\_

FPA No. \_\_\_\_\_

SEPA No. \_\_\_\_\_

Counter Complete Date: \_\_\_\_\_

Fully Complete Date: \_\_\_\_\_

Decision Date: \_\_\_\_\_

**Class of Application**

- Class I Forest Practice
- Class IV-G (**SEPA Review Required**)      Conversion and/or Platted
- Class IV-Special (**SEPA Review Required**)      COHP (Conversion Option Harvest Plan)
- Single Family Waiver from Six Year Moratorium (Plot Plan Required or Conceptual Building Envelopes Shown on Submittal)

**Activity Type**

- Harvesting \_\_\_ acres
- Chemical application to \_\_\_ acres
- Maintain \_\_\_ miles road
- Construction of \_\_\_miles of new road

# 1. Forest Practices Roads Section

Complete the chart below.

ACTIVITY TYPE	TOTAL LENGTH In Feet	STEEPEST SIDE SLOPE ROAD CROSSES In Percent	TOTAL LENGTH OF ENDHAUL/OVERHAUL <b>No Sidecast.</b> <b>Show all Locations on Base Map</b>
NEW ROAD CONSTRUCTION			
RECONSTRUCTED ROAD			
ROAD ABANDONMENT			

1.1. Will you be opening or expanding a rock pit as part of this proposal?

- No
- Yes. Indicate size from choices below
  - < 1/2 acre
  - 1/2 to 3 acres.
  - 3 acres

1.2. Do any proposed or existing roads cross any potentially unstable slopes? Typical signs include: Vegetative or Topographic indicators such as pistol butted trees, jack-strawed trees, or cracks in the soil surface, slopes over 30% or landslides (old or recent).

- No
- Yes

If unstable slopes are present, the project shall comply with Clark County Code Chapters 40.350 (Transportation and Circulations) and 40.430 (Geologic Hazard Areas).

1.3. Show and label the following items on the Base Map, a water typing map provided by Clark County.

- Location of all new construction, maintenance, existing roads, abandonment and landings.
- Location of end haul /overhaul construction and waste areas.
- Location of rock pit(s) associated with this proposal.
- Location of haul route to public road.
- Location of unstable slopes

1.4. Describe how centerline and/or right-of-way limits will be marked on the ground.

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## 2. Forest Practice Western Washington Small Landowner Exemption Section

*This Section is For Conversion Option Harvest Plans Only*

- 2.1 Do you own less than 80 acres of forest land in the State of Washington *and* is your proposal on a parcel of 20 contiguous acres or less under your single ownership?
- No. You do not qualify for the exemption. Complete all questions in Part 4, Forest Practices Water Section of this.
  - Yes. Go on to question 2.2.
- 2.2 Does a Watershed Analysis, issued on or before January 1, 1999, require any mitigation prescriptions? Please contact the Department of Natural Resources (DNR), if you require clarification.
- No. Go to question 3.
  - Yes, Watershed Analysis Name \_\_\_\_\_  
 Area of Resource Sensitivity \_\_\_\_\_  
 Applicable Prescription \_\_\_\_\_  
 Describe how you will comply with the prescription(s) \_\_\_\_\_  
 \_\_\_\_\_
- 2.3 Will you be harvesting within the Riparian Management Zone (RMZ) of any streams?
- No
  - Yes. Show RMZ's on the Base Map. Provide a detailed description of your RMZ proposal including all RMZ widths, and how you are marking the boundaries and leave or take trees within the RMZ. (use comment section below.)

## 3. Timber Harvest Section

Complete the chart below.

UNIT NO.	ACRES PER UNIT	TYPE OF HARVEST Even-aged, Uneven-aged, Salvage and/or Right of Way	METHOD OF YARDING Highlead, Skyline, Shovel, Rubber Tired Skidder, Tracked Skidder, Animal, Helicopter, Feller Buncher	TREES PER ACRE REMAINING AFTER HARVEST	ESTIMATED VOLUME TO BE HARVESTED In Board Feet

- 3.1 Indicate how required Wildlife Reserve Trees (WRT's) and Green Recruitment Trees (GRT's) will be left outside of Riparian Management Zones and Wetlands. Down logs are also required. At least 2 down logs per acre shall be left. At a minimum down logs shall be 12 inches in diameter at the small end and 20 feet long.

Check all that apply:

Wildlife Reserve Trees  
See WAC 222-30-020(11)

Green Recruitment Trees  
See WAC 222-30-020(11)

Minimum of 3 WRT's per acre greater than or equal to 12 inches DBH.

Minimum of 2 GRT's per acre greater than or equal to 12 inches DBH

Clumped

Clumped

Evenly distributed throughout unit

Evenly distributed throughout unit

3.2 Will you be harvesting timber on any potentially unstable slopes? Typical signs include: Vegetative or Topographic indicators such as pistol butted trees, jack-strawed trees, or cracks in the soil surface; Slopes over 30%; Landslides (old or recent).

- No
- Yes

If unstable slopes are present, the project shall comply with Clark County Unified Development Code Chapter 40.430 Geologic Hazards and 40.350 Transportation and Circulation.

3.3. What reforestation method will you use?

- Planting                      What tree species? \_\_\_\_\_
- Natural                        You must submit a reforestation plan. See instructions.
- Reforestation is not required under WAC 222-34-010, 222-34-020 or 222-34-050.

3.4 Describe how harvest boundaries will be marked on the ground.

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3.5 Show and label the following items on the Base Map, a water typing map provided by Clark County.

- The location of each harvest unit.
- For every even-aged unit, provide the ages for any adjacent forest stands you own.
- The location of Wildlife Reserve and Green Recruitment Trees if the clumping option was chosen.
- The location of the haul route to a public road.
- Landing location(s).

3.6 If your project results in a strip of trees left along a highway or power line, you shall notify Clark County Public Works Department and/or the Clark Public Utility District. Your notice to these agencies may help prevent accidents from falling trees and downed power lines.

## 4. Forest Practices Water Section

4.1 Will there be any activity within 250 feet of any Type S ( Shoreline ) stream?

- No
- Yes. The project shall comply with the State Shoreline Management Act Chapter 90.58 RCW, Clark County Shoreline Master Program and Clark County Code 40.460.010. A Shoreline Substantial Development Permit may be required by the local government entity (LGE). Provide Documentation.

4.2 Will there be any activity in relation to a Type F (Fish Bearing ) stream which is within 200 feet of the bank-full width (BFW) or; channel migration zone (CMZ), which ever is greater?

- No
- Yes. The project shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation

4.3a Will there be any tree harvest within 100 feet of a Type Np ( Non Fish Bearing Perennial ) stream?

- No
- Yes. The proposal shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation.

4.3b Will there be any tree harvest within 75 feet of a Type Ns ( Non Fish Bearing Seasonal ) stream?

- No
- Yes. The proposal shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation

- 4.4 Will there be any harvest or road construction within 210 feet of any wetland?
- No
  - Yes. The proposal shall comply with Clark County Code 40.450 Wetland Protection
- 4.5 Work within any Type S or F stream shall have an Hydraulic Project Approval (HPA). Work within a Type Np or Ns stream may require an HPA. Providing answers to the following questions serves as your request for an HPA from the Washington Department of Fish and Wildlife.
1. Will there be any activity within or over Type S or F stream?
    - No
    - Yes, as described: \_\_\_\_\_
  
  2. Will there be any activity within or over Type Np or Ns stream?
    - No
    - Yes, as described \_\_\_\_\_

# FOREST PRACTICES DECISION

Forest Tax ID no: _____	SEPA file no: _____
FPA file no: _____	Decision Expires: _____
Decision Effective: _____	

## Landowner Notice:

Sections of RCW 76.09.070, RCW 76.09.390 and WAC 222-20-055 require that before any sale or transfer of land or perpetual timber rights which are subject to any continuing forest land obligations under rules adopted in 1982 and under RCW 76.09.370 adopted in 1999:

1. **The seller** shall notify the buyer of the existence and nature of such an obligation,
2. **The buyer** shall sign a Notice indicating their knowledge of the continuing obligation and,
3. At time of sale or transfer of the land or perpetual timber rights, **the seller** shall send the signed Notice of continuing forestland obligation to the Clark County Dept. of Community Development.

The Notice of Continuing Forest Land Obligation form may be obtained at the Clark County Permit Services Center, 1300 Franklin Street, Vancouver, Washington.

There are four types of Continuing Forest Land Obligations:

1. Reforestation;
2. Road Maintenance and Abandonment Plan;
3. Small Landowner Forest Riparian Easement.

**If a seller fails to notify a buyer** about the continuing forest land obligation, they shall pay the buyer's costs related to the continuing forestland obligation. Such costs include all legal and reasonable attorneys' fees incurred by the buyer in enforcing the continuing forestland obligation against the seller. The failure of a seller to send the required Notice to the DNR at the time of sale is prima facie evidence, in any buyer's legal action against a seller for costs related to continuing forest land obligation. The evidence shows that the seller failed to notify the buyer of the continuing forest land obligation before the sale.

If a landowner changes the forestry operator, they shall notify the Clark County, in writing, within 48 hours of the change.

**Compliance with this application/ notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.**

Failure to comply with the approved FPA may result in enforcement actions under CCC 40.260.080 Forest Practices.

- **Approved Forest Practice Application** subject to the following conditions of approval:

1. \_\_\_\_\_  
\_\_\_\_\_  
2. \_\_\_\_\_  
\_\_\_\_\_  
3. \_\_\_\_\_  
\_\_\_\_\_  
4. \_\_\_\_\_  
\_\_\_\_\_

- **Denied Forest Practice Application** due to the following reasons:

1. \_\_\_\_\_  
\_\_\_\_\_  
2. \_\_\_\_\_  
\_\_\_\_\_  
3. \_\_\_\_\_  
\_\_\_\_\_  
4. \_\_\_\_\_  
\_\_\_\_\_

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**Clark County Forester**

**Date**

Distribution to:

- DOR
- DNR
- Landowner
- Seller
- Buyer
- Forestry operator