



Forest Practices Application/Notification  
**Notice of Decision**

FPA/N No: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Shut Down Zone: \_\_\_\_\_

EARR Tax Credit:  Eligible  Non-eligible

Reference: \_\_\_\_\_

\_\_\_\_\_

**Decision**

- Notification**      Operations shall not begin before the effective date.
- 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- Closed**            Applicant has withdrawn approved FPA/N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**

**Number of Years Granted on Multi-Year Request**

Class II    Class III    Class IVG    Class IVS    2 yrs    3 yrs    4 yrs    5 yrs

**Conditions on Approval / Reasons for Disapproval**

Issued By: \_\_\_\_\_

Region: \_\_\_\_\_

Title: \_\_\_\_\_

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

Copies to:     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.

### **Hydraulic Project Approval (HPA) (Chapter 77.55RCW and WAC 222-50-020(2))**

The Department of Fish and Wildlife (WDFW), as the jurisdictional agency issuing HPAs, has final authority for approving water crossing structures in Type S and F waters. WDFW continues to have authority on Type N waters and may exercise that authority on some Type N waters.

Notice: The HPA water crossing requirements supersede what is indicated on the FPA. Landowners are required by law to follow the provisions as directed on the HPA.

### **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 76.09.060, RCW 76.09.070, RCW 76.09.390, and WAC 222-20-055)**

Obligations include reforestation, road maintenance and abandonment plans, conversions of forest land to non-forestry use and/or harvest strategies on perennial non-fish habitat (Type Np) 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.