



FOREST PRACTICE APPLICATION/NOTIFICATION SUBMITTAL REQUIREMENTS

Revised 5/14/2020

APPLICATION/NOTIFICATION FORM – The application/notification form shall be completed and signed in ink by the Landowner or Landowners Agent, Timber Owner (if different from Landowner), & Forestry Operator. Parcels must meet all of Clark County codes and requirements.

***ALL APPLICATION/NOTIFICATIONS THAT REMOVE COMMERCIAL TIMBER MUST HAVE A FOREST TAX REPORTING NUMBER. INFORMATION ON TAX REPORTING OR TAX NUMBERS CALL THE DEPARTMENT OF REVENUE (DOR) AT:
1-800-548-8829**

APPLICATION/NOTIFICATION FEE - The requisite fee for the FPA shall accompany the application/notification. Make checks payable to "Clark County"

LOGGING SITE PLAN – Including water types and critical areas layers ([MapsOnline](#)).

WATER TYPING REQUIREMENTS - Before submitting a Forest Practices Application/notification, landowners are required to correctly identify and classify all streams, wetlands, lakes and ponds, and describe how the verification was implemented in the field for all waters within the proposed activity area and within 200 feet of the proposed activity. To do this, the landowner may use the Water Type Classification Worksheet (attached) or provide a written and accurate explanation (for example: bankfull width, stream slope gradient, etc.) of the basis for concluding which water types are present or not in the area of interest. This process does not result in changes to the State Department of Natural Resources (DNR) Water Type Map but is necessary for the FPA to be considered a complete application/notification.

LEGAL LOT – The parcel or parcels are legal lots of record.

***ALL HARVEST LAYOUT ON THE GROUND MUST BE COMPLETED BEFORE SUBMISSION OR
APPLICATION/NOTIFICATION WILL BE PLACED ON HOLD UNTIL COMPLETED.**

Depending on the class of application submitted, additional application requirements are indicated in the sections below:

HAZARD TREE REMOVAL

This class of application is to be used when the Hazard, Danger and/or Diseased trees are located within a horizontal distance of 1 ½ times their height from permanent buildings (such as a house, barn, shop, or pumphouse). This is not to be confused with the removal of healthy trees around permanent buildings, to which a Class 1 Non-Exempt is the appropriate permit for such situations.

CERTIFIED ARBORIST/PROFESSIONAL FORESTER/LANDSCAPE ARCHITECT REPORT – The purpose of this report is to adequately document the rationale supporting a determination that a tree(s) is a hazard, dangerous and/or diseased and that abatement and/or tree removal is necessary. This report should include the following items:

- General description of proposal;
- Final plat notes applicable to proposal (if applicable);
- A description of the property(ies) that is subject to the danger/hazard;
- A description of the forest stand/greenbelt-including approximate stand age and tree species;
- A site plan indicating the location of the Hazard/Dangerous and/or Diseased trees and associated structures;
- A description of the Hazard/Dangerous and/or Diseased tree(s) including age, species, defect, disease, and/or structural integrity;
- A description of the Recommended Abatement treatment for each tree (including but not limited to: removal, habitat cut, thinning and restructuring) and anticipated timeline;
- A detailed replanting plan and/or mitigation plan. Include anticipated schedule of installation. (Replanting should be completed within 60 days of the tree abatement);
- A description regarding the fate of the tree(s) to be cut- will the tree(s) be removed, decked, or left in place; and
- Documentation that the report was prepared by a certified arborist, licensed landscape architect or professional forester or other expert approved by Clark County.

Field marking of the site features may be necessary:

ADD SITE INSPECTION FEE - If no supporting documents are included you must pay site inspection fee. Staff review may include a site inspection. If this is necessary, field marking of the site will be required.

The following features must be clearly marked at the site with flagging or colored paint by the arborist and/or applicant:

- Individual trees subject to danger/hazard tree report.
- Property boundaries
- Critical areas

If you have any questions, please contact Hunter Decker at 564-397-4852, or by email at: Hunter.Decker@clark.wa.gov

NON-RIPARIAN PRIORITY HABITAT – CCC40.440 - If you are proposing the harvesting of oak trees as part of your forest practices permit, you must work out the habitat details with Community Development and Washington Department of Fish & Wildlife. Oak trees are not allowed to be cut or removed under this permit.

RIPARIAN PRIORITY HABITAT – CCC40.440 - If harvesting in either an unmapped or mapped critical area buffer for emergency clearing to abate immediate danger to persons or property, remove only that portion of a hazard tree as is minimally necessary to remediate the hazard. Cut wood should be left in the habitat area in accordance with Chapters 40.440 & 40.450 (Habitat Conservation & Wetland Protection). Removal of cut wood will require reforestation of 300 trees per acre.

Riparian Habitat is the most common and most biologically significant wildlife area. Riparian Habitat is found adjacent to seasonal and perennial streams. It is defined by measuring from the stream's ordinary high water mark to the edge of the 100-year floodplain or the following, whichever is greater:

- 250 feet from streams mapped as shorelines of statewide significance;
- 200 feet from fish bearing streams;
- 100 feet from non-fish bearing perennial streams; and
- 75 feet from non-fish bearing seasonal streams.

Non-Riparian Habitat is a less common wildlife area identified as Priority Habitat and Species (PHS) by the Washington Department of Fish and Wildlife (WDF&W). Areas within 300 feet of Priority Species sites, or within 100 feet of Priority Habitat sites, are also subject to the ordinance. Examples include Biodiversity Areas and Corridors, Oregon White Oak Woodlands, Waterfowl Concentrations, and Mature Forests.

Priority Species Point Sites are defined as areas within 1,000 feet of mapped individual point sites where there are recorded observations threatened, endangered or sensitive (TES) species.

CCC 40.100.070 - Definitions

Diseased tree - "Diseased tree" means a tree that in the opinion of the responsible official or an assigned expert approved by Clark County (such as but not limited to, a professional forester or landscape architect), has a strong likelihood of infecting other trees or brush in the area or becoming a hazard as a result of the disease.

Hazard tree - "Hazard tree" means any tree which, in the opinion of the responsible official, an expert approved by Clark County (such as, but not limited to, a professional forester or landscape architect), or a similar expert employed by another public agency or utility, has a strong likelihood of causing a hazard to life or property. (Amended: Ord. 2006-06-09)

Professional forester - "Professional forester" means a person with academic and field experience in forestry or urban forestry. This may include arborists certified by the International Society of Arboriculture, foresters with a degree in forestry from a Society of American Foresters (SAF) accredited forestry school, member of the Washington Association of Consulting Foresters, or urban foresters with a degree in urban forestry.

Priority habitat and species (PHS) - "Priority habitat and species" (PHS) means the official definitions and all area classifications by that name used by the Washington Department of Fish and Wildlife (WDFW). Known local categories of priority habitat as defined by WDFW include riparian habitat, oak woodlands, old growth/mature forest, urban natural open space, talus rock, and caves.

If harvesting in either an unmapped or mapped critical area buffer for emergency clearing to abate immediate danger to persons or property, remove only that portion of a hazard tree as is minimally necessary to remediate the hazard. Cut wood should be left in the habitat area in accordance with Chapters 40.440 & 40.450 (Habitat Conservation & Wetland Protection). Removal of cut wood will require reforestation of 300 trees per acre or 5 trees and 10 shrubs every 1,000 square feet.

CLASS I NON-EXEMPT W/NHC OR SFR MORATORIUM WAIVER

*****THE SITE AREA INTENDED SHALL NOT EXCEED TWO (2) ACRES IN SIZE*****

- CONCEPTUAL DEVELOPMENT PLANS** – A conceptual layout of a probable future site development that is:
 - Drawn to Scale;
 - Based on the likely building areas, roads, driveways, septic system areas and lot configuration; and,
 - Based on the existing zoning and physical limitations of the property;
 - The construction activity is consistent with Chapters 40.386 (Stormwater & Erosion Control), 40.450 (Wetland Protection), 40.440 (Habitat Conservation), 40.430 (Geologic Hazard Areas), and 40.460 (Shoreline Overlay District).

- STORMWATER SITE PLAN, EROSION CONTROL & GRADING:** – Subsequent to harvest, any site prep such as stump pulling and grading may be subject to a Clark County grading permit. This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one (1) or more acres, and discharge to surface waters of the State (that is, forest practices that prepare a site for construction activities). The harvest operator is responsible for providing all Stormwater and erosion control requirements in accordance with Chapter 40.386 (Storm Water and Erosion Control) for Forest Practices for the entire project site. Contact Clark County Stormwater Water Management Team (360) 397-6118 for further information.

- ROAD CONSTRUCTION** – Forest Practice Roads may not meet Clark County codes and standards for Single Family Residences or future developments. Contact Clark County Development Engineering team (564) 397-4559 for further information. Also A temporary driveway approach permit for logging is required whenever a driveway approach to a County road will be built, altered, improved or reopened for logging purposes.

- CONTINUING FOREST LAND OBLIGATIONS** – The landowner will provide a report from the Department of Natural Resources (DNR), also called an Informal Conference Note (ICN).

- COUNTY AUDITOR RECORDING (*SFR MORATORIUM WAIVER ONLY)** – Prior to the issuance of any development permits. the landowner will record a binding written commitment submitted to, and approved by, the county, and recorded by the applicant with the County Auditor, so as to run with the land, which:
 - Contains a site plan depicting the building site area, any critical areas within the building site area, and access roads,
 - Commits the applicant to complete the reforestation in accordance with applicable forest practice reforestation requirements for areas other than the building site area;

CLASS IV-GENERAL OR SPECIAL, OR CONVERSION OPTION HARVEST PLAN (COHP)

An approved COHP provides the landowner the ability to manage and harvest timber prior to application for a development permit while maintaining an option to convert lands to a non-forestry use. **A six (6) year moratorium shall not be imposed on a site that meets the conditions of an approved COHP.**

1. The COHP shall be submitted prior to application/notification for development and/or conducting forest practices on the project site.
2. A COHP shall include:
 - a. A narrative description of the 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 the expected dates of commencement and completion of all harvest activity;
 - b. A conceptual layout of a probable future site development, drawn to scale, based on the existing zoning and physical limitations of the property, including likely building areas, roads, driveways, septic system areas and lot lines.
3. The approved COHP shall be recorded with the County Auditor by the county upon approval. The recorded COHP shall contain an expiration date which is the same as the expiration date of the COHP.
4. The COHP shall be approved by the responsible official prior to application/notification or notification to the DNR for the required Class II, Class III, or Class IV special forest practice.
5. The approval of a COHP shall not release a landowner from the requirement to reforest a site pursuant to Chapter 222-34 WAC.

STATE ENVIRONMENTAL POLICY ACT (SEPA) CHECKLIST- The checklist must be completed, signed in ink by the applicant, and be accompanied by all information required to process the SEPA.

ARCHAEOLOGICAL REPORT / SITE PROTECTION PLAN- Archaeological Site Protection Plans are written documents that state what you will do to protect the site from any impacts during forest practices activities. You will write your protection plan and submit it to DAHP and the affected Tribes for their review and concurrence. In order to facilitate approval of your Plan, please include specific actions that will be taken to insure the archaeological site will not sustain impacts, damages, or changes.

A COHP shall be submitted to the responsible official pursuant to WAC 222-20-050 and shall also contain the requirements described in this section:

- CONVERSION NARRATIVE** - 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.

Those parcels subject to the small forest landowner exemption (RCW 76.13.130) shall be subject to the following no harvest buffers rather than the table in WAC 222-20-023. Should RCW 76.13.130 be repealed, with the intent of applying more stringent standards, Table 40.260.080-1 shall be deemed automatically repealed and replaced with the standards as found in Chapter 222-30 WAC.

APPLICATION/NOTIFICATION SITE PLAN – All pre-application/notifications and application/notifications shall include a site plan of the proposal that includes the following, if applicable:

- Drafted at a scale no smaller than one (1) inch to two hundred (200) feet;
- With the scale being shown in legend on the drawing;
- Harvest boundaries and tree retention areas;
- North arrow;
- The approximate location of any existing structures;
- The location of all existing and proposed streets, rights-of-way, easements, skid roads, haul roads, and landings within the proposal;
- The location of future land development including stormwater management facilities, and vegetation to be retained for site landscaping, open space, wildlife habitat, screening, and/or buffers;
- Site topography at a contour interval of twenty (20) feet, ten (10) feet if available from a public source;
- Critical areas and critical area buffers;
- Drainageways and culverts;
- Site area targeted for further harvest including proposed timing; and
- A vicinity map that includes all abutting ownership.
- The construction activity is consistent with Chapters 40.450 (Wetland Protection), 40.440 (Habitat Conservation), 40.430 (Geologic Hazard Areas), and 40.460 (Shoreline Overlay District).

FIELD MARKING OF SITE FEATURES – At the time of submittal of any application/notification required pursuant to this chapter, the following features shall be clearly marked at the site with flagging or colored paint by the applicant:

- Critical Areas and critical area buffers;
- Centerline of all proposed roads;
- Landing areas;
- Tree retention areas and leave trees; and
- Cutting boundaries.

LIFTING OF DEVELOPMENT MORATORIUM WAIVER

Any development moratorium established pursuant to Section 40.260.080(C)(2) may be lifted by the hearing examiner when the following requirements are met:

1. PUBLIC HEARING REQUIRED

- The responsible official shall set a date for public hearing before the hearing examiner after all the requests for additional information or plan correction have been satisfied.
- The public hearing shall follow the procedures set forth in Subtitle 40.5, Procedures.

2. REVIEW CRITERIA

- The forest practices conducted on the site meet the standards set forth in Section 40.260.080(A)(5).
- Corrective actions are implemented which would bring the forest practices into compliance with this section.
- If critical areas or critical area buffers have been damaged, the hearing examiner may impose increased critical area buffer standards together with additional requirements to mitigate the damage, the cost of which shall equal at least twice the value of the timber harvested within a critical area and buffer.

3. APPROVAL

- The hearing examiner shall review all requests for removal of a development moratorium, any comments received, and applicable county regulations or policies and may inspect the property prior to rendering a decision.
- The hearing examiner may approve an application for a request to remove a development moratorium, approve the application with conditions, require modification of the proposal to comply with specified requirements or local conditions, or deny the application if it fails to comply with requirements of this section.

4. REQUIRED WRITTEN FINDING AND DETERMINATIONS.

- Removal of a development moratorium shall be approved by the hearing examiner if the application meets the review and approval criteria in Sections 40.260.080(C)(3)(b) and (C)(3)(c).

CONTINUING FOREST LAND OBLIGATIONS – The landowner will provide a report from the Department of Natural Resources (DNR), also called an Informal Conference Note (ICN).