



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Peter Goldmark - Commissioner of Public Lands

Presentations

Department of Natural Resources: Marc Engel
Forest chemical use in forest
practices

Department of Agriculture: Robin Schoen-Nessa
Authority to establish
regulations governing chemicals

Department of Fish and Wildlife: Kristin Mansfield
Recent research on elk hoof
disease



Forest Chemical Use in Forest Practices

- The Forest Practices Act:
 - Establishes that, "... coincident with maintenance of a viable forest products industry, it is important to afford protection of forest soils, fisheries, wildlife, water quantity and quality, recreation, and scenic beauty."¹
 - Requires the Forest Practices Board to, "... adopt forest practices rules ... that ... establish minimum standards for forest practices."²
- Fertilization and forest disease and insect suppression are forest practices.³

¹ RCW 76.09.010

² RCW 76.09.040

³ RCW 76.09.020 and WAC 222-16-010



Forest Practices Rules

WAC 222-38-010

- The purpose of the forest practices rules on forest chemicals is to regulate the handling, storage, and application of chemicals in such a way that the public health, lands, fish, wildlife, aquatic habitat, wetland and riparian management zone vegetation will not be significantly damaged, and water quality will not be endangered by contamination...



Forest Practices Rules

WAC 222-38-010

- The forest chemical rules implement best management practices designed to
 - Eliminate the direct entry of pesticides to water; and
 - Minimize entry into channel migration zones, wetland management zones and buffers of Type Np Waters.
- The rules in no way modify the state Department of Agriculture regulations governing chemicals.



Forest Practices Rules

WAC 222-38-020(7)

Pesticides shall only be applied in accordance with:

- Limitations printed on the federal EPA container registration label, and/or established by regulation of the Washington Department of Agriculture;
- Limitations established by the Federal Occupational Safety and Health Administration, or the state Department of Labor and Industries, as they relate to the safety and health of operators and the public; and
- DNR or the state Department of Agriculture may suspend further use of any equipment responsible for chemical leakage until corrected.



Forest Practices Rules - Classifications

WAC 222-16-050

Class IV-special

- Aerial application of pesticides identified as having the potential for a substantial impact on the environment under WAC 222-16-070 or ground application of a pesticide within a Type A or B wetland.

Class III

- Aerial application of insecticides, except where classified as a Class IV forest practice.
- Aerial application of chemicals (except insecticides), except where classified as Class I or IV forest practices.
- Aerial application of pesticides on lands which contain cultural, historic or archaeological resources.

Class I

- Ground application of chemicals not within the CRGNSA.
- Aerial application of chemicals (except insecticides) outside the CRGNSA when ≤ 40 acres ...



Compliance

DNR conducts compliance on the application of the chemical including:

- Limiting drift (avoidance of excessive wind speeds);
- Ensuring Type N Waters are dry; and
- Ensuring proper posting of application timeframes.

Enforcement actions involve all available tools that DNR currently uses:

- Notices to comply;
- Stop work orders; and
- Mitigation plans for improper application or violations.





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