WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Commissioner of Public Lands

August 1, 2012

MEMORANDUM

TO: Forest Practices Board

FROM: Darin Cramer
Forest Practices Division Manager

SUBJECT: Timeline of Board Actions Related to 2ESSB 6406

At your May 8, 2012 meeting, I reported on the passage of Second Engrossed Substitute Senate Bill 6406. This legislation integrated the hydraulic project approval for certain forestry-related hydraulic projects into the forest practices application (FPA) review process. Among other changes in law, it also:

- Added a year to the effective duration of an FPA;
- Extended the FPA review period from 30 days to 60 days in order to incorporate a Washington Department of Fish and Wildlife (WDFW) concurrence review process; and
- Directed the Board to establish and maintain technical guidance in the Forest Practices Board Manual. This guidance must include best management practices and standard techniques to ensure fish protection.

The legislation states that the Board must incorporate the fish protection standards under chapter 77.55 RCW into the forest practices rules and complete the board manual by December 31, 2013. We prepared the enclosed document showing the explicit deadlines in the legislation for the Forest Practices Board, the Department of Natural Resources, and WDFW, and a proposed timeline for related Board actions.

The first Board action shown on the timeline is to consider initiating rule making to add a year to the effective duration of an FPA (see July 26, 2012 memorandum to the Board from Gretchen Robinson, "Rule Making Related to Conversions and Forest Practices Applications"). The remainder of the timeline shows a plan for accomplishing the remaining actions by May 2013.

I will answer any questions you may have at your meeting on August 14.

Enclosure: Timeline of Actions Due Related to 2ESSB 6406

Timeline of Actions Due Related to 2ESSB 6406
Forest Practices Board – August 2012

Deadlines specified in legislation

Forest Practices Board

- By 12-31-13, incorporate existing fish protection standards in chapter 77.55 RCW into the forest practices rules.
- By 12-31-13, establish technical guidance in a new Board manual section.

Department of Natural Resources (DNR)

- By 12-31-12, enter into MOA with WDFW describing how to implement integration of HPAs into FPAs.
- By 12-31-13, develop and maintain examples of high quality FPAs for DNR and Office of Regulatory Assistance websites.
- By 9-1-14 and by 9-1-16, jointly (with WDFW) report findings and recommendations regarding regulatory integration to legislature.

Washington Department of Fish and Wildlife (WDFW)

- By 12-31-13, adopt rules establishing procedures for a concurrence review process.
- By 12-31-12, enter into a memorandum of agreement (MOA) with DNR describing how to implement integration of HPAs into FPAs. This will be followed by an interagency contract.
- By 9-1-14 and by 9-1-16, jointly (with DNR) report findings and recommendations regarding regulatory integration to legislature.

Timeline for Board Activities

8-14-12	8-14-12 to 11-13-12	11-13-12 to 2-13-13	2-13-13 to 5-8-13
8-14-12 Board action: Approve CR-102 for 3-year FPA effective term.	**Sept. 2012 : Board conducts rule hearing(s)** **11-13-12 Board action:** **Adopt rules for 3-year FPA effective term (CR-103).** DNR convene stakeholders and begin drafting new Board manual containing hydraulic project technical guidance. DNR report Board manual status to Policy Committee. DNR (with WDFW involvement) draft forest practices rules per 2ESSB 6406: • Incorporate by reference existing chapter 77.55 RCW fish protection standards; • Reference concurrence review procedures per Sec. 202 of 2ESSB 6406; • Specify procedures will take effect upon the effective date of WDFW rules establishing procedures for concurrence review process per Sec. 201 of 2ESSB 6406; • Add name of new Board manual to WAC 222-12-090. Cost-benefit analysis and SEPA analysis are not required for this rule making per Sec. 203 of 2ESSB 6406.	Complete DRAFT Board manual. Policy Committee review draft Board manual and rules (Dec. 2012 Policy meeting). **2-13-13 Board action: Approve CR-102 for forest practices rules per 2ESSB 6406.**	Complete FINAL Board manual. **March 2013: Board conducts rule hearing(s)** **5-8-13 Board actions:** • **Adopt rules to incorporate HPA (CR-103).** • **Approve Board manual.**