Forest Practices Western Washington Np Rule Change Q&A

Type Np Waters include all segments of natural waters within the bankfull width (BFW) of perennial non-fish habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.[1] Protection of Type Np Water and sensitive sites is very important as they contribute to the quality of water and fish habitat in downstream Type S and/or F Waters and are utilized by a variety of wildlife. The Western Washington Type Np Water riparian management zones and Type Ns Water riparian protections rule (WAC 222-30-0211) goes into effect August 31, 2026.

WATER TYPING FOR NON-FISH STREAMS

How do I tell the difference between a perennial and seasonal non-fish stream?
Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow. Once you have determined that a stream is not Type F or S Water, you must then evaluate whether the stream is perennial or seasonal to provide protections accordingly. If a stream is dry during the middle of summer, it is not automatically considered a seasonal, Type Ns water. For a stream to be considered Type Ns, it must:

1. Be found dry in a "year of normal rainfall" and;
2. Be upstream of, and connected by an above-ground channel to, either the uppermost point of perennial flow (UMPPF) **or** Type F/S water to be considered a Type Ns Water.

For help determining a "year of normal rainfall," refer to Forest Practices Board Manual Section 23, Part 3 *Identify and Locate the Uppermost Point of Perennial Flow*.

Small forest landowners may also reach out to the Small Forest Landowner Office Regulation Assistance Fish & Wildlife Biologist for help with water typing.

SENSITIVE SITE AND RMZ PROTECTIONS

What are sensitive sites?
Sensitive sites are areas near or adjacent to Type Np Water defined in WAC 222-16-010[2] that fall into the following categories: headwall seep, side-slope seep, Type Np intersection, headwater spring, or alluvial fan. Sensitive site protections have not changed from the former Western Washington Type Np Water RMZ rule. Where sensitive site protections and RMZ requirements overlap, the wider no-harvest buffer applies. Sensitive sites are protected as outlined below:

- 50' no-harvest buffer on headwall seeps;
- 50' no-harvest buffer on side-slope seeps;
- 56' radius no-harvest buffer on intersections of two or more Type Np Waters;
- 56' radius no-harvest buffer on headwater springs or, in the absence of a headwater spring, on a point at the upper most extent of a Type Np Water (UMPPF); and
- No harvest is permitted within an alluvial fan.

How do I determine the required buffer?
Refer to WAC 222-30-0211 and Figure 1 in Board Manual Section 7 for a step-by-step guide to determine RMZ width requirements for Type Np Waters based on sensitive sites, Np basin size and harvest rates, and average BFW. A single Np stream may be divided into segments based on changes in average BFW or where RMZ harvest strategy

[1] WAC 222-16-030(3)
[2] WAC 222-16-010, "Sensitive sites"

requirements or options change. Refer to the How do I show Type Np water information on my FPA? question of this document for more information about describing this in your FPA materials.

What is the partial management harvest strategy?
Thinning is allowed within the outer 25' of the 75' buffer (or the remaining 19' for certain sensitive sites). Within the thinning area, up to 50 percent of trees may be thinned with the leave trees evenly distributed. The leave trees shall be representative of the tree species and diameters of the pre-harvest managed area. The partial management harvest strategy is only allowed upstream of the first 600 feet from the confluence with Type S or F in addition to meeting other requirements. Refer to WAC 222-30-0211 and Figure 1 in Board Manual Section 7 for a step-by-step guide to determine which buffers are required on Type Np Waters based on basin size, anticipated harvest, and bankfull width, including when and where the partial management harvest strategy is allowed.

How are isolated sections of Type Np Waters buffered?
Isolated Type Np Waters do not have an above-ground connection to a higher type of water downstream. Isolated Type Np waters are treated the same as a non-isolated Type Np Water except that the most downstream point of the Type Np Water (where there is no longer aboveground flow or channel) is treated the same as the confluence with Type F or S Water. For Type Np Waters without an above-ground confluence to a Type S or F Water, apply a no-harvest 75-foot buffer along the lowest 600-foot length of the isolated Np stream. Upstream of the initial 600 feet, refer to WAC 222-30-0211 and Figure 1 in Board Manual Section 7 for a step-by-step guide to determine which buffers are required on Type Np Waters based on basin size, anticipated harvest, and bankfull width.

There is a Type Np Water on a neighboring property less than 75' away from my harvest. How do I know what buffer I can use if my neighbor doesn't allow me on their property?
Refer to WAC 222-30-0211 and Figure 1 in Board Manual Section 7 for a step-by-step guide to determine which buffers are required on Type Np Waters based on basin size, anticipated harvest, and bankfull width. You must follow the same steps as if the stream was on your property. If you are unable to confirm "harvests planned, or reasonably expected, to occur in the 5 years following the FPA/N submittal" within the Type Np basin and/or the BFW, the 75-foot no cut buffer must be applied. When in doubt on how to proceed for your specific site, consult your Forest Practices Forester. Small forest landowners may also reach out to their Regulation Assistance Forester for help.

When a rule-identified landform (RIL) starts in the RMZ and extends out past the required RMZ buffer, may the additional acreage protected for the RIL be counted toward buffer requirements elsewhere along the Type Np water?
If a RIL extends outside of the required Np buffer area, the additional acreage of RIL protection that extends beyond the required Type Np Water RMZ width may be counted toward the mitigation of yarding corridors and road crossings. However, it cannot be used to reduce the width of required RMZ buffer along the Type Np Water.

The only feasible place for me to build a road is across a Type Np Water. Am I allowed to build a road through the Np RMZ?
Yes. If roads or yarding corridors cross a Type Np stream, the RMZ must be expanded elsewhere in the topographic basin equal to the total acreage harvested (WAC 222-30-0211(4) & (5)). Refer to the How do I show Type Np water information on my FPA? question of this document for more information about describing this type of scenario in your FPA materials.

If the average BFW of an Np stream decreases to less than 3 feet, am I able to change the RMZ harvest strategy?
Yes, as long as you used the proper procedure for determining average BFW (refer to WAC 222-16-030(5)(f) and Board Manual Section 2) and have acceptable documentation. Refer to WAC 222-30-0211 and Figure 1 in Board Manual Section 7 for a step-by-step guide to determine which buffers are required on Type Np Waters based on basin size, anticipated harvest, and bankfull width. Refer to the How do I show Type Np water information on my FPA? question of this document for more information about describing this in your FPA materials.

TOPOGRAPHIC NP BASINS & HARVEST RATE CALCULATIONS

How do I measure the topographic Np basin?
There is a four-step process for determining the topographic Np basin area.

1. On a map, locate the lowest elevation point of the Np stream basin; this is your starting point. This point will be the most downstream point of the Np stream, which may correlate with a confluence between the Np stream and a higher type water (i.e., Type F or S) or may be the most downstream point of an isolated Np stream, where the stream goes subsurface and does not reappear.
2. From your starting point, trace uphill along ridgelines. Continue up to the highest elevation contour lines uphill of the starting point.
3. Delineate the Np stream basin boundary. Connect the highest elevation areas to the starting point determined in Step 1 with lateral boundaries of the catchment area. Water flows downhill along the steepest slope, so lines should be drawn perpendicular to the contour lines. After this step, you should have a polygon of the Np basin.
4. Calculate or estimate the area included within the polygon delineated in Step 3.

Basin size can be determined by more than one method. Tools frequently used to determine basin size associated with FPA/Ns include topographic maps, GIS, LiDAR, laser rangefinder, on-site observation and hand-drawn mapping, and use of online tools including: https://streamstats.usgs.gov/ss/. Refer to Board Manual Section 7, Part 1.3.1 *Determining Basin Size* for more information.

When calculating basin area do you use gross area or net area excluding areas that are not allowed to be harvested per rule?
The area of a topographic Np basin is considered as a whole (i.e., gross), meaning it is the total area of the Np basin, including leave tree areas such as required no-harvest buffers on streams or other protected public resources. As part of calculating the portion of the basin that is reasonably expected to be harvested within a 5-year period, it is pertinent to first add up the area(s) that would be excluded from harvest due to rule requirements (for example: no-cut buffers, non-forested wetlands and any associated no-cut WMZs, streams, RILs, etc.) – this may result in finding that the percentage of the basin available for harvest outside of these areas is already below the 85 percent threshold, thereby reducing the need for further calculations.

What if there is more than one landowner within a topographic Np basin?
In Np basins with split ownership, landowners can determine basin percentage area subject to harvest within a 5-year period based on their ownership. Landowners should, at minimum, consider their recent harvests, approved but not yet harvested FPA/Ns, the current proposed harvest, and any other anticipated harvests. Landowners who own a small fraction of the basin can consult with their Forest Practices Forester to determine the reasonable expectation of harvest rates for the basin in its entirety. This may be useful for landowners who plan to harvest more than 85 percent of their ownership within a basin that is not likely to reach the 85 percent total harvest threshold across all different ownerships in total within a 5-year period.

How is a period of 5 years in relation to Np basin harvest rates calculated?
A "5-year period" is a rolling 5-year period calculated from the submission date of the FPA/N. For previous harvests, DNR may utilize the aerial imagery found at https://browser.dataspace.copernicus.eu/ to determine the date harvest began to roughly a week accuracy. For the determination of "harvests planned, or reasonably expected, to occur in the 5 years following the FPA/N submittal" refer to Board Manual Section 7, Part 1.3.2 *Determining Harvest Timeline*.

Does thinning count toward the 85 percent of the basin harvested?
No, only even-aged harvest counts toward the 85 percent calculation.

If there is a fire, does the burned area count toward the 85 percent of the basin harvested?
A fire or other natural cause of tree mortality does not count as harvest toward the 85 percent threshold, but salvage harvest of the affected area would count as harvest for purposes of calculating 85 percent.

FOREST PRACTICES APPLICATION (FPA)-RELATED INFORMATION

Are there any different rules for small forest landowners related to Western Washington Type Np Water rule change?
No, there are no differences in the rule accounting for landowner size. However, this rule change does not remove or alter the current option to use the 20-acre exempt rules (WAC 222-30-023) for those who qualify.

How do I show Type Np Water information on my FPA?
Complete the appropriate fields in the Western Washington Only table in Question 30 of the FPA by entering a Stream Segment Identifier plus the additional applicable information for each Type Np stream or Np stream segment and show each stream on your activity map marking each segment with its identifier, showing the extent of each segment, and mapping the RMZs. It is possible that a single Type Np Water may be divided into multiple segments based on differences in average BFW and/or RMZ harvest strategy. Refer to the FPA instructions for Activity Map standards. **Please see the next page** of this document for an example showing how an applicant would answer certain relevant questions on their FPA, plus a snippet of the associated activity map, for a Type Np stream system divided into segments and including a road crossing through the Np RMZ requiring mitigation.

Example:

30. Are you harvesting within 75 feet *(Western Washington)* or 50 feet *(Eastern Washington)* of Type Np Water?

☐ No

☒ Yes If yes, complete the applicable table below. Show RMZs and stream segment identifiers on the Activity Map.

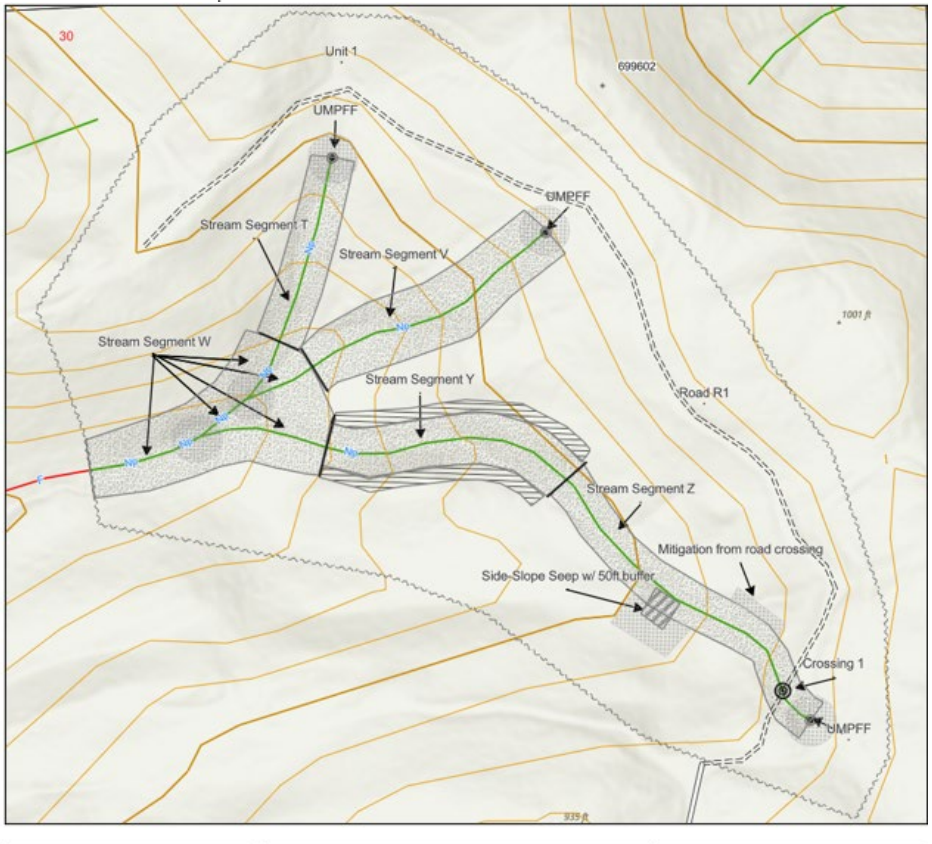
Western Washington Only				Eastern Washington Only	
Stream Segment Identifier *(letter)*	Only complete if segment is >600' away from confluence with Type F/S water or upstream of the lowermost 600' of disconnected Type Np water			**Stream Segment Identifier** *(letter)*	**Selected Strategy** *(partial cut or clearcut)*
	Stream Bankfull Width *(<3 feet or ≥3 feet)*	**Np Basin Size >30 Acres AND >85% of Basin to be Harvested in a 5-yr Period?** *(Y or N)*	**Np RMZ Harvest Strategy Code** *(see instructions)*		
W					
T	<3	N	D		
V	≥3	N	C		
Y	≥3	N	E		
Z	<3	N	D		

32. Additional information (attach additional pages if necessary):

**If applicable, include mitigation measures from a geotechnical memo, letter, or report.*

**Review FPA/N instructions for required plan information for hydraulic projects in or over Type S, F, or complex N Water.*

Activity Map shows the additional acreage added to the Np RMZ on Stream Segment Z to mitigate for the road building/crossing through the Np RMZ for Road R1 and Crossing 1.



Legend

Harvest Unit Boundary		Existing Road	
Road Construction		Culvert	
RMZ		Side-slope Seep	
RMZ Partial Management		40ft Contour	
Other Buffer		Stream Segment Break	
Type F Stream		Type Np Stream	

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

Extreme care was used during the compilation of this map to ensure its accuracy. However, due to changes in data and the need to rely on outside information, the Department of Natural Resources cannot accept responsibility for errors or omissions, and therefore, there are no warranties that accompany this material.

Approximate Scale: 1:4,800
0 200 400 800 Feet
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