



DNR Forest Practices Field Compliance and Enforcement

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Implementation

- DNR implements the forest practices act and associated rules
 - Landowner and operator education and technical assistance
 - Pre-submission proposal review
 - Review of submitted forest practices applications
 - Approval, disapproval and conditioning of FPAs
 - **Field compliance and enforcement of approved FPAs**



Emphasis

- To achieve a high degree of rule compliance, emphasis is placed on pre-FPA-approval actions
- Roughly 75% of effort goes there
- About 25% of effort goes into post-approval, on-ground compliance including enforcement

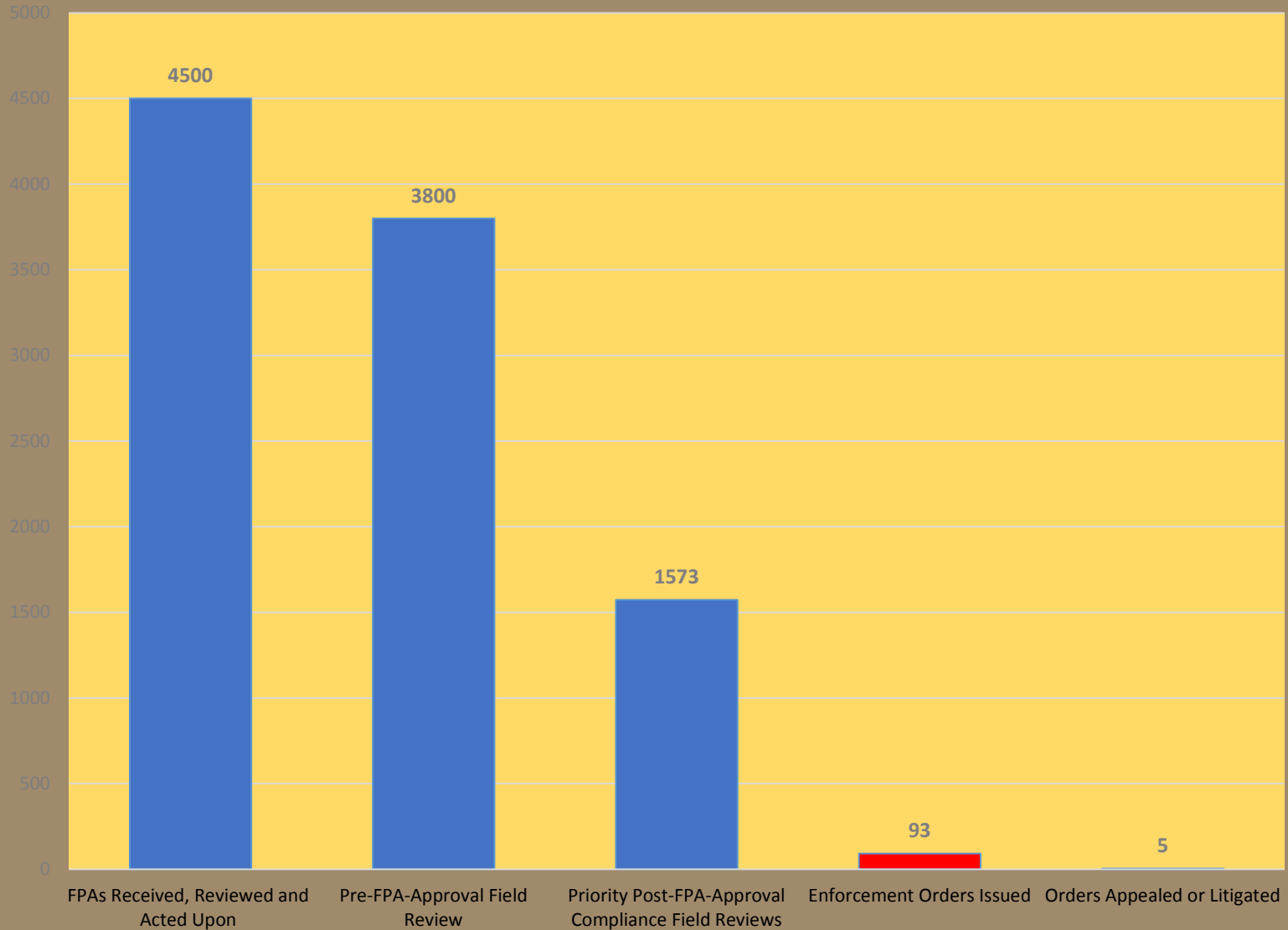


FPB Policy on Consultation and Enforcement

- Chapter 222-46
WAC Consultation and Enforcement
 - ...“encourage informal, practical, result-oriented resolution...”
 - ...use a progressive approach to enforcement...
- Available suite of compliance “tools:”
 - Informal conferences
 - Notices to comply
 - Stop work orders
 - Civil penalties
 - Injunctions, civil suits, disapprovals
 - Criminal penalties



Illustration of the Forest Practice Program's Compliance Approach Showing Major Components



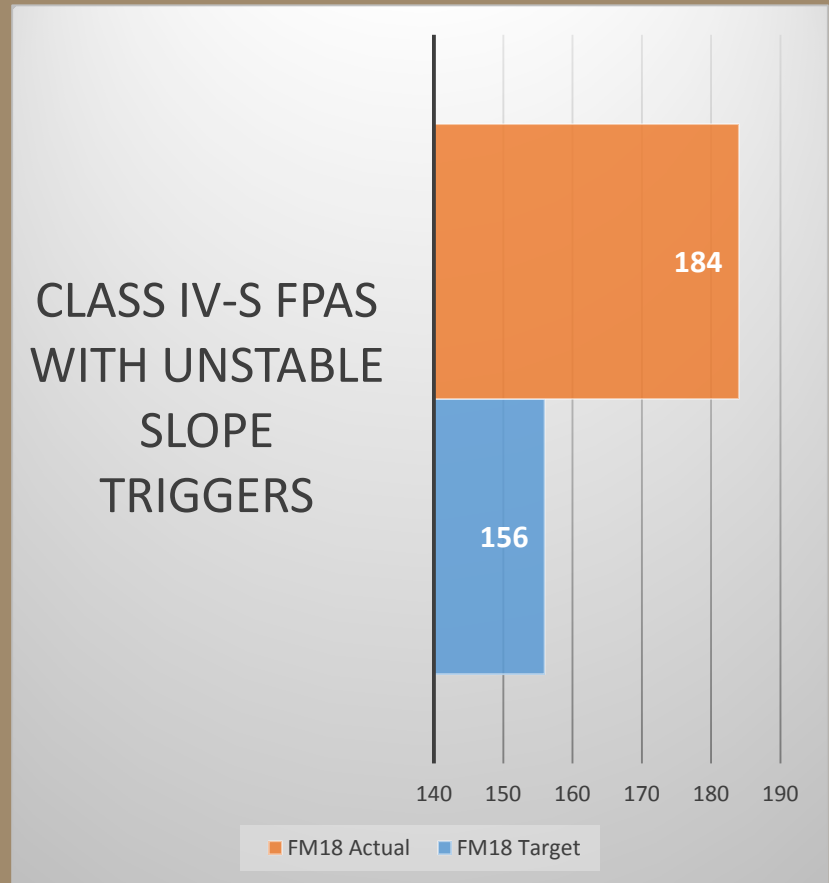
Program compliance “deliverables”

- Established to prioritize and direct program attention to:
 - Regulate activities in proximity to unstable landforms that threaten public resources and/or safety
 - Minimize sediment delivery from roads to watercourses
 - Protect aquatic resources and riparian forests



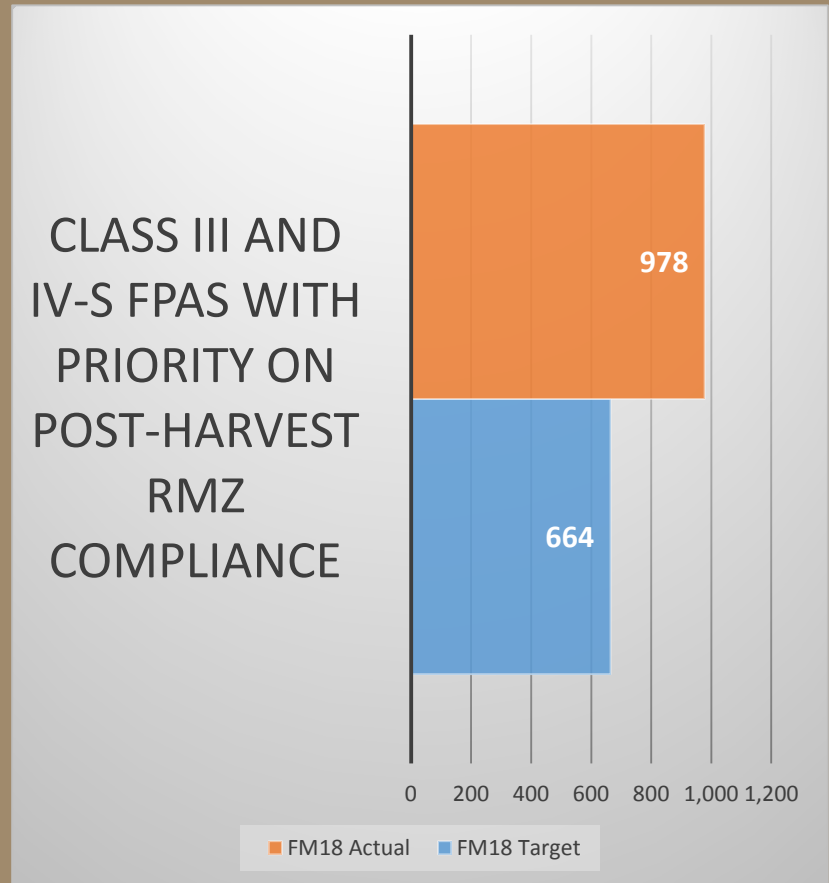
Class IV-S FPAs

- What/why: Visit Class IV-S FPAs with unstable slope “triggers” during active operations
- Performance through FM18: Exceeded (118% of target achieved)



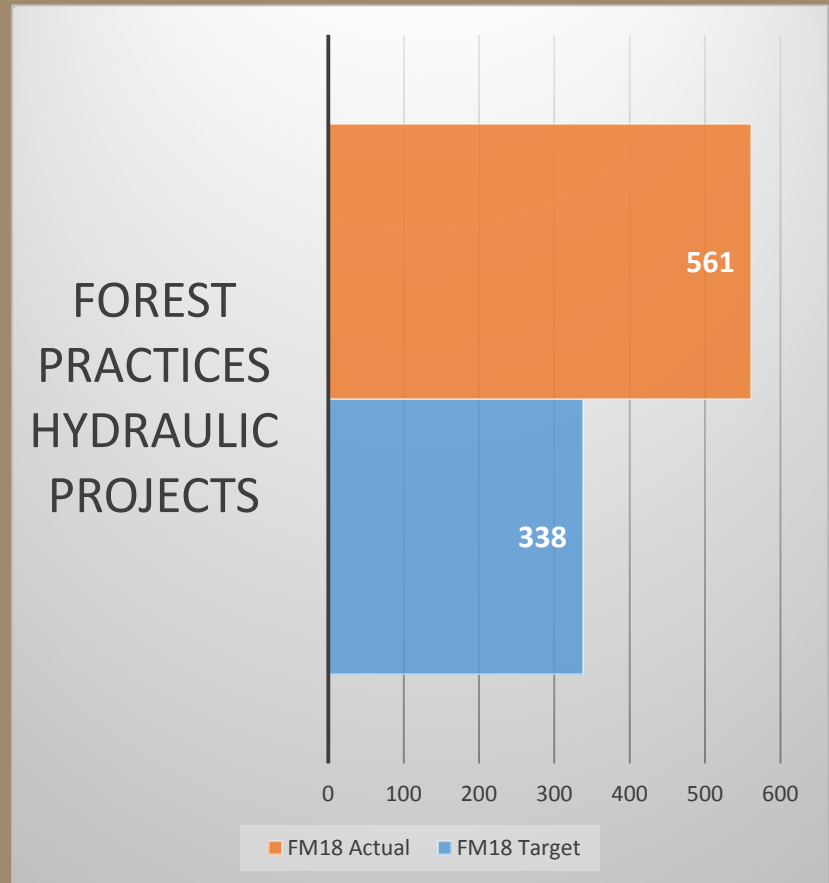
Riparian Management Zone rule compliance

- What/why: Conduct post-harvest evaluation of RMZ rule compliance
- Performance through FM18: Exceeded (147% of target achieved)



Forest practice hydraulic projects

- What/why: Assess installation of hydraulic projects in Type S/F waters during or after operation
- Performance through FM18: Exceeded (166% of target achieved)



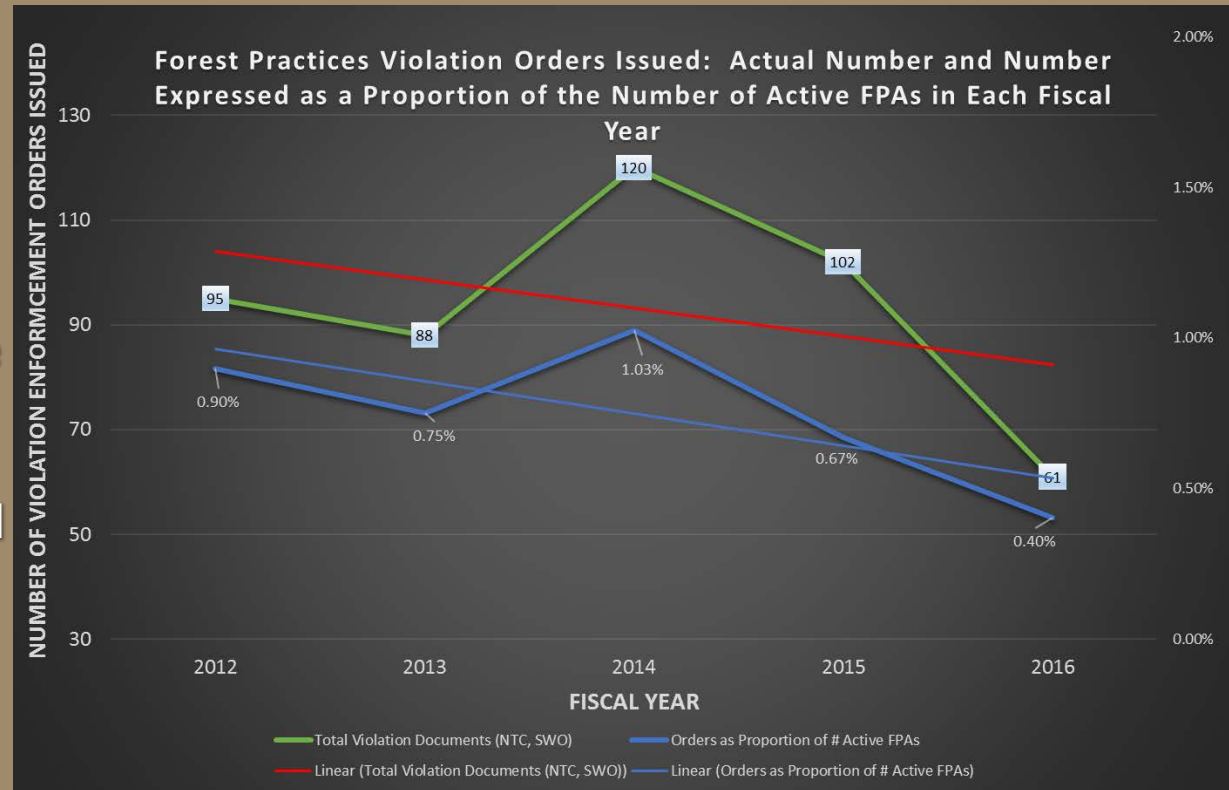
Enforcement Orders

- **Notice to Comply (NTC)**
 - Issued if rule violation or FPA deviation or if material damage or potential damage to public resource has already occurred and SWO is unnecessary
- **Stop Work Order (SWO)**
 - Issued if rule violation or FPA deviation and if immediate action is needed to prevent continuation or to avoid material damage to public resource or risk to public safety



Enforcement order trend

- Violation Orders are issued on a small proportion of active FPAs: 0.4-1.0%/year over the last five fiscal years
- A declining trend is evident over this period



Disapproved/Closed FPA trend

- The number and proportion of FPAs disapproved or closed is increasing, coincident with a program emphasis on ensuring complete information and thorough FPA reviews prior to approval
- Upfront efforts to avoid approving sub-standard FPAs should result in fewer problems when FPAs are active

