



2817089

FPA/N #:

Received Date:

WDFW Concurrence Due Date:

WDFW Concurrence Review Completed:

Comments Due Date:

Decision Due Date:

FP Forester:

Shutdown Zone:

RMAP #:

7-25-19
8-8-19
8-24-19
SKY30

Forest Practices Application/Notification
Office Checklist Page 1
Northwest Region

FPA/N CLASSIFICATION: [ ] II [X] III [ ] IVG [ ] IVS
Biomass [ ] FFFPP [ ] 20-acre exempt [ ]
Landowner Name: Wayco
Project Name: Skykomish Spray #1
WRIA: Snohomish
WAW: Skykomish River
Legal Description: 8, 16, 17-27-9E
County: Snohomish
Activity Type: Harvest ac Spray 40.3 ac Stream Crossing(s)
Road Road Rock Pit ac
Construction ft Abandonment ft Spoils cy

ALTERNATIVE PRESCRIPTIONS

- [ ] Alternate Plan
[ ] Habitat Conservation Plan
[ ] Ten-Year Forest Management Plan
[ ] Landowner Option Plan for Northern Spotted Owl
[ ] Columbia River Gorge National Scenic Area
[ ] Cooperative Habitat Enhancement Agreement
[ ] Watershed Analysis:

RESOURCE REVIEW

- [ ] Unstable Slopes (Risk: Highway, Water; )
[ ] Soils Map (Highly Erodible & Very Unstable)
[ ] SLPSTAB
[ ] Landslide Hazard Zonation
[ ] Landslide Inventory Polygon
[ ] Rain-on-Snow and Outside Approved WA
[ ] Hydric Soils
[ ] Wetland [ ] Forested, [ ] A, [ ] B
[ ] In WMZ of [ ] A, or [ ] B Wetland
[ ] In RMZ/ELZ of Type [ ] S, [ ] F, [ ] N water
[ ] Water Verification
[ ] Bull Trout Overlay
[ ] HCP Bull Trout Population
[ ] Bald Eagle nest or roost within 660 feet
[ ] Group A or B Water Supply
[ ] Hatchery (Name: )
[ ] Even-Aged Harvest greater than 120 Acres
[ ] Ground-based Equipment on Slopes greater than 40%
[ ] Road Construction on Slopes greater than 65%
[ ] Saltwater Islands (Name: )
[ ] In or Over Typed Water
[ ] Volume greater than 5 mbf per acre

ASSOCIATED NON-SCANNED DOCUMENTS - On file with the FPA/N at the Region office.

- [ ] SEPA Checklist/Documents
[ ] Large Landowner Road Maintenance and Abandonment Plan

ASSOCIATED SCANNED DOCUMENTS

- [ ] Conversion Option Harvest Plan
[ ] Hardwood Conversion Form
[ ] FPHP Plans & Specifications
[ ] Wetland Mitigation Plan
[ ] Qualified Expert Report; Type:
[ ] Water Protocol Surveys
[ ] Natural Regeneration Plan
[ ] Modification Form#
[ ] Shoreline Permit
[ ] Water Classification Worksheet
[ ] Marbled Murrelet Form
[ ] Shade Documentation (Stream Shade Assessment Worksheet)
[ ] FPBM Appendix(s)
[ ] Watershed Analysis Worksheet
[ ] Small Landowner RMAP Checklist
[ ] DFC Printout
[ ] CMZ Assessment Form
[ ] Slope Stability Informational Form

EARR Tax Credit [ ] Yes [ ] No

ADDITIONAL COMMENTS:

Form completed by

October, 2016 Version

**KEY FOR EVALUATION OF SITE SPECIFIC  
USE OF AERIALY APPLIED PESTICIDES**

Question	Question	Resp	Action
1 (a)	Is the pesticide on the pesticide list (WAC 222-16-070(1))?	Yes No	go to 2 go to 1(b)
1 (b)	Is the pesticide being used under a Dept of Agriculture Experimental Use Permit (WAC 16-228-1460)?	Yes No	Class III Class IV Sp
2	Is the toxicity rating for the pesticide to be used "Danger - Poison" as designated in the pesticide list (WAC 222-16-070(1)(b))?	Yes No	Class IV Sp go to 3(a)
3 (a)	Is <i>Bacillus thuringiensis</i> (BT) the only pesticide being used on this application?	Yes No	go to 3(b) go to 4(a)
3 (b)	Is there a Threatened or Endangered species or the critical habitat (Federal) or critical habitat (State) of a species within the application area that is susceptible to the BT strain being used?	Yes No	Class IV Sp Class III
4 (a)	Is this operation occurring over ground water with a high susceptibility to contamination as specified in EPA 910/ 9-87-169 or in documentation provided by the department of ecology?	Yes No	go to 4(b) go to 5(a)
4 (b)	Is this pesticide a state restricted use pesticide for the protection of ground water under WAC 16-228-1231?	Yes No	Class IV Sp go to 5(a)
5 (a)	Is the operation adjacent (within 100 ft.) of surface water?	Yes No	go to 5(b) go to 5(e)
5 (b)	Determine the toxicity rating from the pesticide list: *Is the toxicity rating "Caution" or "Warning"?	Yes Yes	go to 5(c) go to 5(d)
5 (c)	*Is the toxicity rating "Danger"?	Yes	Class IV Sp
5 (d)	Is there a Group A or B water surface water system (WAC 246-290-020) intake OR a fish hatchery intake within one half mile downstream of the operation?	No	go to 5(e)
5 (e)	Is there a Group A or B water surface system intake OR a fish hatchery intake within 1 mile downstream of the operation?	Yes No	Class IV Sp go to 5(e)
5 (f)	Is the operation within 200 feet of the intake of a Group A or B spring water system?	Yes No	Class IV Sp go to 5(f)
5 (g)	Is the operation applying a pesticide in a Type A or B wetland?	Yes No	Class IV Sp go to 6(a)
6 (a)	Does any portion of the planned operation cover 240 or more contiguous acres? Pesticide treatment units will be considered contiguous if they are separated by less than 300 feet or treatment dates of adjacent units are less than 90 days apart.	Yes No	Class IV Sp go to 6(b)
6 (b)	Is there a Threatened or Endangered species or the critical habitat (Federal) or critical habitat (State) of a species within the application area?	Yes No	Class IV Sp go to 6(c)
6 (c)	If there is a special concern identified for this pesticide in the Board manual, does it apply to this application?	Yes No	Class IV Sp Class III

- (1) Special concerns (see WAC 222-16-070 (2)6(c)) shall be evaluated by the department of agriculture. Information regarding special concerns shall be presented to the board for review. Approved special concerns shall be included in the board manual. Special concerns shall include situations where use of pesticides has the potential for a substantial impact on the environment, beyond those covered specifically in the key in subsection (2) of this section.

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WASHINGTON STATE DEPT OF  
**NATURAL  
RESOURCES**

## Forest Practices Application/Notification For Aerial Chemicals

For DNR Region Office Use Only	
FPA/N #:	2817089
Region:	NW
Received Date:	7-25-2019

**USE THE INSTRUCTIONS TO COMPLETE THIS APPLICATION. TYPE OR PRINT IN INK:**

**1. Landowner, Timber Owner, and Operator**

Legal Name of LANDOWNER	Legal Name of TIMBER OWNER	Legal Name of OPERATOR
Weyerhaeuser Company	same as landowner	same as landowner
Mailing Address: 500 Metcalf St, Building F-5E	Mailing Address:	Mailing Address:
City, State, Zip Sedro-Woolley, WA 98284	City, State, Zip	City, State, Zip
Phone ( 360 ) 424-2014	Phone (     )	Phone (     )
Email: kelly.dougherty@weyerhaeuser.c	Email:	Email:

**2. Contact person.**

Contact Person: Kelly Dougherty	Phone ( 360 ) 424-2014  Email: kelly.dougherty@weyerhaeuser.com
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**3. Are you substituting prescriptions from an approved state or federal conservation agreement or watershed analysis?**

No.     Yes. Write "Using prescriptions" in tables that apply. Attach or reference prescriptions/crosswalk on file.

**4. Complete the following property description:**

Unit Number	Acres	Section	Township	Range	East/West	County
see attachment						
		8,16,17	27	9E		Snohomish

**RECEIVED NW REGION**  
JUL 25 2019



**6. Is this proposal: (Answer every question)**

- a.  No.  Yes. Within the city limits or an urban growth area? *If Yes, include SEPA Environmental Checklist or SEPA Determination or approved 10-year management plan*
- b.  No.  Yes. Within a public park? *If Yes, include SEPA Environmental Checklist or SEPA Determination*
- c.  No.  Yes. Within 500 feet of a public park? Park name: \_\_\_\_\_
- d.  No.  Yes. For an Alternate Plan? *If yes, include a copy of the Alternate Plan*
- e.  No.  Yes. Using a chemical that is not registered or for a use that is not allowed under the label? *If yes, include a copy of your Experimental Use Permit and a SEPA Environmental Checklist*
- f.  No.  Yes. Applying a pesticide in a Type A or Type B Wetland? *If Yes, include a SEPA Environmental Checklist or SEPA Determination*

**7. Are you spraying 240 or more contiguous acres? If Yes, include a SEPA Environmental Checklist.**

No.  Yes.

**8. Have you reviewed this forest practices activity area to determine whether it may involve historic sites and/or Native American cultural resources? Read the instructions before answering this question.**

No.  Yes.

**9. Additional Information (Attach additional pages if necessary):**

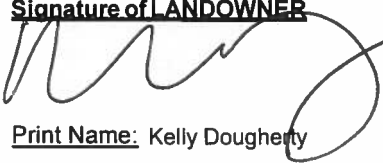
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**10. We acknowledge the following:**

- The information on this application/notification is true.
- We understand this proposed forest practice is subject to:
  - The Forest Practices Act and Rules AND
  - All other federal, state or local regulations.
- Compliance with the Forest Practices Act and Rules does not ensure compliance with the Endangered Species Act or other federal, state or local laws.
- The following may result in an unauthorized incidental take of certain endangered or threatened fish species:
  - Inadvertent Discovery – Chapters 27.44, 27.53, 68.50 and 68.60 RCW
  - If you find or suspect you have found an archaeological object or Native American cairn, grave, or glyptic record, immediately cease disturbance activity, protect the area and promptly contact the Department of Archaeology and Historic Preservation at 360 586-3077.
  - If you find or suspect you have found human skeletal remains, immediately cease disturbance activity, protect the area, and contact the County Coroner or Medical Examiner and local law enforcement as soon as possible. Failure to report human remains is a misdemeanor.

We understand that applying chemicals is not an activity included as part of the DNR's Incidental Take Permit for aquatic species. We affirm that the information contained herein is true, and understand that this proposed forest practice is subject to the Forest Practices Act and Rules as well as all other federal, state or local regulations. Compliance with the Forest Practices Act and Rules does not ensure compliance with the Endangered Species Act or other federal, state or local laws.

The landowner understands that by signing and submitting this FPA, he/she is authorizing the Department of Natural Resources to enter the property in order to review the proposal, inspect harvest operations, and monitor compliance for up to three years after its expiration date. RCW 76.09.150

<p><u>Signature of LANDOWNER</u>  </p> <p><u>Print Name:</u> Kelly Dougherty</p> <p><u>Date:</u> 7/25/19</p>	<p><u>Signature of TIMBER OWNER</u>                  (If different than landowner)</p> <p><u>Print Name:</u></p> <p><u>Date:</u></p>	<p><u>Signature of OPERATOR</u>                  (If different than landowner)</p> <p><u>Print Name:</u></p> <p><u>Date:</u></p>
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Question 5.

Unit Identifier See question 4 for unit information.	Acres Treated	Active Ingredient	EPA Number by Active Ingredient	Are you spraying within:			Site Prep (Anticipated Year)	Spring Conifer Release (Anticipated Year)	Fall Conifer Release (Anticipated Year)
				100 feet of agricultural land?	200 feet of a residence?	100 feet of surface water?			
Potentially all units	40.3	Glyphosate	524-343	No	No	Yes	2019		
Potentially all units	40.3		524-529	No	No	Yes	2019		
Potentially all units	40.3		228-365	No	No	Yes	2019		
Potentially all units	40.3		228-570	No	No	Yes	2019		
Potentially all units	40.3		Imazapyr	228-536	No	No	Yes	2019	
Potentially all units	40.3			81927-6	No	No	Yes	2019	
Potentially all units	40.3		81927-24	No	No	Yes	2019		
Potentially all units	40.3	Sulfometuron methyl							
Potentially all units	40.3	/mesulfuron methyl	432-1557	No	No	Yes	2019		
Potentially all units	40.3	Sulfometuron methyl	432-1552	No	No	Yes	2019		
Potentially all units	40.3	Mesulfuron methyl	432-1549	No	No	Yes	2019		
Potentially all units	40.3		359154-60063	No	No	Yes	2020, 2021		
Potentially all units	40.3	Atrazine	19713-11	No	No	Yes	2020, 2021		
Potentially all units	40.3	Clopyralid	62719-259	No	No	Yes	2020, 2021		
Potentially all units	40.3	Hexazinone	432-1576	No	No	Yes	2020, 2021		
Potentially all units	40.3	2,4-dichlorophenoxyacetic acid, choline salt	62719-634	No	No	Yes	2020, 2021		
Potentially all units	40.3	2,4-dichlorophenoxyacetic acid, isooctyl ester	71368-11	No	No	Yes	2020, 2021		
Potentially all units	40.3	Methylated seed oil	(WA) 5905-90001	No	No	Yes	2019		
Potentially all units	40.3	Solubilizing agent	(WA) 2935-09001	No	No	Yes	2019		
Potentially all units	40.3		(WA) 5905-13001	No	No	Yes	2020, 2021		
Potentially all units	40.3	Deposition aid	(WA) 5905-15003	No	No	Yes	2019		
Potentially all units	40.3		(WA) 2935-11001	No	No	Yes	2019		

\*Only one of each of the listed active ingredients will be used at one time on any particular unit. Several brands, thus EPA numbers, need to be permitted because of product availability.

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Question 4.

UNIT NUMBER	ACRES	SECTION	TOWNSHIP	RANGE	EAST/WEST	COUNTY
16274	40.3	8, 16, 17	27N	9	E	Snohomish
<b>TOTAL</b>	<b>40.3</b>					

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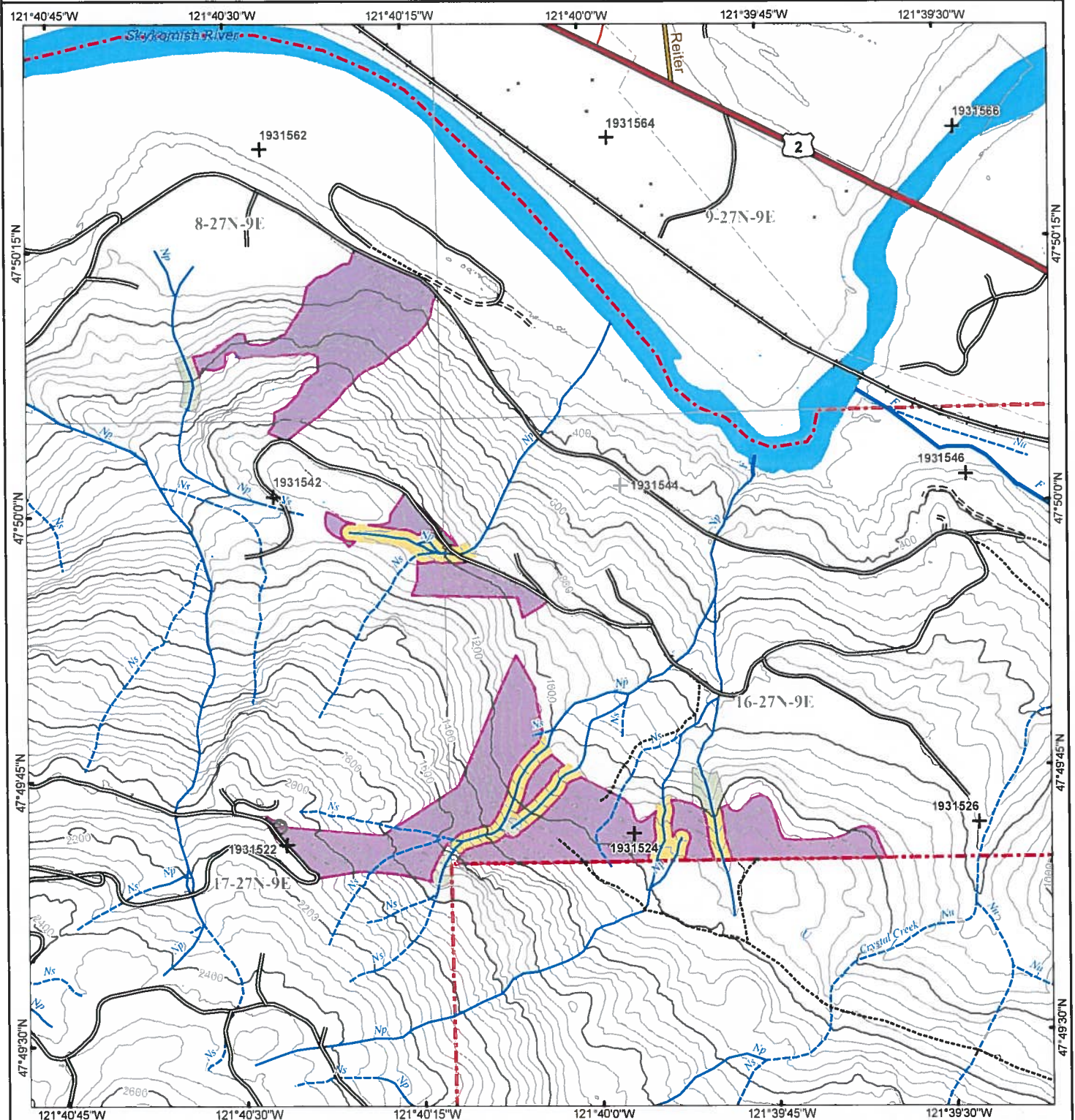




North Washington Region  
 North Cascades Area  
 Skagit District  
 Proctor Creek Tract

Site Prep Spray Unit  
 47.836159 -121.67245

T27N R09E sec 16  
 Snohomish County  
 DNR FPF Region: Skykomish



Stand Key: 1995324903

MU Code: 16274  
 MU Desc: Crystal's Balls - 16274  
 40.3 Net Ac

- |   |                   |  |                    |
|---|-------------------|--|--------------------|
| + | DNR Tics          |  | Type Ns; Nu Stream |
|   | Spray Unit        |  | 40ft Contours WA   |
|   | Existing Buffer   |  |                    |
|   | Additional Buffer |  |                    |
|   | WY Property Line  |  |                    |
|   | Rock Pit          |  |                    |
|   | US Highway        |  |                    |

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Scale 1 in = 800 ft

7/16/2019



## Forest Practices Application/Notification Notice of Decision

FPA/N No: 2817089  
 Effective Date: 8/23/2019  
 Expiration Date: 8/23/2022  
 Shut Down Zone: \_\_\_\_\_  
 EARR Tax Credit:  Eligible  Non-eligible  
 Reference: Sky spray #1

### Decision

- Notification Operations shall not begin before the effective date.  
 Approved This Forest Practices Application is subject to the conditions listed below.  
 Disapproved This Forest Practices Application is disapproved for the reasons listed below.  
 Closed Applicant has withdrawn FPA/N.

### FPA/N Classification

### Number of Years Granted on Multi-Year Request

Class II  Class III  Class IVG  Class IVS  4 years  5 years

### Conditions on Approval / Reasons for Disapproval

Notify the Department of Natural Resources at least 48 business hours before beginning operations of each unit to be sprayed. Call (360) 856-3500 for Forest Practices and the Skykomish Forest Practice Forester and provide the application number and legal description of your operation.

### FOR YOUR INFORMATION:

Aerial chemical application areas need to be posted by the landowner by signing at significant points of regular access at least 5 days prior to treatment. Posting shall remain at least 15 days after the spraying is complete.

Issued By: Steven Huang *SH* Region: Northwest

Title: Skykomish Forest Practice Forester Date: 8/23/2019

Copies to:  Landowner, Timber Owner and Operator.

Issued in person:  Landowner  Timber Owner  Operator By: \_\_\_\_\_

**Appeal Information**

You have thirty (30) days to appeal this Decision and any related State Environmental Policy Act determinations to the Pollution Control Hearings Board in writing at the following addresses:

**Physical address: 1111 Israel Rd. SW, Ste 301, Tumwater, WA 98501**

**Mailing address: P.O. BOX 40903, OLYMPIA, WA 98504-0903**

Information regarding the Pollution Control Hearings Board can be found at: <http://www.eluho.wa.gov/>

At the same time you file an appeal with the Pollution Control Hearings Board, also send a copy of the appeal to the Department of Natural Resources' region office and the Office of the Attorney General at the following addresses:

Office of the Attorney General  
Natural Resources Division  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100

And

Department Of Natural Resources  
Northwest Region  
919 N Township St  
Sedro-Woolley WA 98284

**Other Applicable Laws**

Operating as described in this application/notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

**Transfer of Forest Practices Application/Notification (WAC 222-20-010)**

Use the "Notice of Transfer of Approved Forest Practices Application/Notification" form. This form is available at region offices and on the Forest Practices website: <http://www.dnr.wa.gov/businesspermits/forestpractices>. Notify DNR of new Operators within 48 hours.

**Continuing Forest Land Obligations (RCW 76.09.060, RCW 76.09.070, RCW 76.09.390, and WAC 222-20-055)**

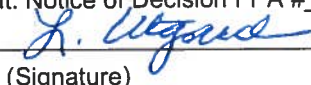
Obligations include reforestation, road maintenance and abandonment plans, conversions of forest land to non-forestry use and/or harvest strategies on perennial non-fish habitat (Type Np) waters in Eastern Washington.

Before the sale or transfer of land or perpetual timber rights subject to continuing forest land obligations, the seller must notify the buyer of such an obligation on a form titled "Notice of Continuing Forest Land Obligation". The seller and buyer must both sign the "Notice of Continuing Forest Land Obligation" form and send it to the DNR Region Office for retention. This form is available at DNR region offices.

If the seller fails to notify the buyer about the continuing forest land obligation, the seller must pay the buyer's costs related to continuing forest land obligations, including all legal costs and reasonable attorneys' fees incurred by the buyer in enforcing the continuing forest land obligation against the seller.

Failure by the seller to send the required notice to the DNR at the time of sale will be prima facie evidence in an action by the buyer against the seller for costs related to the continuing forest land obligation prior to sale.

**DNR affidavit of mailing:**

On this day <u>8/23/2019</u>	, I placed in the United States mail at <u>Sedro-Woolley</u>	, WA,
(date)	(post office location)	
postage paid, a true and accurate copy of this document. Notice of Decision FPA # <u>2817089</u>		
<u>L Utgard</u>		
(Printed name)	(Signature)	







Forest Practices Application/Notification
NOTICE OF TRANSFER

I/we transfer my/our rights, privileges, and obligations under this approved Forest Practices Application or Notification. I/we affirm that the information contained below is true and agree to comply with the rules authorized by the Forest Practices Act and be bound by all conditions on the approved application or notification.

FPA/N Number: 2817089 Section(s): ALL IN FPA Township: Range:

Original Landowner (Signature): [Handwritten Signature]

Original Landowner (Printed): WEYERHAEUSER, KELLY DOUGHERTY Date: 9 / 5 / 2019

New Operator - Complete this section only if you are:
[ ] Changing an operator for: [ ] Road construction [ ] Timber harvest [ ] Aerial spray
[ ] Adding an operator for: [ ] Road construction [ ] Timber harvest [ ] Aerial spray
Legal Name of New Operator: (Print) ESSENTIAL FLIGHT OPERATIONS LLC
Mailing Address: 1770 FRONT STREET UNIT 166 LYNDEN, WA 98264
Phone: 775.225.4212
Email: GHIDOSSI@ESSENTIALFLIGHT.NET
New Operator Signature: [Handwritten Signature] Date: 9-5-19

New Landowner - Complete this section only if you are transferring your FPA to a new landowner
[ ] No [ ] Yes Are you a small forest landowner per RCW 76.09.450 (if yes, continue to question below)
[ ] No [ ] Yes Is your entire proposed harvest area on a single contiguous ownership consisting of one or more parcel(s)?
Legal Name of New Landowner: (Print)
Mailing Address:
Phone:
Email:
Date:
New Landowner Signature:

New Timber Owner - Complete this section only if you are transferring your timber rights
Legal Name of Timber Owner: (Print)
Mailing Address:
Phone:
Email:
Forest Tax Reporting Account Number: (Contact Dept. of Revenue at: 1-800-548-8829)
Date:
New Timber Owner Signature:

[ ] Received by: [Handwritten Signature] Date: 9 / 16 / 19
(DNR Forest Practices Staff Signature) 11/01/2017