

WAC 222-12-037 *Applications that include forest practices hydraulic projects. (1) The review process for applications that include forest practices hydraulic projects is described in WAC 222-20-017.

(2) Each forest practices hydraulic project included in an application will be reviewed on an individual basis and will be subject to rules and applicable conditions to the forest practices application or notification. Common general provisions applicable to a specific project may be modified or deleted by the department where any of the following is demonstrated by the landowner:

(a) The provision has no logical application to the project.

(b) The applicant provides an alternate plan to the provision and demonstrates that it provides equal or greater protection for fish life.

(c) The modification or deletion of the provision will not contribute to net loss of fish life.

(3) Projects may be subject to additional conditions to address project- or site-specific considerations not adequately addressed by the forest practices application or notification.

(4) The department will place specific time limitations on project activities in forest practices hydraulic projects associated with Type S and F Waters in order to protect fish life. The department and the applicant will consult with the department of fish and wildlife for appropriate work windows for the protection of fish life.

(5) If site conditions change over the course of an approved application, the department may approve a landowner request for an amendment to the application.

[Statutory Authority: RCW 76.09.040(3). WSR 13-21-032, § 222-12-037, filed 10/8/13, effective 12/30/13.]