

WAC 222-34-050 Urban and other lands exempted from the reforestation requirements. (1) **Those lands which** an applicant has declared are to be converted to a nonforest use and are in fact converted within 3 years of completion of harvest.

(2) **Those lands the** department determines should be exempted in whole or in part where the forest land has the likelihood of future conversion as defined in WAC 222-16-060. The applicant is encouraged to propose an alternate plan for reforestation on these lands.

(3) **Utility rights of way.** Reforestation is not required for initial clearing or reclearing of utility rights of way in actual use for utility purposes or scheduled for construction of utility facilities within 10 years from the date of completion of harvest, provided that if the scheduled facility is not completed, the area shall be reforested within 1 year.

(4) **Public lands.** Reforestation is not required on the following lands, unless required by regulation of the agency owning or acquiring the lands:

(a) Lands owned in fee by a public agency which has budgeted for construction within 10 years a specific project inconsistent with commercial timber production.

(b) Lands being acquired by public agency for construction within 10 years of a project inconsistent with timber production, if at the time of completion of harvest the public agency has entered into a binding contract for the purchase of the lands or initiated legal proceedings for the condemnation of the lands.

[Statutory Authority: RCW 76.09.040, 76.09.050 and 34.05.350. WSR 91-23-052, § 222-34-050, filed 11/15/91, effective 12/16/91. Statutory Authority: RCW 76.09.040. WSR 88-19-112 (Order 551, Resolution No. 88-1), § 222-34-050, filed 9/21/88, effective 11/1/88; WSR 86-21-040 (Resolution No. 86-2), § 222-34-050, filed 10/10/86, effective 12/1/86; Order 263, § 222-34-050, filed 6/16/76.]