

Washington State Forest Practices Board

**Petition for New Forest Practices Rule (RCW 34.05.330; WAC 222-08-100)
Related to Notice and Disclosure for Aerial Spraying of Forest Chemicals**

May, 2016

Responsible Agency: Washington State Department of Natural Resources

Petitioner: Upper Columbia United Tribes

Summary: Recent attempts to engage the DNR and TFW Policy Committee regarding forest herbicide application reporting have not led to any resolution. State law and managing agencies (WDA and WDNR) do not require reporting of chemical applications. WDA does require that applicators keep records for seven years, but does not require reporting. As an adjacent landowner or interested land manager there is no easy way to determine when, where, and/or what was applied. Considering forest applications are generally large areas and are applied aurally, knowing the areas to be sprayed, our proposed solution is to amend the Forest Practice Rules to require herbicide application notification and reporting.

To address the inadequacies in the current rules, we propose the development of a Forest Practices Rule that:

- Requires all adjacent landowners to receive a letter of notice of the planned spray location no less than 14 days prior to the intended application;
- Requires a system to allowing interested parties to receive notice of herbicide spray applications within the state of Washington or a lesser predefined area within the State;
- Requires the land owner of the FPA to file a simple post-application report with the Washington State Department of Natural Resources (“DNR”) indicating the date, herbicide used, rate of application, and area applied (if altered from the original FPA);
- Requires reports to be filed with the DNR within 14 days of the completion of spraying; and
- Require Washington DNR to add forest chemical application sites to their compliance monitoring reports. The DNR does not currently monitor forest chemicals.

The FPB possesses the regulatory authority to make this request under WAC 222-08-160.