

# 7. Alternate Plans, Rivers and Habitat Open Space Program

## 7.1 Introduction

This chapter provides information about two areas of interest to the Services – Alternate Plans, and the Rivers and Habitat Open Space Program. Alternate Plans are forest practices plans that deviate from standard forest practices rules but provide public resource protection equal in overall effectiveness as the standard rules. The Rivers and Habitat Open Space Program is an incentive program provided to landowners for trees left unharvested in channel migration zones and habitat of upland threatened and endangered species.

## 7.2 Alternate Plans

An Alternate Plan is a tool forest landowners can use to develop site-specific management plans for forest practices regulated under the Forest Practices Act. An Alternate Plan may deviate from the standard Forest Practices Rules, as long as the plan provides public resource protection at least equal in overall effectiveness to the protections afforded by the Act and rules. WAC 222-12-0401 describes the Alternate Plan process, including the review by interdisciplinary teams.

The following table shows the number and status of forest practices applications submitted that included an Alternate Plan during the period from July 1, 2010 to June 30, 2011:

### Forest Practices Applications with Alternate Plans during FY 2011

Landowner Type	Status of Forest Practices Applications with Alternate Plans				Total
	Approved	Disapproved	In Review	Closed Out*	
Large	43	6	3	2	54
Small	54	5	4	4	67
<b>Total</b>	97	11	7	6	121

\***Closed Out** means that the applicant has withdrawn the Forest Practices Application.

## 7.3 Rivers and Habitat Open Space Program

Like the Forestry Riparian Easement Program (see chapter 5), the Riparian Open Space Program was a product of the 1999 Forests and Fish Law (Engrossed Substitute House Bill 2091). It was codified in the Forest Practices Act (chapter 76.09 RCW) and adopted as a rule in chapter 222-23 WAC. The 2009 Washington State Legislature passed a new bill (HB 5401) that amended the Riparian Open Space Program. The bill, signed into law, changed the name of the program to Rivers and Habitat Open Space Program to reflect the changes to the law. The Forest Practices Board adopted the revised rule which is effective as of June 19, 2011. The Rivers and Habitat Open Space Program differs from the Forestry Riparian Easement Program in that it is available to all forest landowners, not just small forest landowners. From its inception to the end of the 2007-2009 Biennium, the program was administered through DNR Asset Management and Protection Division. With the 2009 changes, the program now is administered through DNR Forest Practices Division.

The Rivers and Habitat Open Space Program helps ensure the long-term conservation of aquatic resources and upland habitats. The program acquires conservation easements on lands and timber within a specific type of channel migration zone known as an “unconfined channel migration zone.” It also acquires easements to conserve habitat of threatened and endangered species.

A channel migration zone is the area where the active channel of a stream is prone to move in the near term. Unconfined channel migration zones are generally larger water bodies, have less than 2 percent gradient and are found in a valley more than four times wider than the bank-full width of the channel. These areas typically have very high ecological value as spawning and rearing habitat for salmon and other fish species. Under the Forest Practices Rules, no timber harvesting or road construction may occur within channel migration zones due to their ecological importance.

The Forest Practices Rules protect critical habitat of 10 upland species, 2 of which are the northern spotted owl and the marbled murrelet. Critical habitat is a designation that makes a special effort to protect the important characteristics that will assist in the recovery of the threatened or endangered species. Landowners that own forest land that is determined to be critical habitat for these species are eligible to grant to the State a perpetual conservation easement under the Rivers and Habitat Open Space Program.

DNR screens applications, prioritizes qualifying applications, and acquires conservation easements based on available funding. There was no money allocated for the Rivers and Habitat Open Space Program for the FY11-13 funding period. When funding becomes available, applications for channel migration zones will be prioritized separately from applications for habitat of threatened and endangered species. Applications will be prioritized based on conservation benefits and landowner management options.

The following chart shows the budget allocated by the Washington State Legislature for the Rivers and Habitat Open Space Program, and the acres purchased since program inception.

**Rivers and Habitat Open Space Program Budget and Acres Purchased**

Fiscal Year	Budget Allocated	Amount Spent	Number of Transactions	Acres Purchased
01-03	\$1,000,000	\$1,000,000	3	387
03-05	\$1,000,000	\$500,000	5	197
05-07	\$2,000,000	\$0	0	0
07-09	\$2,200,000	\$2,200,000	4	339
09-11	\$500,000	\$460,000	4	119

The \$500,000 left over from FY03-05 was reallocated for FY05-07. All of the \$2 million from FY05-07 was reallocated for FY07-09. There were no transactions for FY05-07 because applicants withdrew due to values lower than anticipated, or lands that were not eligible. There were 11 applications for FY09-11, of which eight were eligible. DNR assembled a Technical Selection Committee that determined the priority of funding of the eligible applications for the \$500,000 allocated for the FY09-11 funding period.