

7. Alternate Plans, Riparian Open Space Program

7.1 Introduction

This chapter provides information about two areas of interest to the Services—Alternate Plans (AP) and the Riparian Open Space Program (ROSP). 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 Riparian Open Space Program is an incentive program provided to landowners for trees left unharvested in CMZs.

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, 2009 to June 30, 2010:

Landowner Type	Status of Forest Practices Applications with Alternate Plans				Total
	Approved	Disapproved	In Review	Closed Out	
Large	45	0	4	0	49
Small	23	1	3	2	29
Total	68	1	7	2	78

7.3 Riparian Open Space Program

Like the Forest 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. In the 2009 Washington State Legislative session a new bill (HB 5401) was passed and signed into law that amended the Riparian Open Space Program. Rule development procedures are currently underway with the Forest Practices Board anticipated to adopt the revised rules in the spring of 2011. Since the 2001-2003 biennium, the program was administered through DNR Asset Management and Protection Division. The program will now be administered through DNR Forest Practices Division because of the 2009 changes and will likely be given a new program name. The Riparian Open Space Program, as well as the revised program, differs from the Forest Riparian Easement Program in that it is available to all forest landowners, not just small forest landowners.

The Riparian Open Space Program and the revised program ensures the long-term conservation of aquatic resources and upland habitats by acquiring conservation easements on lands and

timber within a specific type of channel migration zone (CMZ) known as an “unconfined channel migration zone” and 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 avulsing CMZs are generally a fifth order or larger water, have less than 2 percent gradient and are found in a valley more than four times wider than the bankfull 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 Board recognizes and protects in the forest practices rules critical habitat of ten upland species, two 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 habitat for these species protected in the rules are eligible to grant to the State a perpetual conservation easement under the Riparian Open Space Program.

DNR screens applications, prioritizes qualifying applications and acquires lands based on available funding. Applications for the current funding period will be prioritized based on the order received, the ecological value of the land(s) and the immediacy of need on the part of the landowner. For future funding periods the prioritization elements for Channel Migration Zones and critical habitat have yet to be determined.

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

Riparian 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			

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 value lower than anticipated or not eligible. There were 11 applications for FY09-11 of which eight were eligible. DNR has assembled a Technical Selection Committee that will determine which applications will be funded with the \$500,000 allocated for the FY09-11 funding period.