



June 8, 2006

Joanna Valencia, Planner
411 N. Ruby St.
Ellensburg, WA 98926

Dear Joanna,

Our office approved a Forest Practices Application from Mr. Melvin Patch on June 29, 2002 (FPA #2702114). This was for timber harvest on a 3-acre parcel in Sec. 8, T19, R16E. The applicant did not declare that this property had been platted after 1960. In accordance with WAC 222-16-050(4) we classed the application as a Class II. Our policy is to not require Notice of Moratoriums on lands-platted applications. However, Mr. Patch included a completed Notice of Moratorium form with his application even though he indicated his property had not been platted after 1960. Our understanding is that his property was actually platted after 1960.

It is our opinion that if Mr. Patch is not removing any more trees at this time, we would support his effort to remove the Notice of Moratorium. This does not supersede any county planning codes or policies.

Sincerely,

Bart Ausland,
DNR Forest Practices Coordinator





When Recorded Return to:

DEPARTMENT OF NATURAL RESOURCES
713 E. BOWERS RD.
ELLENSBURG, WA 98926-9341

NOTICE OF MORATORIUM ON NON-FORESTRY USE OF LAND

GRANTOR: Melvin Patil
(Name of Forest Land Owner)

GRANTEE: Kittitas
(Name of County or City in Which Land Subject to the Forest Practices Application/Notification is Located)

LEGAL DESCRIPTION OF THE FOREST PRACTICES OPERATION: (Include lot, block, plat, section, quarter/quarter section, township and range)

SW SW Sec 8 1916
19-16-08052-0003

ASSESSOR'S PROPERTY TAX PARCEL OR ACCOUNT NUMBER(S):
19-16-08052-0003

FOREST PRACTICES APPLICATION/NOTIFICATION NO. 2762114
APPROVAL DATE 7/2/02



(1) I certify that I am the forest land owner, as that term is defined in RCW 76.09.020 and WAC 222-16-010, and that I am familiar with the requirements of the Forest Practices Act, RCW 76.09 and the forest practices rules, WAC Title 222. I am specifically familiar with RCW 76.09.060(3) and its effects.

(2) **By this statement I declare that the land subject to this forest practices application/notification will not be converted to an active use incompatible with timber growing within six years after the approval date of the forest practices permitted in the forest practices application/notification.**

(3) I understand that applications/notifications are subject to the reforestation requirement as described in RCW 76.09 and WAC Title 222, the forest practices rules. I also understand that the reforestation requirements shall not apply only if the land is, in fact, converted unless applicable alternatives or limitations are provided in forest practices rules issued under RCW 76.09.070. I further understand that it is the obligation of the forest land owner or the owner of perpetual rights to cut timber owned separately from the land to ensure that such reforestation takes place. I understand that the obligation to reforest shall become the obligation of the new owner if the land or perpetual timber rights are sold or otherwise transferred.

(4) I understand that if I have declared that the land subject to this forest practices application/notification will not be converted to an active use incompatible with timber growing, that the land shall be subject to a six-year moratorium which will preclude current and/or successor forest land owners from obtaining development permits while the moratorium is in place. The moratorium shall begin on the approval date of the forest practices application/notification. **I understand that this means that the county, city, town and/or regional governmental entities shall deny any or all applications for permits or approvals, including but not limited to building permits and subdivision approvals, relating to nonforestry uses of the land subject to the application/notification.** The local governmental entity may lift the six-year moratorium if it so chooses through a process which shall include public notification, and procedures for appeals and public hearings.

(5) I understand that the six-year moratorium shall be imposed for applications/notifications which include a Conversion Option Harvest Plan approved by the local governmental entity if the forest practices are not conducted in compliance with the approved forest practices permit.

(6) I understand that information regarding the forest practices application/notification referred to in this Notice may be found at the Washington State Department of Natural Resources, _____ Region Office, _____ Washington.

(7) **I certify and declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.**

Signed this 20 day of May, 2002
(month) (year)

at cle Elum, WA
(city) (state)

Michelle Patch
Forest Land Owner (Signature)

Michelle Patch
Forest Land Owner (Print Name)