PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

Agency: Forest Practices Board

☒ **Preproposal Statement of Inquiry was filed as WSR 09-02-019; or**
☐ **Expedited Rule Making--Proposed notice was filed as WSR _____; or**
☐ **Proposal is exempt under RCW 34.05.310(4).**

☐ **Original Notice**
☒ **Supplemental Notice to WSR 09-17-113**
☐ **Continuance of WSR _____**

Title of rule and other identifying information: (Describe Subject)

Amend Title 222 WAC, Forest Practices rules, related to Northern Spotted Owl conservation.

Hearing location(s):

Natural Resources Building
1111 Washington Street SE
Olympia, WA 98504

Date: April 7, 2010
Time: 6 p.m.

Submit written comments to:
Name: Patricia Anderson
Address: Forest Practices Board
DNR, Forest Practices Division
PO Box 47012
Olympia, WA 98504-7012
e-mail forest.practicesboard@dnr.wa.gov
fax (360) 902-1428 by 5 p.m. on April 8, 2010

Assistance for persons with disabilities: Contact Forest Practices Division at (360) 902-1400 by March 24, 2010 TTY (360) 902-1125

Date of intended adoption: May 11, 2010
(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the rule is to assure that no habitat important to the Northern Spotted Owl is altered through forest practices while the Board determines a long-term strategy for spotted owl habitat conservation. It establishes a three-member, multi-stakeholder Spotted Owl Conservation Advisory Group. This group plays a role, along with the state Department of Fish and Wildlife, in the evaluation of landowner surveys that indicate the absence of spotted owls.

Reasons supporting proposal:
On November 10, 2009, the Policy Working Group on Northern Spotted Owl Conservation recommended that the process described in "Purpose" above be continued under an open ended rule until such time as the Board completes its evaluation of the forest practices rules affecting the spotted owl.

Statutory authority for adoption:
RCW 76.09.040

Statute being implemented:
N/A

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

DATE February 22, 2010

NAME (type or print)
Peter Goldmark

SIGNATURE

TITLE
Chair

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 22, 2010
TIME: 3:30 PM

WSR 10-06-027

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)
Forest Practices Board

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Marc Engel	1111 Washington Street SE, Olympia	(360) 902-1390
Implementation....	Julie Sacket	1111 Washington Street SE, Olympia	(360) 902-1405
Enforcement.....	Julie Sacket	1111 Washington Street SE, Olympia	(360) 902-1405

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☒ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:
Name: Gretchen Robinson
Address: Department of Natural Resources
P.O. Box 47012
Olympia, WA 98504-7012
phone (360) 902.1705
fax (360)902.1428
e-mail gretchen.robinson@dnr.wa.gov

☐ No. Explain why no statement was prepared.
Not applicable.

Is a cost-benefit analysis required under RCW 34.05.328?

☒ Yes A revised preliminary cost-benefit analysis may be obtained by contacting:
Name: Gretchen Robinson
Address: Department of Natural Resources
P.O. Box 47012
Olympia, WA 98504-7012
phone (360) 902.1705
fax (360)902.1428
e-mail gretchen.robinson@dnr.wa.gov

Please note: the cost-benefit analysis and small business economic impact statement are combined in the attached Revised Preliminary Economic Analysis.

☐ No: Please explain: