



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Forest Practices Board

Subject of possible rule making:

The Forest Practices Board is considering rule making related to the decertification of Northern Spotted Owl site centers.

Statutes authorizing the agency to adopt rules on this subject:

RCW 76.09.040

Reasons why rules on this subject may be needed and what they might accomplish:

There is currently a moratorium on the practice of decertifying Northern Spotted Owl site centers as defined in WAC 222-16-010. The sunset date of the moratorium is December 31, 2008. New rules are needed to establish a temporary process (from January 1, 2009 through December 31, 2009) in which a three-person spotted owl conservation advisory group will evaluate requests for site center decertification. This temporary process will take place while the Board determines an appropriate long-term strategy for Northern Spotted Owl habitat conservation.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The U.S. Fish and Wildlife Service (USFWS) administers the federal Endangered Species Act for upland wildlife, including the Northern Spotted Owl. The Washington State Department of Fish and Wildlife evaluates survey information leading to decertification of Northern Spotted Owl site centers. The three-person spotted owl conservation advisory group will consist of a representative of the Washington Department of Natural Resources as well as representatives of a Washington-based conservation organization involved with northern spotted owl conservation and Washington's forest products industry.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Mail, fax, or email comments to:

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Fax: (360) 902-1428; email: forest.practicesboard@dnr.wa.gov

DATE

December 29, 2008

NAME (TYPE OR PRINT)

Victoria Christiansen

SIGNATURE

TITLE

Chairman

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