



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 permanent rule making to address 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:

The Forest Practices Board is considering rule making to address the duration and geographic scope of a moratorium on decertifying Northern Spotted Owl site centers because:

1. The amount of suitable habitat within Northern Spotted Owl Special Emphasis Areas, outside areas that are being managed under the aegis of a habitat conservation plan or other agreement, has declined by an average of 16 percent since forest practices rules for habitat protection were adopted;
2. Habitats recently occupied by spotted owls are potentially important to spotted owl recovery and should be maintained until a federal recovery plan has been completed and the Board has had the opportunity to consider ramifications of decertifying additional sites in light of recovery strategies and goals;
3. Fewer plans to conserve spotted owl habitat at a landscape level have been developed than was anticipated when this rule was adopted; and
4. With few landscape-level plans, the forest practices rules continue to rely heavily upon the regulation of timber harvest at individual spotted owl sites to provide habitat conservation.

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

U.S. Fish and Wildlife Service administers the federal Endangered Species Act for upland wildlife, including the Northern Spotted Owl. The Board intends that the Department of Natural Resources, which implements Board actions, will work with the U.S. Fish and Wildlife Service and other stakeholders, including the Washington State Department of Fish and Wildlife, to develop recommendations for the Board's consideration.

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:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Mail, fax, or email comments to:
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DATE June 19, 2007

NAME (TYPE OR PRINT) Victoria Christiansen

SIGNATURE

TITLE Chairman

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