



**DEPARTMENT OF
NATURAL RESOURCES**

FOREST REGULATION DIVISION

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October 27, 2021

TO: Forest Practices Board

FROM: Mary McDonald, Assistant Forest Regulation Division Manager for Policy and Services

SUBJECT: Rule Making Regarding Type Np Buffers

On November 10th, I will request the Board's approval to file a CR-101 *Pre-proposal Statement of Inquiry* for rule making regarding Type Np (non-fish perennial) buffers. This is the first of three rule making steps required in the Administrative Procedure Act (chapter 34.05 RCW).

The information provided on a CR-101 states the subject of the rule and provides contact information for people who would like to participate in rule development. Though not certain of the final outcome, the TFW Policy Committee is currently pursuing options to bring Type Np Water buffer recommendations in response to the findings of the Type N studies being completed by the Cooperative Monitoring, Evaluation, and Research Committee (CMER) and the Type Np Workgroup report to Policy.

In addition, CMER is completing the work to bring forward the final Type N Hard Rock Phase 2 and Type N Soft Rock studies to Policy. It is anticipated that Policy will bring the final Type N Hard Rock and Soft Rock studies and Type Np Water buffer recommendations to the Board in 2022.

The next phase of formal rule making – the CR-102 *Notice of Proposed rule-making* – will not occur until the Board accepts Policy's recommendation and draft rule language is developed.

Please feel free to contact me at mary.mcdonald@dnr.wa.gov if you have any questions.

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