April 19, 2012

TO: Forest Practices Board

FROM: Sherri Felix, Policy Analyst SF
Forest Practices Division

SUBJECT: WAC 222-16-080 Critical habitats (state) of Threatened and Endangered Species - Request to Begin Rule Making

At your upcoming May 8, 2012 meeting, staff will request your approval to begin the rule making process on WAC 222-16-080 by filing a CR-101 *Preproposal Statement of Inquiry* with the Office of the Code Reviser.

WAC 222-16-080 Critical habitats (state) of threatened and endangered species exempts from Class IV-special certain wildlife management plans for threatened and endangered species if the plan has already been reviewed under the State Environmental Policy Act (SEPA). When approved three other listed plans for threatened and endangered species are not required to undergo SEPA review; a special wildlife management plan (SWMP), a landowner option plan for northern spotted owls (LOP), and a cooperative enhancement agreement (CHEA). Staff recommends amending this rule to clarify these three other plans also receive SEPA review in accordance with the Board's chapter 222-10 WAC State environmental policy act guidelines.

Staff looks forward to discussing this potential rule making with you. Should you have any questions in the meantime, please contact me at 360-902-1446 or sherri.felix@dnr.wa.gov, or contact Marc Engel at 360-902-1390 or marc.engel@dnr.wa.gov .

SF