



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:

Amend chapter 222-23 WAC, Riparian Open Space Program that purchases land conservation easements in riparian areas from private landowners.

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 legislature passed Substitute Senate Bill 5401 amending RCW 76.09.040 which established the Riparian Open Space Program. The statute was changed to purchase conservation easements for unconfined avulsing channels and required preservation of upland habitat of threatened or endangered species as designated by the Forest Practices Board. The rule making will be amendments of the current rules in chapter 222-23 WAC to reflect changes in the statute.

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

The Departments of Ecology, Fish and Wildlife and Revenue may have an interest in rule development. The Board will contact those agencies for this purpose.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The Board will request input from interested stakeholders and seek to reach consensus on the terms of the proposed rule.

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
August 12, 2009

NAME (TYPE OR PRINT)
Peter Goldmark

SIGNATURE

TITLE
Chair

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