



# 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:** Forest Road Maintenance

**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 road maintenance rules in chapter 222-24 WAC currently do not address situations where landowners are suddenly faced with a large amount of road maintenance responsibility in a given drainage or road system. This could be due to an unusual storm event, or the acquisition of forest land with extensive road maintenance problems. It could apply to roads with completed road work under existing road maintenance and abandonment plans (RMAPs), and to roads that were never covered under an RMAP.

The Forest Practices Board is considering rule making to clarify that the Department of Natural Resources may combine the enforcement procedures under chapter 222-46 WAC, with cooperative agreements authorizing landowners to schedule maintenance according to the relative potential for damage to public resources. Such a rule would be in keeping with the policy stated in WAC 222-46-010 to encourage practical, result-oriented resolution of actions needed to prevent damage to public resources, and clarify that DNR may work with landowners to ensure feasible means to accomplish road maintenance necessary to protect public resources.

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

The Forest Practices Board's rules pertaining to water quality protection must be in agreement with the Director of the Department of Ecology or the director's designee on the Board (RCW 76.09.040). Board staff will include one or more designees from the state Department of Ecology in the rule development process.

**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 to develop rule language.

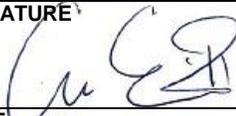
**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

Mail, fax, or email comments to:

Patricia Anderson, Forest Practices Board Rules Coordinator  
Department of Natural Resources  
Forest Practices Division  
1111 Washington Street SE, 3rd floor  
PO Box 47012  
Olympia, WA 98504-7012  
Fax: (360) 902-1428; email: forest.practicesboard@dnr.wa.gov

**DATE**  
March 10, 2014

**NAME (TYPE OR PRINT)**  
Aaron Everett

**SIGNATURE**  


**TITLE**  
Chair

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**DATE: March 10, 2014**

**TIME: 3:14 PM**

**WSR 14-07-032**