

November 5, 2019

To: Forest Practices Board

From: Water Typing System Rule Committee

Bob Guenther, Paula Swedeen, Tom Nelson, Dave Herrera and Jeff Davis

RE: Recommendations on Outstanding Issues

The Board, at the June 4, 2019 special meeting, passed a motion establishing a Board committee to work on outstanding issues associated with the development of the permanent water typing system rule package.

The committee has met eight times to discuss each element identified in the Board's motion and brings forward the following recommendations:

1. The Board clarifies the goals of the water typing system rule, determines the targets for the implementation of fish habitat as it is defined in rule, and ensures the targets for habitat implementation align with the intent of the Forest Practices HCP.

The committee has discussed the need for the Board to evaluate the goals of the water typing system rule in relation to the commitments of the Forest Practices HCP. The committee also discussed and agreed a decision by the Board is needed to define the accuracy targets for the determination of fish habitat.

2. The Board acknowledge that DNR will re-do the PHB spatial analysis, to include the width, gradient and natural obstacles, for each of the PHB options.

The committee gained a full understanding of how the width-based PHB for Option C is intended to be applied as well as a process to determine when a width-based PHB exists for the PHB spatial analysis.

3. The Board encourage DNR to engage with Policy caucus leads to provide technical feedback during DNR's spatial analysis of the PHB options and the anadromous fish floor (AFF) alternatives.
4. *Determining how the rule making should be applied in eastern Washington (considering eastside data);* In progress.

Committee members recognize the difficulty of finalizing a western Washington water typing system rule without finalizing an eastern Washington water typing system rule. The committee recognizes the consequences of a delay for the water typing system rule in eastern Washington and discussed the need for a phased approach for the PHB validation study to complete eastern Washington first. The committee discussed the potential availability of data for eastern Washington from other sources such as CMER, tribal sources, and fish distribution maps.

The committee discussed, without consensus, potential administrative solutions such as the possibility of postponing water typing changes until the water typing system rule is in place, or not accepting all concurred water type modification forms until after the rule is adopted.

5. The Board to define the fish habitat accuracy standards and targets for the water typing system rule.

The Board request the Cooperative Monitoring, Evaluation and Research Committee (CMER) to develop revised study designs for the potential habitat break (PHB) validation and physical characteristics studies. The studies are to be designed for cost savings, including the phasing of the studies with eastern Washington to be completed first, and the possibility of combining the PHB validation and physical characteristics studies.

The committee discussed the need for the PHB validation and default physical characteristics studies to contain the same measurable targets and standards; having the Adaptive Management Program (AMP) through CMER develop the PHB validation and default physical stream characteristics study designs; and, the need to prioritize these studies within the AMP budget.

6. *Determining if rule language, Board resolution, or other non-rule options would suitably encourage moving toward a lidar modelled map-based water typing rule;* In progress.

The committee discussed different options for how to consider a future map-based water typing system rule. Most committee members agreed that a map-based water typing system is one of the goals of a new water typing system rule, but did not arrive at a definitive proposal as a potential recommendation to the Board or how to address a map-based rule in the immediate future. The committee discussed the potential of adding a parenthetical note to the water typing system rule regarding the future development of a map-based habitat rule, and concerns that any future developed model might not meet the accuracy standards of the rule.

7. The Board support the establishment of the AFF workgroup, approve the AFF charter, approve committee oversight over the AFF workgroup, and consider funding options for the group.

The committee recommends the Board support the establishment of the AFF workgroup and charter. The committee agreed that the technical group should continue working on the data requirements and that the committee provide oversight to the work group. Also the Board needs to consider funding options for the group.

8. The committee recommends the Board retain the Water Typing Board Committee to continue working through the issues and providing recommendations to the Board.

Attachments:

Committee Charter
Anadromous Fish Floor Workgroup Charter