
CHARTER – FOREST PRACTICES BOARD WATER TYPING SYSTEM RULE COMMITTEE

July 2, 2019

I. Introduction

This charter is intended to guide the efforts of the Forest Practices Board Water Typing System Rule committee (committee). The committee, established at the June 4, 2019 special meeting of the Forest Practices Board will address outstanding concerns and gaps within the proposed water typing system rule and supporting documents which have been accepted by the Forest Practices Board in their June 4, 2019 motion.

The Board has been actively engaged in the development of a permanent water typing system rule since 2014. The rule will replace those adopted in 2001 and it will establish how to classify streams, lakes and ponds including how to locate the water type break between stream segments containing fish habitat (Type F) and segments lacking fish habitat (Type N). The objective of the new rule is to meet the 1999 Forests and Fish Report's (RCW 76.09.370(1)) four goals:

1. Provide compliance with the Endangered Species Act for aquatic and riparian-dependent species on nonfederal forest lands;
2. Restore and maintain riparian habitat on nonfederal forest lands to support a harvestable supply of fish;
3. Meet the requirements of the Clean Water Act for water quality on nonfederal forest lands; and
4. Keep the timber industry economically viable in the state of Washington.

The main goal of the new water typing system is to shift from a process based upon fish presence to a more robust and repeatable process relying on fish habitat as the guiding principle for delineating the break between Type F and N waters.

II. Membership

Bob Guenther (chair), Jeff Davis, Dave Herrera, Tom Nelson, and Paula Swedeen.

III. Purpose

This charter will guide the discussions between committee members to develop and make recommendations to the Board on those outstanding issues associated with the proposed water typing system as identified in the Board's June 4, 2019 motion. The committee will receive, when requested, materials and testimony from DNR staff and TFW Policy caucuses.

IV. Tasks and Responsibilities

Meetings will be scheduled for the committee to have a conversation amongst themselves to fulfill the committee requested work in the Board's June 4th motion. The public will provide information and make comments pertinent to the work of the committee at the request of the chair who will also determine if there will be a public comment period for any given meeting. The topics identified in the Board motion include:

- Understanding and working to resolve the spatial analysis for the width-based PHBs;
- Determining how the rule making should be applied in eastern Washington (considering eastside data);
- Determining if and when the potential habitat break validation study should be done and whether it should be combined with the study to determine physicals;
- Determining if rule language, Board resolution, or other non-rule options would suitably encourage moving toward a lidar modelled map-based water typing rule; and
- Address remaining rule language concerns discussed with DNR during rule language development.
- Gather and analyze data for inclusion in any recommendations on an anadromous fish floor.

V. Meeting Process

The committee will conduct four meetings prior to the August 2019 Board meeting to:

- Establish a working charter and ground rules (1st meeting);
- Understand the width based PHB and associated spatial analysis(2nd meeting);
- Address the goal of an anadromous fish floor (3rd meeting);
- Determine remaining rule elements for inclusion into the permanent rule; (4th meeting); and (*time permitting*)
- Discuss options for the PHB validation and stream physical studies.

Additional meetings will be scheduled after the August Board meeting as needed to further develop water type system rule recommendation(s) for the Board's November 2019 meeting.

The committee chair may invite TFW Policy caucus representatives to participate in presentations and discussions to assist in determining recommendations for the Board.

The committee chair will decide the format and procedure during comment periods. Meetings will be conducted according to the Open Public Meetings Act.

VI. Deliverables

The committee will provide:

- A status update on the process made to resolve the issues at the August 2019 Board meeting; and
- Recommendation(s) and supporting work products for proceeding with the water typing system rule at the November 2019 Board meeting.