



# 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:**

Title 222 WAC Forest Practices rules relating to a permanent water-typing system

**Statutes authorizing the agency to adopt rules on this subject:** RCW 76.09.040, 76.09.370

**Reasons why rules on this subject may be needed and what they might accomplish:**

The Forest Practices Board is considering rulemaking to amend the water-typing rules. Rule amendments will provide a consistent, stable system to determine the water type classification for all typed waters. The emphasis of the water type system is to establish fish-bearing/non-fish-bearing habitat, or Type-F Water designations.

Pursuant to RCW 76.09.370, the Forest Practices Board incorporates a scientific-based adaptive management process to determine the effectiveness of the 2001 forest practices rules in aiding Washington's salmon recovery effort. Under this adaptive management process, the TFW Policy Committee is evaluating components needed to establish a singular water typing system rule and changes will be based on TFW Policy's recommendations.

**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).

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The TFW Policy Committee continues to evaluate components needed to establish a singular water typing rule and is expected to make additional recommendations to the Board in mid-2017 on how to establish the break between fish and non-fish-bearing habitat waters or the Type F/N regulatory water type break. Included in these recommendations will be a Fish Habitat Assessment Methodology, how to identify Off-Channel habitat, and when to use default physical criteria for fish use.

**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:

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  
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**DATE**  
December 6, 2016

**NAME (TYPE OR PRINT)**  
Stephen Bernath, Chair

**SIGNATURE**

**TITLE**  
Chair

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**DATE: December 06, 2016**

**TIME: 2:16 PM**

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