

TFW Policy Committee
Co-Chairs' Draft Initial Recommendations on Off-Channel Habitat
Draft v.8-31-16

Draft Consensus Rule Language Recommendations

TFW Policy recommends the following direction be incorporated into the Forest Practice Rule process regarding off-channel habitat:

- Off-channel habitat is part of the Type F/S stream designation.
- Off-channel habitat where fluvial connectivity exists with a Type F/S stream can be defined as “Off-channel habitat consists of aquatic habitat features that are connected to Type F/S waters by inundation at bank full elevation of the Type S or F water.” This requires definition of the following terms in the rule or Board Manual:
 - Connectivity – this stage is delineated by the elevation point of incipient flooding and break in stream bank slope
 - Bankfull flow
 - Bankfull width
 - Bankfull elevation

Draft Consensus Board Manual Recommendations

TFW Policy recommends that DNR revise the Board Manual to reflect additional definitions and guidance in support of the definition of off-channel habitat to include the following:

- Field methodologies for determining off-channel habitat are described in a new BM chapter. This includes:
 - Protocols to identify off-channel habitat;
 - Protocols to identify bank full width and bank full elevation;
 - Guidance to determine area of inundation at bank full width and elevation (includes extent); and
 - Bankfull elevation is defined as the datum where incipient flooding, indicated by deposits of sand or silt at the active scour mark, break in stream bank slope, and where perennial vegetation grows – 1.5- to 2-year interval peak stream flow events.
- A diagram (or diagrams) illustrating off-channel habitat and features (similar to what DNR has created already).
- Pertinent definitions of hydrologic terms (bank full elevation, bankfull width, connectivity).
- Refer to Board Manual guidance for use of ID Teams to address uncertainties in interpreting the rule.

Research

- Identify studies that are necessary:
 - Study to determine how common OCH areas are in FPAs;
 - Depending upon results of how common OCH is, conduct studies to determine if OCH is being protected as intended and identified fully; then
 - Depending upon results, conduct a study to identify the importance of OCH that may not be fully protected by the rule.

ATTACHMENT 1 - ANALYSIS OF BOARD MANUAL AND RULE

Currently there is no part of the Board Manual or Rule that describes how to protect off-channel habitat. There are multiple places in the Board Manual that describe how to identify off-channel habitat. Below is a compilation of areas in the Manual that refer to off-channel habitat.

Section 2, Channel Migration Zones

Board Manual – 11/2004 Channel Migration Zones and Bankfull Channel Features

PART 1. BANKFULL CHANNEL FEATURES

If you determine no channel migration zone (CMZ) is present, the next step is to identify the bankfull width of the stream.

1.1 Background

Forest practices rule, WAC 222-16-010, provides the following definition for bankfull depth and width: “Bankfull depth” means the average vertical distance between the channel bed and the **estimated water surface elevation** [THIS COULD BE OUR DEFINITION OF BFE] required to completely fill the channel to a point above which water would enter the floodplain or intersect a terrace or hillslope. In cases where multiple channels exist, the bankfull depth is the average depth of all channels along the cross section.

“Bankfull width” means:

- For streams - the measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross section.
- For lakes, ponds, and impoundments – **line of mean high water.**
- For tidal water – **line of mean high tide.**
- For periodically inundated areas of associated wetlands – **line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland.**

If a CMZ is not present, measurement of the riparian management zone (RMZ) begins at the outer edge of the bankfull width [this is where it gets confusing – need to clarify with THE DRAWING]. Guidance for measuring bankfull width and depth in this manual refers to a measurement of channel dimensions at bankfull flow and not for other parts of the bankfull width definition: b) lakes, ponds, and impoundments; c) tidal water (tidally influenced channels); or d) periodically inundated areas of associated wetlands. See Board Manual Section 8 for guidance.

Overflow channel:

A secondary channel on the floodplain that conveys water away from and/or back into the main channel. These channels can be continuous or interrupted in space in terms of channel dimensions and scour and fill. They often are a response to episodic flood scour and fill during floodplain inundation and drainage. They also can partially fill in between episodic flood events or become abandoned completely or be blocked by deposits of sediment or wood at their head. Overflow channels are typically at or above the range of bankfull flow elevations.

Secondary channel:

Any channel on or in a floodplain that carries water (intermittently or perennially in time; continuously or interrupted in space) away from, away from and back into, or along the main channel. Secondary channels include: side channels, wall-based channels, distributary channels, anabranch channels, abandoned channels, overflow channels, chutes, and swales.

PART 2. TECHNICAL CRITERIA THAT IDENTIFY WETLANDS

Areas are determined to be wetlands if they satisfy (directly or indirectly) the minimum criteria standards for each of three parameters (hydrology, soils, *and* vegetation). “Criteria” are observations that in and of themselves are sufficiently conclusive to satisfy that a parameter is indicative of a wetland rather than non-wetland condition. The criteria are described specifically in Appendix A. If any one of the features described in Appendix A can be observed for each of all three parameters, it is mandatory that the site be called a wetland. In many cases, it will not be possible to observe features on a site that *directly* satisfy the criteria. However, other observable features - known as “field indicators” - may be used, and like circumstantial evidence, may make the case for wetland *indirectly*. Such interpretation of circumstantial evidence, or field indicators, is allowed within bounds of good professional judgment. Field indicators are discussed in Part 2.

Although vegetation is the most easily observed parameter, sole reliance on vegetation as the determinant of wetlands can be misleading. Many plant species tolerate a broad range of conditions enabling them to live successfully in both wetlands and non-wetlands, and hydrophytic vegetation may persist for decades following alteration of hydrology that renders a site a non- wetland. The criteria for hydrophytic vegetation is as follows:

If, under normal circumstances [vague statements are what get us in trouble – suggest simplifying and clarifying only], more than 50 percent of the dominant species totaled from all vegetation strata are Obligate Wetland (OBL) Facultative Wetland (FACW) or Facultative (FAC).

Likewise, soils can be strong indicators of whether or not a site is a wetland when it is in an undrained landscape or in a hydro logically unaltered condition. While soils are excellent long- term integrators of all the ecological influences on a site including relative wetness, on hydro logically altered sites, they generally retain the morphological characteristics revealing their origin (i.e. having developed over geologic time in a wetland or in a non-wetland) long after site hydrology has been totally reversed.