

CALIFORNIA LICENSED FORESTERS ASSOCIATION
P.O. Box 1516 – Pioneer, CA 95666

April 24, 2003

Board of Forestry and Fire Protection
Chairman Bob Heald, Forest Practices Committee
P. O. Box 944246
Sacramento, CA 94244-2460

RE: Watercourse Classification & Protection

Dear Bob:

During the past 6 months, your committee has been considering some important issues regarding the classification and protection of hydrologic features, such as springs, seeps, wet areas, and wet meadows. The Forest Reptile & Amphibian Working Group (FRAWG) has proposed some excellent definitions for each of these. In addition, you have also examined the adequacy of existing rules regarding the classification and protection of classified watercourses. Since these riparian areas are widely regarded as integral components to a properly functioning ecosystem, the California Licensed Foresters Association (CLFA) would like to provide the following comments to assist the committee in its efforts to refine environmental protection without placing further burdens on the Professional Forester and landowner.

The FRAWG-developed definitions for "springs, seeps, wet meadows, & wet areas" appear to be clear and enforceable, and as such, represent a good starting point. The protection measures are more problematic, insofar as these features are distinctly different from Class II watercourses and don't necessarily warrant an identical WLPZ classification. We feel protection can be achieved on a feature-specific basis, without the attendant regulatory baggage included with the WLPZ designation.

The definitions for Class II and III watercourses have been a source of controversy for some time. Through efforts of the Monitoring Study Group, it has been shown that the existing regulatory provisions are generally adequate. It is in the implementation, where the shortfalls have been noted. Making a minor revision to 14 CCR 916.5, [936.5, 956.5] Table 1, would solve much of the ambiguity by implementing a common point of reference.

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We suggest revising the definition of Class II watercourses from "Aquatic habitat for nonfish aquatic species" to "Aquatic habitat for nonfish aquatic *vertebrates*..." This has been the unofficial interpretation by the department for the past seven years. Another clarifying revision would entail changing the Class III definition from "No aquatic life present..." to "No *nonfish aquatic vertebrates* present..." These definitions would then eliminate the gray area between Class II & III watercourses.

Please consider these comments, on behalf of our 770 members who represent the majority of the professional expertise used to enforce and comply with our State's Forest Practice Regulations.

Very truly yours,

William E. Hultgren
Forest Practices Committee

Bonnie J. Burchill
President