

# SENATE BILL REPORT

## SB 5235

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As Reported By Senate Committee On:  
Natural Resources, Energy & Water, February 28, 2003

**Title:** An act relating to environmental impact statements for class I, II, and III forest practices on state trust lands.

**Brief Description:** Concerning environmental impact statements on certain state trust lands.

**Sponsors:** Senators Hargrove, Morton and Doumit.

**Brief History:**

**Committee Activity:** Natural Resources, Energy & Water: 2/20/03, 2/28/03 [DPS].

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### SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

**Majority Report:** That Substitute Senate Bill No. 5235 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Doumit, Fraser, Hale, Hargrove, Honeyford and Regala.

**Staff:** Victor Moon (786-7469)

**Background:** When the Forest Practices Act was written, the Legislature specifically excluded class I, II, and III forest practices from the State Environmental Policy Act requirements to prepare a detailed statement. Class IV forest practices require the Department of Natural Resources to conduct an initial review within ten days to determine whether or not a detailed statement under the State Environmental Policy Act must be prepared. If the department finds that a detailed statement is not required, the appropriate local government can come to the opposite conclusion and require the adoption for a class IV permit only.

**Summary of Substitute Bill:** Any action or decision of the Department of Natural Resources or the Board of Natural Resources concerning state trust lands is exempt from all procedural requirements for the preparation of an environmental impact statement and for the making of a threshold determination for class I, II, and III forest practices. This includes forest practice applications and state land timber sales. The forest practices classes are defined as rules adopted by the Forest Practices Board. State trust lands include: federally granted trust lands; forest board transfer lands; forest board purchase lands; and the community college reserve trust lands.

The code in Title 79.68 RCW is amended to indicate that this requirement applies to forest practices.

**Substitute Bill Compared to Original Bill:** The original bill was not considered.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Private industry is not required to develop environmental check lists or statements for class I, II, or III forest practices and the state must not create a obligation for the trust lands above what is required for private lands. The Legislature clearly intended class I, II, and III practices to be exempt from the EIS requirements of the State Environmental Policy Act. The financial cost and delay is too great.

**Testimony Against:** The system works now, so leave it alone. State lands should meet a higher standard than private lands.

**Testified:** PRO: Bob Waltz, Sea-Sno Mill; Rod Fleck, City of Forks; Jim Mickel; Bob Dick, American Forestry Association; CON: Elizabeth Davis, Flora Leisenring, League of Women Voters; Janet Strong, Washington Environmental Council; NEUTRAL: Bruce Mackey, Department of Natural Resources.