

the application of the provision to other persons or circumstances is not affected.

Passed the Senate April 1, 1981.

Passed the House April 21, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

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## CHAPTER 290

[House Bill No. 372]

### ENVIRONMENTAL POLICY—FOREST PRACTICES

AN ACT Relating to environmental policy as applied to forest practices; adding a new section to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW a new section to read as follows:

(1) Decisions pertaining to applications for Class I, II, and III forest practices, as defined by rule of the forest practices board under RCW 76.09.050, are not subject to the requirements of RCW 43.21C.030(2)(c) as now or hereafter amended.

(2) When the applicable county, city, or town requires a license in connection with any proposal involving forest practices (a) on lands platted after January 1, 1960, (b) on lands being converted to another use, or (c) on lands which, pursuant to RCW 76.09.070 as now or hereafter amended, are not to be reforested because of the likelihood of future conversion to urban development, then the local government, rather than the department of natural resources, is responsible for any detailed statement required under RCW 43.21C.030(2)(c).

(3) Those forest practices determined by rule of the forest practices board to have a potential for a substantial impact on the environment, and thus to be Class IV practices, require an evaluation by the department of natural resources as to whether or not a detailed statement must be prepared pursuant to this chapter. The evaluation shall be made within ten days from the date the department receives the application. A Class IV forest practice application must be approved or disapproved by the department within thirty calendar days from the date the department receives the application, unless the department determines that a detailed statement must be made, in which case the application must be approved or disapproved by the department within sixty days from the date the department receives the application, unless the commissioner of public lands, through the promulgation of a formal order, determines that the process cannot be completed within such period. This section shall not be construed to prevent any local or regional governmental entity from determining that a detailed

statement must be prepared for an action regarding a Class IV forest practice taken by that governmental entity concerning the land on which forest practices will be conducted.

This section shall cease to exist on June 30, 1983, unless extended by law for an additional period of time.

Passed the House April 1, 1981.

Passed the Senate April 22, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

## CHAPTER 291

[House Bill No. 99]

### WATER RIGHTS—RELINQUISHMENT, REVERSION—MINIMUM FLOW APPLICATION

AN ACT Relating to water rights; and amending section 16, chapter 233, Laws of 1967 as amended by section 5, chapter 216, Laws of 1979 ex. sess. and RCW 90.14.160.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 16, chapter 233, Laws of 1967 as amended by section 5, chapter 216, Laws of 1979 ex. sess. and RCW 90.14.160 are each amended to read as follows:

Any person entitled to divert or withdraw waters of the state through any appropriation authorized by enactments of the legislature prior to enactment of chapter 117, Laws of 1917, or by custom, or by general adjudication, who abandons the same, or who voluntarily fails, without sufficient cause, to beneficially use all or any part of said right to divert or withdraw for any period of five successive years after the effective date of this act, shall relinquish such right or portion thereof, and said right or portion thereof shall revert to the state, and the waters affected by said right shall become available for appropriation in accordance with RCW 90.03.250(~~PROVIDED, That such rights to use waters reverted under this section or under RCW 90.14.170 and 90.14.180, which were last exercised for a beneficial use subsequent to June 30, 1979, shall, if a minimum flow or level established by the department of ecology is in effect at the time when a determination of the reversion made either by the department or a court becomes final, be applied to meet such minimum flow or level with a priority of the original date of the reverted right before becoming otherwise available for appropriation for other beneficial uses under RCW 90.03.250 through 90.03.340~~)).

Passed the House February 16, 1981.

Passed the Senate April 26, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.