

CHAPTER 289

[Engrossed Substitute Senate Bill No. 4190]

STATE ENVIRONMENTAL POLICY ACT—STUDY AND EVALUATION

AN ACT Providing for a study and evaluation of the state environmental policy act; creating new sections; providing an expiration date; and making an appropriation.

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

NEW SECTION. Section 1. The implementation of the State Environmental Policy Act of 1971 should be examined in order to establish methods and means of providing for full implementation of the act in a manner which reduces paperwork and delay, promotes better decision-making, establishes effective and uniform procedures, encourages public involvement, resolves problems which nearly ten years' experience with the act has revealed, and promotes certainty with respect to the requirements of the act.

NEW SECTION. Sec. 2. There is hereby established the environmental policy commission which shall be composed as follows: Four members of the senate appointed by the president of the senate, including two members from each caucus; four members of the house of representatives appointed by the speaker of the house of representatives, including two members from each caucus; two representatives of industry appointed by the governor; two representatives of the environmental community appointed by the governor; one representative of cities appointed by the governor; and one representative of counties appointed by the governor.

The commission shall choose one of its legislative members as chairperson. Nonlegislative members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended. Legislative members shall be reimbursed for travel expenses as provided in RCW 44.04.120 as now or hereafter amended.

The commission shall:

(1) Study the State Environmental Policy Act of 1971 and the administrative rules interpreting and implementing the act. The commission shall submit a report during the 1983 regular session of the legislature to the parks and ecology committee of the senate and the natural resources and environmental affairs committee of the house of representatives evaluating the effectiveness of the act and rules.

(2) Utilize legislative staff assistance which shall be provided by the appropriate legislative committees and conduct such studies as are necessary for the performance of its duties. State agencies may assign to the commission such personnel as are necessary to assist the commission in the performance of its duties. These personnel shall be used to the maximum extent practicable.

(3) Consult with federal and state agencies and representatives of science, industry, agriculture, labor, conservation organizations, state and local governments, concerned citizens, and other groups as it considers necessary.

(4) Use, to the fullest extent possible, the services, facilities, information, and advice of public and private agencies, organizations, and individuals, including the United States council on environmental quality, in order to avoid duplication of effort and expense with similar activities authorized by law and performed by established agencies to carry out the purposes of this act.

(5) Hold such public hearings as are necessary to insure early, meaningful, and continuous public input and involvement in the commission's work in accordance with chapter 34.04 RCW.

(6) Review model ordinances developed for local government to assure consistency with any changes in the administrative rules for the implementation of the State Environmental Policy Act of 1971 which may be adopted.

(7) Propose amendments, if considered necessary, to the State Environmental Policy Act of 1971 and the administrative rules interpreting and implementing the act.

(8) Appoint members of an advisory committee to advise the commission in the performance of its duties. The membership of the advisory committee shall be fairly balanced in terms of the points of view and interests represented and shall include, but not be limited to, representatives of a statewide environmental organization, representatives of business, labor, and of the public at large, and shall be knowledgeable or experienced in the principles and practice of the State Environmental Policy Act of 1971. Members of the committee shall serve without compensation of any sort.

NEW SECTION. Sec. 3. The commission shall cease to exist at midnight, July 1, 1983. Upon the abolition of the commission on July 1, 1983, all powers, duties and functions of the commission shall be transferred to the department of ecology.

NEW SECTION. Sec. 4. This act shall be liberally construed to carry out the purposes and legislative intent expressed herein.

NEW SECTION. Sec. 5. There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of fifty thousand dollars, to carry out the purposes of this act.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or

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.

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