

# HOUSE BILL REPORT

## E2SSB 6731

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### As Reported By House Committee On:

Natural Resources  
Appropriations

**Title:** An act relating to Lake Whatcom.

**Brief Description:** Creating a Lake Whatcom landscape plan.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Spanel and Gardner).

### Brief History:

#### Committee Activity:

Natural Resources: 2/23/00, 2/25/00 [DPA];

Appropriations: 2/26/00 [DPA(NR)].

### Brief Summary of Engrossed Second Substitute Bill (As Amended by House Committee)

- Requires the Department of Natural Resources to develop a landscape plan for state-owned forest lands within the Lake Whatcom watershed.

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## HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** Do pass as amended. Signed by 12 members: Representatives Buck, Republican Co-Chair; Regala, Democratic Co-Chair; Anderson, Democratic Vice Chair; Sump, Republican Vice Chair; G. Chandler; Clements; Doumit; Eickmeyer; Ericksen; Pennington; Rockefeller and Stensen.

**Staff:** Carole Richmond (786-7114).

### Background:

Lake Whatcom is a primary source of drinking water for residents of Bellingham. The watershed includes a variety of land uses, including forest management and residential development. The Department of Natural Resources (DNR) manages about 50 percent of the watershed for timber production. In 1999, the Legislature

asked the department to initiate a pilot project in the watershed to determine what management actions could be taken to achieve water quality standards beyond those required by state law. The department was also required to establish an advisory committee with representatives of state agencies, local governments, and citizens. The pilot project has been completed.

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**Summary of Amended Bill:**

The Department of Natural Resources is required to develop a landscape plan for state-owned forests in the Lake Whatcom watershed. The department is required to consult with other forest land owners and with residents. An interjurisdictional committee is established for the purpose of assisting in the development of the landscape plan, and recommending restrictions upon timber harvest and yarding activities on a case-by-case basis. The committee must include two members of the public with an interest in timber management activities.

The landscape plan must address the following topics:

- establishment of riparian management zones along all streams to protect water quality and riparian habitat;
- the careful regulation of harvest and road construction on potentially unstable slopes;
- the prohibition of new road construction and limitation of old road reconstruction on unstable slopes;
- creation of a sustained yield model specific to the Lake Whatcom watershed that encompasses the revised management standards developed under last year's legislation; and
- development of a road management plan for the watershed.

The landscape plan must be completed and implementation must begin by June 30, 2001. Timber harvest and all road construction on state land must be delayed until the plan is completed.

**Amended Bill Compared to Engrossed Second Substitute Bill:** The interjurisdictional committee is required to assist in the development of the landscape plan. Harvest and road construction must be carefully regulated on potentially unstable slopes, and new road construction must be prohibited, and old road reconstruction must be limited on unstable slopes.

**Testimony For:** Timber sales are not a good idea in a municipal watershed. Nothing convinces me that the events of 1983 will not be repeated. There were several debris torrents and several houses washed out. Road construction would elevate the risk of slope failure. Passage of this bill can mean the difference between life and death.

Sixty-six thousand people depend on Lake Whatcom for their drinking water. Increases in sediment load mean increases in the cost of treatment. The county is recommending that no further loading of sediment be allowed into the reservoir. This area doesn't flush. Ordinary forest practices are not o.k. around lakes. We're here to plead for the safety of our community. DNR can log but not around streams or on unstable slopes. Road construction could be more dangerous than logging. The DNR's opposition is primarily economic. It's not economical to log if there's another mass wasting event. In 1983, DNR paid out \$5 million and other companies paid \$8 million.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Timber sales are not a good idea in a municipal watershed. Nothing convinces me that the events of 1983 will not be repeated. There were several debris torrents and several houses washed out. Road construction would elevate the risk of slope failure. Passage of this bill can mean the difference between life and death. Sixty-six thousand people depend on Lake Whatcom for their drinking water. Increases in sediment load mean increases in the cost of treatment. The county is recommending that no further loading of sediment be allowed into the reservoir. This area doesn't flush. Ordinary forest practices are not O.K. around lakes. We're here to plead for the safety of our community. The DNR can log but not around streams or on unstable slopes. Road construction could be more dangerous than logging. The DNR's opposition is primarily economic. It's not economical to log if there's another mass wasting event. In 1983, the DNR paid out \$5 million and other companies paid \$8 million.

(Concerns) The DNR's ownership doubled with the Trillium exchange. If there are recommendations for exceeding water quality standards, ways to compensate the trusts must be identified. There have been a lot of changes in forest practices since the early 1980's. We have the Forests and Fish report and the Habitat Conservation Plan. This bill has a fiscal impact. There are out-of-pocket costs, as well as reduced timber value from not being able to log on unstable slopes and in riparian buffers. The Board of Natural Resources is willing to look at modifying the sustained yield for state-owned forest lands in the Lake Whatcom watershed. This is an example of how people across the state want different kinds of forest practices, yet the department is criticized for not harvesting enough.

**Testimony Against:** None.

**Testified:** Senator Harriet Spanel, prime sponsor; Senator Georgia Gardner, sponsor; Representative Kelli Linville; Jamie Berg, We the People; Vincent D'Onofrio, Whatcom County Water District No. 10; Dan McShane, Whatcom County Councilman; Sandy Cameron, Sudden Valley Community Association; and Linda Marron, citizen).

(Concerns) Kaleen Cottingham, Department of Natural Resources.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Natural Resources. Signed by 29 members: Representatives Huff, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; D. Schmidt, Republican Vice Chair; Alexander; Benson; Boldt; Clements; Cody; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; Mastin; McMorris; Mulliken; Parlette; Regala; Rockefeller; Ruderman; Sump and Tokuda.

**Staff:** Jeff Olsen (786-7157).

**Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Natural Resources:** No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.