



Washington State Court of Appeals  
Division Two

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General Orders, Calendar Dates, Issue Summaries, and General Information at <http://www.courts.wa.gov/courts>

February 27, 2007

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CASE #: 32047-9-II

Alpine Lakes Protection Society, etal, Appellant v. Dept. of Ecology, etal, Respondents

Counsel:

An Order Correcting Published Opinion and Order Amending Published Opinion were filed by the court today in the above case. A copy of the orders are enclosed.

Very truly yours,

David C. Ponzoha  
Court Clerk

DCP:llp  
Enclosure

cc: Judge Wm. Thomas McPhee

FILED  
COURT OF APPEALS  
DIVISION II

07 FEB 27 AM 9:28

STATE OF WASHINGTON

BY lp  
DEPUTY

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

**DIVISION II**

ALPINE LAKES PROTECTION SOCIETY,  
FRIENDS OF THE LOOMIS FOREST,  
KETTLE RANGE CONSERVATION  
GROUP, THE MOUNTAINEERS,  
NORTHWEST ECOSYSTEM ALLIANCE,  
PENINSULA NEIGHBORHOOD  
ASSOCIATION, SEATTLE AUDUBON  
SOCIETY, WASHINGTON  
ENVIRONMENTAL COUNCIL,  
WASHINGTON WILDERNESS  
COALITION, and WHIDBEY  
ENVIRONMENTAL ACTION NETWORK,

Appellants,

v.

WASHINGTON STATE FOREST  
PRACTICES BOARD, WASHINGTON  
FOREST PROTECTION ASSOCIATION,  
WASHINGTON STATE DEPARTMENT OF  
ECOLOGY, and WASHINGTON STATE  
DEPARTMENT OF NATURAL  
RESOURCES,

Respondents.

No. 32047-9-II

ALPINE LAKES PROTECTION SOCIETY,  
FRIENDS OF THE LOOMIS FOREST,  
KETTLE RANGE CONSERVATION  
GROUP, THE MOUNTAINEERS,  
NORTHWEST ECOSYSTEM ALLIANCE,  
PENINSULA NEIGHBORHOOD  
ASSOCIATION, SEATTLE AUDUBON

Linked with

SOCIETY, WASHINGTON  
ENVIRONMENTAL COUNCIL,  
WASHINGTON WILDERNESS  
COALITION, and WHIDBEY  
ENVIRONMENTAL ACTION NETWORK,

Appellants,

v.

WASHINGTON STATE FOREST  
PRACTICES BOARD,

Respondents.

No. 33676-6-II

ORDER CORRECTING  
PUBLISHED OPINION

The caption in this case, filed on October 10, 2006, is corrected as follows:

The Washington Forest Practice Board and the Washington Department of Natural Resources are changed from "Respondents" to "Intervenors." The corrected caption now reads as set forth below:

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

**DIVISION II**

ALPINE LAKES PROTECTION SOCIETY,  
FRIENDS OF THE LOOMIS FOREST,  
KETTLE RANGE CONSERVATION  
GROUP, THE MOUNTAINEERS,  
NORTHWEST ECOSYSTEM ALLIANCE,  
PENINSULA NEIGHBORHOOD  
ASSOCIATION, SEATTLE AUDUBON  
SOCIETY, WASHINGTON  
ENVIRONMENTAL COUNCIL,  
WASHINGTON WILDERNESS  
COALITION, and WHIDBEY  
ENVIRONMENTAL ACTION NETWORK,

Appellants,

No. 32047-9-II

v.

WASHINGTON STATE DEPARTMENT OF  
ECOLOGY,

Respondent,

WASHINGTON FOREST PROTECTION  
ASSOCIATION and WASHINGTON STATE  
DEPARTMENT OF NATURAL  
RESOURCES,

Intervenors.

ALPINE LAKES PROTECTION SOCIETY,  
FRIENDS OF THE LOOMIS FOREST,  
KETTLE RANGE CONSERVATION  
GROUP, THE MOUNTAINEERS,  
NORTHWEST ECOSYSTEM ALLIANCE,  
PENINSULA NEIGHBORHOOD  
ASSOCIATION, SEATTLE AUDUBON  
SOCIETY, WASHINGTON  
ENVIRONMENTAL COUNCIL,  
WASHINGTON WILDERNESS  
COALITION, and WHIDBEY  
ENVIRONMENTAL ACTION NETWORK,

Appellants,

v.

WASHINGTON STATE FOREST  
PRACTICES BOARD,

Respondent,

and

WASHINGTON FOREST PROTECTION  
ASSOCIATION,

Intervenor.

Linked with

No. 33676-6-II

PUBLISHED OPINION

32047-9-II / 33676-6-II

**IT IS SO ORDERED.**

DATED this 27th day of February, 2007.

Hunt J.  
Hunt, J.

We concur:

Bridgewater, P.J.  
Bridgewater, P.J.  
Armstrong, J.  
Armstrong, J.

FILED  
COURT OF APPEALS  
DIVISION II

07 FEB 27 AM 9:28

STATE OF WASHINGTON

BY lp  
DEPUTY

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

**DIVISION II**

ALPINE LAKES PROTECTION SOCIETY,  
FRIENDS OF THE LOOMIS FOREST,  
KETTLE RANGE CONSERVATION  
GROUP, THE MOUNTAINEERS,  
NORTHWEST ECOSYSTEM ALLIANCE,  
PENINSULA NEIGHBORHOOD  
ASSOCIATION, SEATTLE AUDUBON  
SOCIETY, WASHINGTON  
ENVIRONMENTAL COUNCIL,  
WASHINGTON WILDERNESS  
COALITION, and WHIDBEY  
ENVIRONMENTAL ACTION NETWORK,

Appellants,

v.

WASHINGTON STATE FOREST  
PRACTICES BOARD, WASHINGTON  
FOREST PROTECTION ASSOCIATION,  
WASHINGTON STATE DEPARTMENT OF  
ECOLOGY, and WASHINGTON STATE  
DEPARTMENT OF NATURAL  
RESOURCES,

Respondents.

No. 32047-9-II

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ALPINE LAKES PROTECTION SOCIETY,  
FRIENDS OF THE LOOMIS FOREST,

Linked with

KETTLE RANGE CONSERVATION  
GROUP, THE MOUNTAINEERS,  
NORTHWEST ECOSYSTEM ALLIANCE,  
PENINSULA NEIGHBORHOOD  
ASSOCIATION, SEATTLE AUDUBON  
SOCIETY, WASHINGTON  
ENVIRONMENTAL COUNCIL,  
WASHINGTON WILDERNESS  
COALITION, and WHIDBEY  
ENVIRONMENTAL ACTION NETWORK,

Appellants,

v.

WASHINGTON STATE FOREST  
PRACTICES BOARD,

Respondents.

No. 33676-6-II

ORDER AMENDING  
PUBLISHED OPINION

In response to Appellant's Motion for Reconsideration, we amend our published opinion filed on October 10, 2006, as follows:

(1) On page 22, we delete the entire text of footnote 30, "Both SEPA and the Forest Practices Act leave to the Forest Practices Board's sole discretion which forest practices meet the Class IV criteria. *See* RCW 43.21C.037; RCW 76.09.040(1), .050(1)," and substitute the following new text for footnote 30:

Subject to RCW 76.09.050(1), the Forest Practices Board has discretion to determine which forest practices meet the Class IV criteria. *See* RCW 43.21C.037; RCW 76.09.040(1), .050(1), 76.09.050(1).

(2) On page 22, line one of the last paragraph, we delete the first sentence, "Consideration of potential cumulative effects is purely an Ecology rule (namely, "Rule 305"), applicable only to Ecology actions," and substitute the following sentence:

WAC 197-11-305 (namely, "Rule 305") is purely an Ecology rule, applicable only to Ecology actions; it does not apply to the Forest Practices Board.

It is so ordered.

Dated this: 27th day of February, 2007/

Hunt, J.  
Hunt, J.

We concur:

Bridgewater, P.J.  
Bridgewater, P.J.

Armstrong, J.  
Armstrong, J.