



Chehalis Basin Partnership

Meeting Summary – August 22, 2003

A. GENERAL PARTNERSHIP BUSINESS

Introduction -- Chairman Spahr welcomed everyone and opened the meeting. Fourteen of the Partnership's thirty-two member organizations had a representative or alternate in attendance. Fifteen additional citizens, alternates, or visitors were at the meeting.

Citizens' Advisory Committee – An announcement soliciting citizen input into the watershed plan was distributed to the Partnership for comment. The committee will work to get the announcement published. (Copy attached)

Steering/Technical Advisory Committee -- The committee continues to meet twice a month to discuss planning issues and develop recommendations. Partnership members are encouraged to have a representative attend. The next meetings are scheduled for September 4th and 18th.

Water Quality Committee – The Water Quality committee did not meet in August. The next meeting will be September 11th in Montesano. Lee Daneker is scheduled to continue the discussion on bacteria indicators, Andrew Kolosseus will attend to answer questions about the revised state Water Quality Standards and Cynthia Carlstad will present the draft coordinated water quality monitoring strategy.

Appointment of Vice-Chair – Jim Haslet, City of Napavine, was appointed by consensus agreement to serve as vice-chair of the Chehalis Basin Partnership

B. SPECIAL PROJECTS -- Watershed Planning under RCW 90.82

Announcements

- The Partnership meeting scheduled for September 26th is the last meeting before the statutory deadline for adoption of the watershed plan for the Chehalis Basin. A draft of the plan will be handed out on the 26th.
- Both the September 26th and the October 24th Partnership meetings will be long meetings. They are scheduled to begin at 9:00 and end at 3:00. There will be a break for lunch. If the Partnership can not reach consensus on adoption of the Watershed Plan on October 24th a second meeting will be held on October 31st.

Tribal Interests – The Quinault Indian Nation has requested a meeting with Chehalis Basin Municipalities to discuss the relationship between the municipal water bill passed by the Legislature in 2003 and watershed planning under the Watershed Planning Act. A tentative

date of September 19th has been set for the meeting but additional information will be sent directly to the invited groups. A draft statement regarding federally reserved water rights, including Tribal water rights, was distributed and reviewed, but it was not adopted. (Copy attached)

Core Issues: The “Core Issues: Water Quantity” issue paper was presented using a PowerPoint presentation. This issue paper is still under development. It reviews the requirements of the Watershed Planning Act and makes recommendations to achieve those requirements.

Comments on the Core Issues paper and its draft recommendations included:

- Does the Core Issues paper discuss ‘use-it-or-lose-it? (Not directly, that discussion is part of the “Conservation” Issue Paper).
- The “use-it-or-lose-it” language in state regulations is an excuse for not clarifying who has a valid water right.
- A water right is a property rights and you can’t take it away just because it hasn’t been used for a while. Farming operations require constant changes in crops and water use varies from year-to-year. Irrigation costs money and no farmer irrigates if they don’t have to – that is the big problem with use-it-or-lose-it regulations. It forces farmers to use water even if they don’t need to just to preserve their water right.
- It is possible that property has changed hands and the new owners aren’t even aware that they have a water right.
- The use of water is also linked to decisions to close areas of the basin to further water appropriation – if all paper water rights and claims are assumed to be completely valid then Ecology may be justified in closing parts of the basin.
- There needs to be a discussion of prohibiting the transfer or sale of water rights on lands that have been designated under GMA as “Long-Term Commercial Agricultural Lands” to non-agricultural uses, otherwise without water those lands can not support agriculture.
- That approach could lead to a real problem for municipalities without adequate water. Right now the purchase of agricultural water rights is one of the few options they have to obtain water.
- Adjudication needs to be explained well or a recommendation to adjudicate could cause a real uproar.
- Adjudication is not about taking water away, it’s about determining who has valid water rights.
- You can gather information on the 2500 water rights in the Chehalis Basin and the 8000 claims but without adjudication you can resolve the issues of who has a valid claim to use water and how senior is their right.
- We are not sure if the instream flows set in 1976 were set at the appropriate level for regulating water use.

Exempt Wells: Additional comparison of the effects of exempt wells on specific sub-basins has been added to this issue paper and the recommendations have been revised.

Agriculture: Work continues on this issue paper and it will be sent out with the packet for the September Partnership meeting.

Management Framework: A PowerPoint presentation was made on the “Management Framework” Issue Paper. Watershed Plan implementation must be coordinated across jurisdictions and this paper looks at different methods of organizing to make that coordination possible.

Measuring Success: Success can be measured at two different levels. You can measure success in terms of whether or not the elements of a plan are being implemented. You can also measure success by looking at the environmental effects of implementing the elements of the plan.

Conservation: The “Conservation” Issue Paper is still in draft form and the status and draft recommendations were reviewed.

The next meeting of the Chehalis Basin Partnership will be at 9:00 a.m. on Friday September 26, 2003, at the Lucky Eagle Casino.

DECISIONS:

- **The Partnership reached consensus on the appointment of Jim Haslet as vice-chair.**