

FINAL
Meeting Summary
WRIA 54 - Lower Spokane River Watershed
August 5, 2009

Location: Airway Heights Community Center, Airway Heights, WA.

Planning Unit members and guests in attendance / recorded on the sign-in sheet were:

Mike Hermanson, Spokane County	Sara Hunt, WA State Dept. of Ecology
Rob Lindsay, Spokane County	Charlie Kessler, Stevens County Conservation District
Lloyd Brewer, City of Spokane	Bryan St. Clair, City of Airway Heights
Hank Nelson, Avista	Charlie Peterson, Spokane County Conservation District
Bart Haggin, Lands Council	Craig Volosing, Landowner and Palisades Neighborhood
Courtney Harder, Lincoln County	Dick Price, Stevens PUD
Dave Jones, Spokane County Planning Commission	
Jeanne Barnes, Spokane Association of Realtors and Lake Spokane Park Homeowners Association	
Wes McCart, Stevens County Farm Bureau, Stevens County Water Conservancy Board and Landowner	

Call to Order

Mike Hermanson opened the meeting at 1:30 pm. Mike said the purpose of the meeting was to receive an update from Lloyd Brewer regarding the Spokane City Council's position on watershed plan approval, discuss any outstanding issues with regard to approval, call for 1st approval of the plan, and discuss the 2nd approval.

City of Spokane Approval Update

Lloyd reported that City of Spokane elected officials were not comfortable with the adjudication recommendation. Some thought that the recommendation might in fact trigger the adjudication and priority dates may be impacted. At this point the council has only authorized Lloyd to vote for approval of the plan with the adjudication recommendation removed.

Plan Approval

Mike said that the planning unit is at a point to vote for approval of the plan with obligation WRA-1 removed. Mike asked if every one is comfortable with directing Cynthia to remove obligation WRA-1 from the plan in all places it is referenced, and leaving the general discussion of adjudication found in the Water Rights Administration section.

Wes McCart said he was not comfortable with removing the adjudication recommendation. He said as a member of the farming community and someone who sits on a conservancy board he sees that the dead paper out there is a huge problem to moving water around and he believes adjudication needs to move forward. It is somewhat troublesome that one of the largest water right holders is holding up giving us certainty as to what water is out there to make water available to those that need it. He said that part of the problem is they (Spokane City Council) are hesitant because of some of the language they have heard from Department of Ecology regarding how they can use inchoate water rights in the future and until they get that clarified they are erring on the side of caution and he understands that. He added that in the end he does not believe they (City of Spokane) are going to lose and they are holding the process up for everyone else.

Bryan St. Clair asked Wes if he thought there were enough positive aspects of the plan to move forward. He said Airway Heights thinks there are a lot of good portions of the plan and they would like to see it move forward.

Rob Lindsay expressed disappointment that the adjudication recommendation is not included, but also recognize the concerns of the city especially as it relates to inchoate rights. He said he has consulted with the Board of County Commissioners and advised them that staff support the plan with or without the recommendation

because the legislature and Ecology have already shown indications that they intend to proceed whether it's in the WRIA 54 plan or not, and there is language that will remain in the plan that discusses the benefits of adjudication. There are other portions of the plan important to the county including rural water supply, instream flows, etc.

Mike clarified that the entire discussion of adjudication will remain in the plan. Just obligation WRA-1 will be removed.

We inquired as to what the WRIA 55/57 Watershed Plan said about adjudication. Rob Lindsay responded that very little language about adjudication was included in the plan. Others indicated that a recommendation for adjudication was included in the WRIA 59 Watershed Plan.

Sara Hunt said that just because a recommendation for adjudication is not included in the plan that does not prohibit Ecology from moving forward, though it would be a great statement of public support.

Craig Volosing said there are a couple of options we could consider to convey support for adjudication. One would be inviting the City of Spokane and Airway Heights to sign on to the plan with a signing statement indicating their hesitation with the adjudication recommendation or an addendum or foot note could be added to the plan that states here is a portion of the plan (adjudication recommendation) that all planning unit members supported except the City of Spokane and Airway Heights. Lloyd stated those options could be considered, but that he is only authorized to vote for approval if the adjudication recommendation is removed. He asked that we consider approving it without the adjudication because it is an important plan to move forward with and city staff is open to continuing the discussion during implementation.

Craig Volosing said it is disappointing that a recommendation that the planning unit feels is integral to water management is being removed.

We asked Sara to describe what Ecology has been directed to do at this point. He asked is it more of the pre adjudication work, and what are the boundaries they are considering for the adjudication?

Sara responded that the legislature appropriated almost \$600,000 which is not enough to initiate the process but allows for preparation work. Bart Hagen interjected with a question about whether a few recalcitrant jurisdictions can stop the adjudication process. Sara responded that they can not but they can impact the process through legislative appropriations for the process.

There was discussion regarding the status of the Idaho adjudication process and the inclusion of exempt wells in the adjudication.

Mike asked if there was any more discussion on the removal of WRA-1 from the plan. Rob made a motion to approve the watershed plan without the adjudication recommendation, and Bart seconded. Rob asked if anyone opposed the approval. No one opposed.

The group discussed getting a second approval. Mike explained that there is a provision in the operating procedures that allows a planning unit member to provide written notification, including email, indicating their vote to the lead agency prior to an upcoming meeting. Mike proposed to schedule a planning unit meeting on Monday August 10th, at 11 am in conference room 2B Spokane County Public Works building and planning unit members may send written notification prior to that meeting indicating their second vote for approval of the plan. The group agreed to the proposed meeting for second approval of the plan.

The meeting adjourned at 2:15 pm.