
Washington Water Watch

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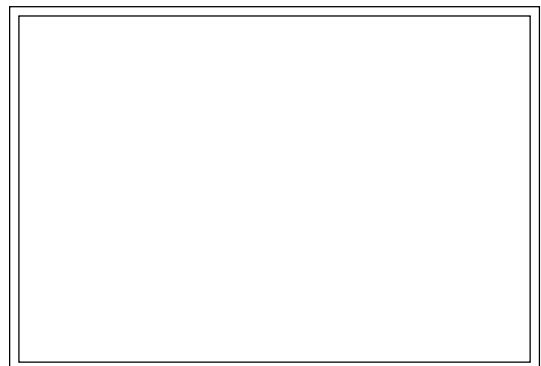
All That Glitters Is Not Gold by Emily Buck

In early November, the Department of Ecology issued twelve water rights to a proposed gold mine atop Buckhorn Mountain in Washington's Okanogan Valley. The open-pit, cyanide-leach gold mine is planned by Battle Mountain Gold (BMG), a multi-national corporation based in Texas. BMG's water rights will draw water from Toroda and Myers Creeks—basins which have been closed to new appropriations for several years due to insufficient instream flows for fish habitat needs. Okanogan Highlands Alliance, Washington Environmental Council, and the Center for Environmental Law & Policy, represented by Earthjustice Legal Defense Fund, have filed appeals of the twelve water rights.

Ecology admits that the gold mine will permanently alter instream flows and water available to senior water right holders, but has issued the rights based on BMG's promise to mitigate these impacts. The corporation's mitigation plan involves storing spring floodwater in one basin and pumping it four miles and 2,500 feet up the mountain into another reservoir. During mining, the water would be distributed to the headwaters of four creeks. In the reclamation phase of the plan, the water would be fed into the mine pit, then channeled by gravity to two permanently impaired creeks via half-mile long pipes drilled through the mountain. Pit water quality would exceed water quality standards for heavy metals, so BMG proposes to filter the polluted water through engineered wetlands.

At the same time that BMG received water rights totaling more than 12,000 gallons per minute, Ecology denied water rights to every other applicant in the watershed. Most sought water for small-scale irrigation and ranching purposes, requesting amounts ranging from 9 to 125 gpm. All denials were based on lack of available water and adverse impacts to stream flows.

BMG's water rights raise issues of statewide, and even
(please see p. 6)



Gaining Ground on Instream Water Rights

by Rachael Paschal

Abundant water figures highly in the image that most people have of Washington state. In reality, inadequate resources result in considerable conflict between instream and out-of-stream uses of water. The vagaries of snow pack, rainfall, and summer droughts often leave insufficient flow in rivers and streams, thus harming habitat for salmon other wildlife. Because of this, protection and enhancement of instream flows has become a major focus of water law and policy development throughout the state.

Instream flows are protected in Washington state through a variety of regulatory mechanisms. The state is divided, for water allocation purposes, into 62 administrative units, called water resource inventory areas (WRIAs). In twenty WRIAs, the state Department of Ecology has created Instream Resource Protection Programs and established regulatory instream flows or closed the basin to new appropriations.

Under the authority of the Minimum Flow Act of 1969 and the Water Resources Act of 1971, the state is obligated to maintain base flows in perennial rivers and streams for the purpose of protecting fish and wildlife, navigational, recreational and aesthetic uses, and water quality. Instream flows established by statute are recognized in the water code as a form of appropriation equal to off-stream water rights. These regulatory flows have a priority of the date of adoption of the rule, and are therefore junior in time to all previously issued water rights. Because of this, most streams' flow targets are not met many days out of the year. At the same time, the flows are senior to all water rights issued after the rulemaking date. When flow levels drop below those targets, rights junior to instream rights must be curtailed.

Where instream flows have not been set by rule, the state Department of Fish & Wildlife (WDFW) may make recommendations regarding maintenance of flows to protect fish populations. Typically, this occurs on a case-by-case basis as new water right applications are circulated to WDFW for review. Ecology maintains a log of surface water source limitations based on these recommendations.

Four principal legal means exist to establish rights to instream flow in Washington. First, the Northwest Indian tribes possess off-reservation instream flow water rights that are associated with their treaty fishing rights. These rights typically hold a priority date of time immemorial and may be quite large both in quantity and geographic scope. Usually, however, they have not been quantified, and non-Indian water development has disregarded tribal rights.

Second, public instream rights may be established through the public trust doctrine. The Washington Supreme Court has recognized the application of the public trust to the state's navigable waters, including freshwater lakes and streams. The public trust also protects such traditional instream uses as navigation, commerce and fishing, as well as more recent public interests in environmental protection and recreational and aesthetic use of surface waters. The regulatory instream flows established pursuant to the Minimum Instream Flow Act and the Water Resources Act of 1971 may be considered a form of public trusteeship. The public trust dates from statehood, but regulatory flows date only from the 1970s and 80s. The state has not explicitly pursued implementation of the public trust as a means to establish and protect instream flows.

The doctrine of riparianism, the original law governing Washington water allocation, provides a third legal basis to establish individual instream rights. Early case law and the 1917 Water Code substituted prior appropriation as the dominant water law, while grandfathering in pre-existing riparian rights on non-navigable streams. In 1985, the Supreme Court ruled that off-stream, consumptive riparian rights which had not been put to use by 1932 were forfeited. The court did not, however, address instream riparian rights, which still exist. Most commonly, these rights consist of stock watering and other small-scale water uses, but presumably could extend to longstanding environmental or aesthetic uses of a non-navigable stream. (*please see p. 10*)

Superior Court Rules on Statewide Water Issues

by Michele Osborne

On December 19, 1997, Judge Robert H. Alsdorf of the King County Superior Court affirmed the Pollution Control Hearings Board Statewide Order decision, finding that instream flows are to be protected from impairment by groundwater withdrawals. CELP has been actively involved in this case since its inception before the PCHB. We are now a party to each of the nine appeals of water right denials pending before Judge Alsdorf.

The ruling affirms the Department of Ecology's authority to use the best available scientific understanding to assess hydraulic connectivity of an application to a surface water. The Judge rejected appellants' contention that, in order to apply updated views of hydraulic continuity, Ecology needed to promulgate a new rule. Instead, he recognized that our laws do not prevent use of new scientific knowledge, stating firmly that "[n]o party has a vested right in ignorance."

The Judge also rejected the appellants' argument that only evidence of *measurable* impacts of ground water withdrawals on surface waters justify denial of an application. Appellants have complained that the effect of Ecology's understanding of hydraulic continuity would result in denial of applications with only "one molecule" of impact on stream flows. They suggested a standard of 5% impact should govern measurement of impairment of stream flows. (It would take only 20 of these applications to dewater a stream!) The Court instead found that *any* degree of impairment, even if only quantified by modeling, would justify denial of an application to protect senior rights, including stream flows.

The ruling applies and interprets existing law to protect stream flows. However, as an interim order, it is not a final disposition of appeals bound by its holdings. Appellants will determine how to continue to press their cases forward during a conference with the Judge in February. We expect to see this litigation continue for some time and through several additional levels of appellate procedure. However, in the months ahead, water right applicants and large water using interests will be seeking relief from existing law in the Legislature. We will keep you posted on their proposed changes to our water laws!



Abandonment Applies to Cities, Too

by Rachael Paschal

As public concern about overallocation of Washington's rivers grows, municipal water rights have come under closer scrutiny. Because of past overestimation of need on the part of public water suppliers and the state Department of Ecology, utilities possess water right documents conveying quantities above and beyond actual customer use. With new water rights becoming difficult to obtain, these old, "inflated" rights have become an increasingly valuable commodity.

In planning for predicted population increases, public water suppliers want to maximize the use of their existing rights. For example, many utilities wish to expand the place of use specified in their water right documents to coincide with urban expansion set during the state land use planning process. Utilities also seek to transfer water via interconnected pipelines, called "interties," to improve system reliability and to sell excess water elsewhere for a profit. However, a problem arises when analyzing the quantity of water available for transfer or expanded use. Washington courts have stated that the beneficial use requirement (i.e., a water right being quantified as the amount actually, historically used by the water right holder) restricts the quantity of water a user may transfer to new places of use or purposes. Two recent decisions, *Yakima Tieton Irrigation District v. Ecology* (1997) and *Ecology v. Grimes* (1993), deal with beneficial use and actual historical use as critical components for defining water rights.

For non-municipal water rights, unused quantities of water are subject to relinquishment pursuant to RCW 90.14. But the relinquishment statute contains exemptions, and one of them applies to water rights used for "municipal purposes." Thus, utilities own water rights which cannot be relinquished *or* transferred elsewhere. Against this backdrop, the Washington Supreme Court this month issued its decision in *Okanogan Wilderness League v. Town of Twisp* (Dec. 4, 1997). The decision holds the common law doctrine of abandonment may operate against municipal water rights, even given the exemption from statutory relinquishment.

Town of Twisp provides a case in point for analyzing the legal rules governing abandonment. Twisp held a 1912 claim to surface water that was tentatively confirmed by the state in 1930. Twisp stopped diverting under that right sometime between 1939 and 1948, and switched its public supply to two wells for which it did not seek water rights until the late 1960s. The old surface diversion works, washed out by flooding, were not rebuilt. When asked to identify other water rights in its ground water applications, Twisp officials failed to note this surface water right.

In 1993, when Twisp sought a new water right, Ecology's search of the records uncovered the 1912 claim. The Methow River basin, in which Twisp is located, is essentially closed to new water rights. Ecology therefore encouraged the town to submit a change application, under RCW 90.03.380, to transfer the old surface claim to a ground water right, then approved this request. The community-based Okanogan Wilderness League (OWL) appealed, arguing that revival of the claim would harm both instream flows in the salmon-bearing Methow River and post-1912 water rights belonging to OWL's members. (*see next page*)

Washington courts had not yet addressed the issue of loss of water rights for nonuse. This case gave the Court an opportunity to clarify legal presumptions as well as to distinguish between statutory relinquishment and common law abandonment. (*See Water Words, p. 8*). Abandonment requires evidence of intent to forego the right. Nonuse of water alone is not enough, but long periods of nonuse (45 or more years in this case!) can raise a rebuttable presumption of intent to abandon, shifting the burden to the water user to demonstrate otherwise.

The Court found clear evidence of intent, and decreed abandonment. It rejected Twisp's argument that the statutory relinquishment exemption for municipal purposes had eliminated common law abandonment. The Court also rejected the state's argument that the town's decision to switch its water supply to illegal wells in the 1930s was evidence of non-abandonment of the surface water right.

It is uncertain whether many municipal water rights in Washington could present as clear a case of abandonment as *Town of Twisp*. In explaining its reasoning, however, the Court made statements that have larger implications for municipal water rights; the validity of a change to an existing water right will depend upon actual, beneficial use of that right. *Town of Twisp* therefore supports the rule that rights which have not been used may not be transferred. This rule is reinforced by the Court's disparagement of the practice of retaining unused water rights for speculative purposes.



Utilities that retain unperfected paper rights (*see p. 8*) may wonder whether their rights may expand to meet future growth. While a more intensive use of water within a utility's service area is legal, attempts to alter the place of use would likely fail. The transfer statute, RCW 90.03.380, is designed to prevent enlargement of existing rights to protect other water users and the public interest from impairment. As with many aspects of western water law, the rule potentially has constitutional dimensions.

Fortunately, the *Twisp* decision was issued during a time when utilities and other stakeholders were sitting down to facilitated negotiations in an attempt to hammer out legislative solutions for municipal water rights issues. Those negotiations will continue through 1998. The *Twisp* decision opens up new possibilities for answering perennially bothersome questions.

All That Glitters, continued

national, interest. First is the question of hydraulic continuity, or ground-surface water interaction. Recent developments in state law have established strict standards for evaluation impacts of ground water pumping on instream flows. This case pushes the envelope in demanding full protection of ecological functions, including flood plains, wetlands, and riparian zones.

Second is the question of mitigation, a new concept in the water allocation process. The “no impairment” dictates of the water code would seem to require that new water rights may not impair the quantity or quality of water to fulfill other rights and the public interest. But Ecology has no standards by which to judge BMG’s proposal, or any other mitigation plan. In addition to these appeals, OHA, WEC and CELP have filed suit in Thurston County Superior Court, challenging Ecology’s failure to establish objective standards before approving the BMG mitigation plan.

Last but not least is an issue of national relevance. Can state water code requirements (e.g., no impairment of senior rights and the public interest) stop the development of a federal mining claim? All of the federal and state agencies involved with this case appear to believe they are powerless to halt the mine. At issue is whether the four tests for a water right—availability, beneficial use, protection of senior rights and the public interest—may operate as an independent control on the project.

The Pollution Control Hearings Board will begin hearing the cases on April 27, 1997. CELP and its co-appellants are making sure that recent guidelines regarding hydraulic continuity in the State-wide Order decision (see story on page 3) are taken into account in the upcoming decision. Updated news will follow in future issues of *Washington WaterWatch*.

More Methow News

The Methow Valley Citizens Council has won another round in its 20 year battle to halt unsuitable development of a large parcel of land in the upper Methow. The Arrowleaf resort, a condominium/golf course project, is the latest scheme proposed for the property, the site of the defunct Early Winters ski resort (see *WWW*, Issue 3, Autumn 1997). To obtain water, Arrowleaf wants to revive several old irrigation rights – with the effect of reducing surface water flows in the already-stressed Methow River and tributaries. MVCC challenged Arrowleaf’s environmental impact statement for failure to fully assess the harm to water resources, both in terms of quantity and quality degradation. Chelan County Judge Carol Wardell agreed with MVCC, reversing the county commissioners’ approval and sending the project back for additional environmental review.

The significance of the ruling, in addition to the win for MVCC, is its implicit call for standards to govern environmental review of water supply proposals. Water rights decisions are often exempt from the environmental evaluation required by the State Environmental Policy Act (SEPA). Even when SEPA applies, the state typically does not

(please see p. 10)

Our current conservation champion is the Issaquah Highlands Grand Ridge housing development. Highlands developer Port Blakely Communities hired CH2M Hill to create a conservation plan for the housing project. The plan, required by the City of Issaquah in exchange for issuance of the water right, demonstrates a healthier approach to balancing human activity and natural resources in an area which is experiencing explosive development.

The project's landscape conservation standards are based on xeriscape principles -- "quality landscaping that conserves water and protects the environment." The seven key design elements are 1) thoughtful space planning and design, 2) soil analysis and amendments, 3) reduction of lawn areas, 4) appropriate plant selection, 5) efficient irrigation, 6) mulching, and 7) appropriate maintenance.

Recognizing that water supply is limited, the Issaquah Highlands plan requires strict adherence to water conservation limits, and sets conservative yet realistic standards for water consumption. Single-family residences need not submit any special documentation as long as they irrigate lawns and gardens of less than 2,000 square feet and use only drip or manual irrigation. All other irrigation requires a special permit. Multi-family residences and commercial owners must submit water budgets (which establish the amount of water available to each site) and certificates of landscape and irrigation design and installation.

Possibly the most effective elements of the conservation plan are reduced lawn area and use of drought-tolerant landscaping, the ideal situation being yards that do not need watering. Enforcement is voluntary, with cost-savings being the biggest incentive. Residents are also encouraged to plant during the fall, to use organic, slow-release fertilizers and water-absorbing polymers in the soil, and to plant drought-tolerant, deep-rooted grass species. The plan's simple yet revolutionary provisions include installation of automatic rain shut-off devices and separate valves to irrigate plants with different watering needs.

Issaquah Highlands will serve as an example to future housing development projects. Innovative plans such as this increase the desirability of new homes by intertwining the notions of natural beauty, economy, and sustainability. The merits of the Issaquah Highlands conservation plan should be viewed not as an exception, but as a new and necessary standard that future development must achieve.

Late-breaking news from Olympia...

Senate Concurrent Resolution 8424, introduced on January 19, 1998, declares the year 1998 to be "The Year of the River."

Let's hold them to it.

Water Words

relinquishment

According to RCW 90.14, a water right may be forfeited when the water has not been used for five or more consecutive years, except in cases such as drought or water unavailability, military service, legal proceedings, or federal laws imposing water use restrictions. Certain uses are exempt from statutory relinquishment, for example municipal supply. Relinquishment is similar to

abandonment.

A common law term describing an intentional failure to use a water right, signaled by several years of non-use or other circumstances. Relinquished and abandoned rights revert back to the state; the water may be reallocated to instream flows or to a new applicant. (*see p. 4*)

perfected right

The actual, non-wasteful use of permitted water for beneficial purposes. (*see p. 5*)

Farewell, Emily!

Our friend and colleague, Emily Buck, has left the Center to join the Peace Corps. She will be working on conservation projects in Mali, West Africa, for the next two years. We will miss her creative energy and hard work, and we wish her the best of luck.

Upcoming Events

January 12: Washington State Legislature 60-day session began. It's shaping up to be a hot year for water!

January 22: presentation by CELP and Seattle Public Utilities at Seafirst Art Gallery, 11:00 to 1:30. Contact Peggy Weiss 206-585-3200. (Exhibit runs through February 20.)

January 24: Sierra Club Pacific NW Salmon Recovery Workshop, noon-5:30. Two main topics: U.S./Canada fishing war, and dams and salmon. Contact Jennifer Hickey 206-546-9504.

January 28-29: EPA/NSF Partnership for Environmental Research Water and Watersheds Program Review Meeting. Alumni Center - OSU, Corvallis, Oregon.

January 30: Forum on Accounting for Uncertainty and Risk in Salmon Harvest Management, 9-5. OB-2 Building Auditorium, 1115 Washington Street S.E., on State Capitol grounds in Olympia. Contact Washington Trout 425-788-1167.

February: Draft EISs out for Cedar River HCP and for Trendwest Resort Plan (see article on Trendwest in *Washington WaterWatch* Autumn 1997)

February 4: 7th Annual Citizen Lobby Day, Olympia. Contact Pam Johnson 206-382-7007.

May 1-3: Washington 4-H Natural Resources Family Fun Weekend at Panhandle Lake. Contact Craig Fenske 360-676-6736.

Instream Flow Protection

book review by Jan Naragon

During a conversation with a friend back east, I mentioned reading *Instream Flow Protection: Seeking a Balance in Western Water Use* (Island Press, 1997). She, an avid reader of nonfiction, drew a blank on what she deemed such a tiny topic. If there is one thing that *Instream Flow Protection* conveys, it is the enormity of this “tiny” topic.

Authors David M. Gillilan and Thomas C. Brown suggest that lay readers as well as members of the conservation law profession can benefit from the book. As a water rights neophyte with no legal expertise, I concur. The book is far more compelling testimony to the effectiveness of political checks and balances than any high-school civics lecture.

The book outlines the history of water rights law in the United States, the issues on both sides, and the tools and methods used historically and currently by state and federal agencies. A helpful dictionary of water law terms is included. Perhaps the book may best serve as a reference, but the authors’ tone makes prior appropriation, non-reserved rights, and numerous court decisions approachable, if not fascinating.

The authors present the many facets of water quality and quantity in an objective manner, in hopes that the reader will form his or her own opinion. They allow for the “givens,” that dams are a fact of life and that agricultural concerns must be considered along with the needs of fish. Yet the authors also state clearly what needs to be done. The book is a war chest on points of vulnerability with which to achieve the step-by-step change that will make instream flows an everyday priority.

After reading more sensational, mainstream books on the West’s water troubles, I was pleased to find the authors optimistic for the future of conflicting multiple uses. It was rewarding to track the escalating importance of non-consumptive values of resources since the late 1980s. I enjoyed the success stories featuring some of my favorite places, such as the Rio Chama in New Mexico.

Of interest to Washingtonians is the chronicling of Indian reserved water rights on the Wind River Reservation in Wyoming, and whether or not they are convertible to instream flow. Adjudication proceedings begun in the 1970s produced disagreement about whether the reserved right must be used for agriculture, even though most irrigable acres were undeveloped. A district court decision allowed the allocation of this unused portion as instream flow. A recent appeal before the Wyoming Supreme Court reversed that decision, illustrating a lack of momentum toward tribal and instream needs, even amidst changing public opinion.

The book’s up-to-date reporting on legislative and judicial trends suggests that the first text revision will occur after months rather than years. The content provokes more questions: What is the process for adding species to the Endangered Species list? What does a water right document look like? What methods are being developed to conserve water on irrigated land? What can the average reader do? Although the authors cite socioeconomic change rather than overpopulation as the primary driver of water resource problems, *Instream Flow Protection* delivers a healthy dose of tradeoffs that burgeoning numbers of urban dwellers will have to accept or reject. Browse the bibliography, choose your favorite sub-topic, and start writing letters!

Gaining Ground, continued

Finally, existing water users may voluntarily transfer off-stream rights to instream flows via the state trust water right statutes. Trust water rights retain the priority date of the original right, and are held and managed by the Department of Ecology. The trust statutes are intended to encourage conservation and efficiency improvements in water delivery and application, making the resultant water savings available for transfers to other purposes. To date, no trust water rights have been fully created, although several applications are pending.

What are the technical requirements for obtaining an instream right? Individuals seeking instream rights for a specific beneficial use, for example fish propagation, file an application with the state Department of Ecology in the same manner as for consumptive water rights. And investigation of the proposed use requires findings of water availability, beneficial use (including water duty) and no impairment of senior rights and the public interest.

Tribal treaty instream flow rights are quantified through tribal law, water rights negotiations and settlements, and/or the general stream adjudication process. It is unclear whether the Department of Ecology is the only non-tribal entity which can hold a public instream water right in Washington. To date, no such rights have been issued to private parties or other agencies. Determination of instream flow requirements is accomplished via biologically-based flow quantification methods, including Instream Flow Incremental Methodology (IFIM) and “seven day low-flow” analysis.

Several issues related to instream flows are potential sources of conflict. Chief among them is the question of hydraulic continuity, i.e., the relationship of ground water pumping to instream flows. A recent appellate case, *Hubbard v. Ecology*, established a stringent standard for determining impairment of instream flows, and is the subject of debate in legislative and administrative circles.

The National Marine Fisheries Service has listed several salmon and trout species as threatened or endangered under the Endangered Species Act. Critical habitat for these species necessarily involves protection of instream flows, and this issue has been elevated to cabinet level discussion with state government, in hopes of avoiding federal intervention.

Water quality is a problem throughout the state, and flow requirements—including “total maximum daily loading” of non-point source pollutants to meet instream flow requirements or temperature impairment—are an upcoming issue. Flow assumptions are also an important component of the point source permitting process under the Clean Water Act, and pollutant load allocations may be on a collision course with water right permitting for off-stream uses.

The notion of “first in time, first in right” no longer holds as much water in Washington. The protection and enhancement of instream flows is a perennial issue that has upset traditional water allocation priorities. The conflict between human water demand and the state’s magnificent environmental resources will continue to preoccupy policy makers, Indian tribes, water industries and the public for years to come.

More Methow News, continued

require project proponents to describe water supply in detail. When SEPA doesn’t apply, it is anybody’s guess what harm will result from a given water allocation proposal. Meaningful public review of the water rights process is virtually non-existent. *MVCC v. Okanogan County* illustrates the effect of increased judicial scrutiny when Ecology and other authorities fail to fully assess the impacts of their decisions on Washington’s rivers and aquifers. (R. Paschal)

Board Expands!

The Center is pleased to have added two noteworthy individuals to its Board of Directors.

John Arum is an attorney who has been an environmental mover and shaker for fifteen years. He attended law school at the University of Washington, where he first made the acquaintance of Rachael Paschal. In his professional life, he has represented Indian tribes on natural resource issues, and he has worked with public interest groups on matters such as water quality and timber. His work on *Okanogan Wilderness League v. Town of Twisp* and *OWL v. Merrill* dovetailed with the Center's own. An avid sea kayaker, backcountry skier, and mountaineer, Mr. Arum's whole life centers on a profound connection with the natural world. Says he, "My life is intimately tied to water!"

Fran Wood, a Philadelphia native, first became addicted to the Northwest during the 1950s as he pursued his medical internship. "Largely retired" from teaching endocrinology at the University of Washington, Mr. Wood is an active high-lake fly fisherman and birder, with a history of effective involvement in the Washington Fly Fishing Club and the Audobon Society. His environmental teeth were cut on issues surrounding the pesticide and fertilizer pollution of Chesapeake Bay, issues not unlike the Center's. As a Board member, his main interest is in attracting broad-based community support in the Center's conservation and education missions. His advice: "Choose your battle! Stick to a few related environmental issues and work for true change."

Welcome and thank you, John and Fran!

about this publication

Washington WaterWatch is the newsletter of the Center for Environmental Law & Policy

To become a member, or to make a tax deductible donation, contact the Center at
1165 Eastlake Avenue East
Suite 400
Seattle, WA 98109
phone: 206-223-8454, fax:206-223-8464
celp@wolfenet.com

The Center is a non-profit membership organization dedicated to preserving Washington's aquatic ecosystems. Through monitoring, education, litigation, policy studies and advocacy, the Center works toward its vision of sustainable human water use in balance with healthy rivers and aquifers.

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Thank you to the following new or renewed members. We greatly appreciate your support!

John Arum, Jovana & Bill Brown, Barbara & Jim Buck, Benella Caminiti, Holly Coccoli, Bruce Dahlstrom, Tom Deschner, Wick Dufford, Polly Dyer, W.H. Edelman III, Jane Eiseman, Phelps Freeborn, Harrison Grathwohl, Debra Howard, Peter Jenkins, Anne Johnson, Liz Lathrop, Sheila Lynch, Kyme McGaw, Jessica McNamara, Joe Mentor, Jr., Lloyd Moody, Grant Parker & Molly Galusha, Greg Poremba, Kimberley Priestley, Nancy Rust, Linda Clark & Tim Stearns, Gary Wilburn, Fran & Bunny Wood.

Kudos to the wonderful volunteers who have donated dozens of hours to the Center in the past few months. Mike Rossotto is working on a position paper addressed to the Washington Department of Fish and Wildlife. Lisa Lombardi is writing several documents relating to the fledgling Washington Water Trust. Stephanie Gacek has been an enormous help, organizing resources and updating case digests.

The Center is pleased to announce receipt of three grants in the past few months, from the Harder Foundation for our public trust litigation project, from the General Service Foundation for water rights monitoring, and from the Washington State Council of the Federation of Fly Fishers for our monitoring project. Our heartfelt thanks go out to our members and funders. Without their support, our achievements would be impossible.

Center for Environmental
Law & Policy
1165 Eastlake Ave. E., #400
Seattle, WA 98019

