



CLEAN, FLOWING WATERS FOR WASHINGTON

The Center for Environmental Law & Policy

Washington WATERWATCH

Washington WaterWatch
The official newsletter of the Center for Environmental Law & Policy

Spring, 2003 Number 19

www.celp.org

How does water fit in your wallet?

By Dr. Julie Gustanski

The future of Washington's fresh water supply isn't crystal clear. But our growing population, changing environment, and mounting water pollution problems make it all but certain water will become more difficult to come by in the future.

As the debate over water and its uses grows, a new idea is circulating: water should be considered an economic good. The International Conference on Water and Environment (held in Dublin, Ireland in 1992), concluded that water has an economic value in all its competing uses and should be recognized as an "economic good."

Typically, when a resource becomes scarce or demand for it rises, so does the price of the resource. But so far, water has been different. While the fact that water is a valuable resource is accepted by most, the price of water (and who should pay for it) is a matter of debate.

How much is water worth? How does water's value relate to its cost? And who should pay to have it?

Growth and Consumption

Washington's population is currently pegged at about 6 million and by 2020, projections say another 1.5 million people will live in the state. 25% of Washington's watersheds are already over-appropriated - that is, unable to supply existing water rights and also support fish and water quality standards in those basins. In addition to household, industrial, and agricultural water consumption, there are other human economic activities that affect water supply.

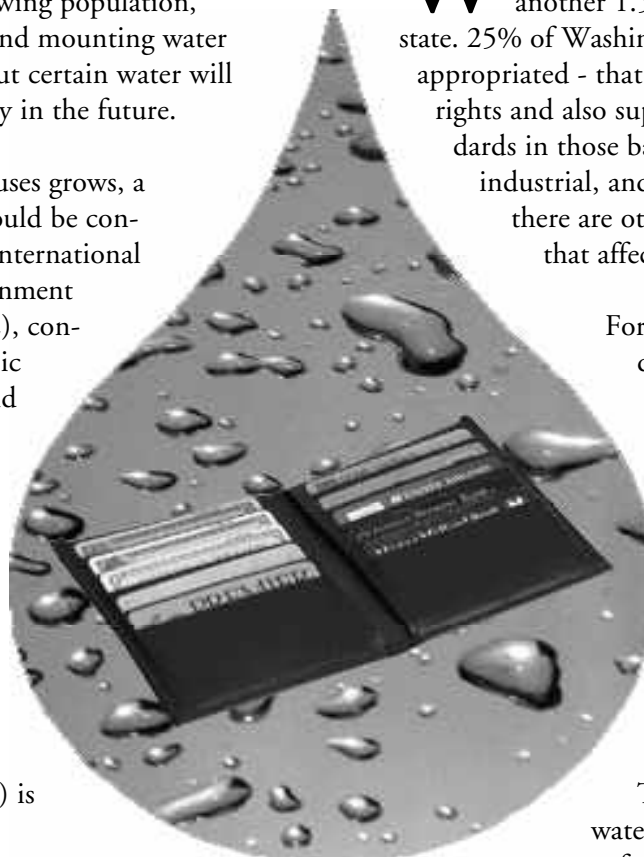
For example, excessive logging can reduce water supply by lowering water retention in watersheds. The use of fossil fuels contributes to climate change, and therefore changes in precipitation and water availability. Dam construction has affected the geographical distribution of water, and pollution has reduced our available supply of clean water.

The unequal distribution of fresh water also impacts our resources. While parts of the Olympic Peninsula and Cascade mountains receive up to 10 feet of rain a year, much of Eastern Washington receives less than 30 inches a year. And on both sides of the state, rainfall is lowest during the summer, when demand for water is at its highest. Tucson, Arizona receives more summer rainfall than does Seattle.

Uncounted Costs

While population growth, increased consumption, and pollution are visible sources of our water supply problems, a complex collection

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Notes from CELP Executive Director, Karen Allston



It seems that people are experiencing major “money awareness” these days. This issue of WaterWatch follows the trend of “money awareness” and explores the economics of water.

It happens to be a time of economic instability, high unemployment rates, and dwindling incomes. While the federal government is spending billions of dollars on wars in Afghanistan and Iraq, water suppliers across the nation are spending millions of dollars to “secure” drinking water and protect it from the threat of contamination by terrorists.

Closer to home, our State’s Legislature is grappling with \$2.4 billion deficit. Inevitably, that deficit will impact the Department of Ecology’s ability to fulfill its mandate to preserve and protect the waters of our state so that future generations can continue to enjoy them. Ecology staff positions may be cut, or programs may be limited or eliminated altogether.

That wouldn’t exactly be great news. Ecology’s abysmal record when it comes to enforcement (in great part due to political antics by the Legislature) is well documented in our March 2002 report, [Dereliction of Duty](#). Ecology spends very little of its budget to enforce the laws that exist to protect our water, and although it occasionally issues fines for violations of the Water Code, it generally fails to collect those fines.

Although the Governor proposed a bill last fall that would have imposed a water use fee in order to generate a stable revenue stream to support Ecology’s water management duties, that bill was quickly taken off the table due to political pressure. CELP supports the notion of everyone paying a nominal water use fee to help pay for better state water management. It is common sense that people appreciate and take better care of something when they pay for it.

As explained by a guest writer (Julie Gustanski, LLM,

PhD) on page 1, getting to the place where we all value water to point of being more efficient in our uses of it will require a “paradigm shift.” As she concludes, it won’t be long before “free water” is as rare as a “free lunch.”

If we take steps now to take better care of one of our most precious natural resources - water - we will leave a legacy of clean, flowing water for future generations to enjoy, rather than a bankruptcy those generations can ill afford.

Water’s Value Impacts Washington

The economics of water are affecting developments throughout Washington state. In southern Puget Sound, the sale of the Tumwater Brewery, owned the Miller Company, will cost the region jobs and tax revenue. But perhaps if our state used public resources like water a little differently, Miller’s water rights could be put to use in a way that would benefit the local community. Read “It’s the water (and potentially a lot of money)” on page 8 to find out more about this idea.

East of the Cascades, Ecology recently issued 7 permits for water from the Columbia River for agricultural irrigation without making sure flows established by the National Marine Fisheries Service would be met during droughts. Rather than requiring “bucket-for-bucket” mitigation for these new water diversions, the permits rely on a mitigation scheme that allows the new permit holders to pay only \$10 per acre foot per year for this water.

Ecology will spend this money to purchase replacement water in low flow years (if they can afford the high prices), or to fund other unspecified fish habitat improvements. The permit holders have publicly exclaimed this to be a bargain. And it is, considering that

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CELP members defend Columbia River

It's not every day you make a prediction and hope it doesn't come true. But last year, CELP reported that the Washington Department of Ecology would likely permit massive withdrawals of water from the mainstem of the Columbia River - despite the fact that the river already lacks sufficient water for endangered fish to spawn, migrate, and flourish.

As predicted, late in 2002, Ecology issued new water rights for 178 cubic feet per second (80,000 gallons per minute) of water to the Quad Cities (Kennewick, Pasco, Richland and West Richland). The cities (population under 200,000) contend they need the water for regional growth. It must be major growth, because the new rights are nearly equivalent to all of the water used by the 1.2 million water customers of Seattle and 21 surrounding utilities!

Speculation and Waste

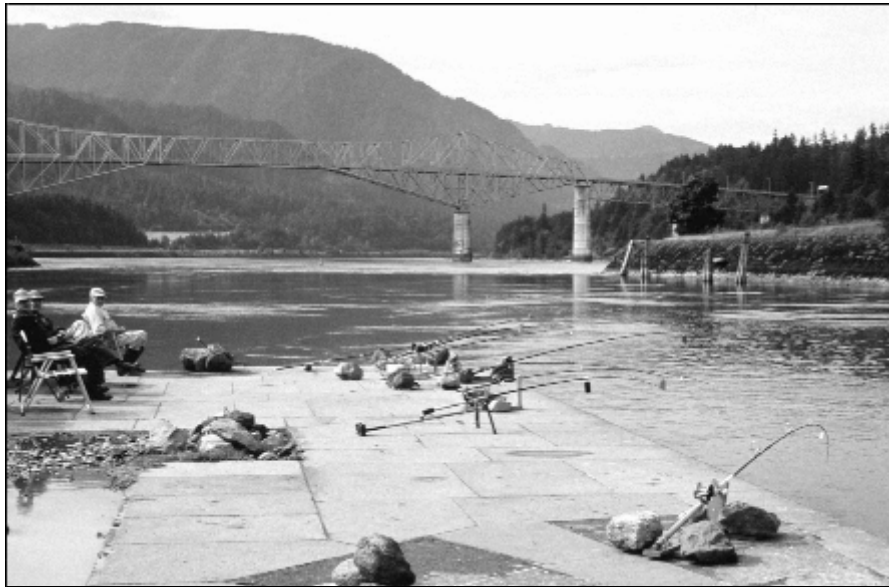
Records obtained from the Quad Cities indicate that existing rights already provide more than enough water to serve the cities' needs now and into the future - especially if reasonable conservation measures were employed. CELP believes that awarding this huge amount of new water the Quad Cities on the basis of a speculative need encourages waste of a precious public resource.

To make matters worse, Ecology also issued 6 more uninterruptible water rights totaling over 140 cfs from the main stem Columbia. The six different parties receiving this water included irrigation districts and a large agribusiness. In order to have a constant right to divert their new water, even in times of severe drought, the six were allowed to pay Ecology \$10 per acre foot per year - an economically unsupported, unprecedented and environmentally risky provision that does nothing to mitigate for the adverse impacts of depleting the river.

State law requires Ecology to ensure that Washington's rivers retain adequate flows to support fisheries and other environmental values. CELP believes Ecology's recent permit decisions are legally unsound, have harmful statewide policy implications, and undermine the public interest in clean, flowing waters in our rivers.

CELP Takes Action

In December 2002, CELP appealed the Quad Cities decision to the Pollution Control Hearings Board (PCHB). In addition, tribes who have fished the Co-



*Another hard day of fishing on the Columbia River
(photo courtesy of NOAA photo library)*

lumbia River and its tributaries for hundreds of years - and whose water rights date from time immemorial - appealed five of the six "\$10 per acre foot" water permits. Oral arguments on preliminary issues in CELP's Quad Cities appeal took place before the PCHB on April 22, 2003. A decision on those issues is expected by late May.

CELP's legal opponents (the Department of Ecology and the Quad Cities) have challenged CELP's right to bring the appeal. They contend that CELP and its members do not have a legally sufficient stake in the issue of whether Ecology followed the law in processing and issuing the water right.

Members Respond

To help us fight this challenge, we asked members to tell us why they care about what happens to the Columbia River and its flows. Thank you to all who responded! Here are just a few excerpts from what our members, had to say:

"We have very little rainfall here in Pasco - at around 6 and 1/2 inches a year its climate borders on arid and semi-arid. Because of my concern for the environment, I landscape my property with low water use, mostly na-

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CELP members defend Columbia River - *continued from previous page*

tive plants. However, Pasco city officials have forced my neighbors and me to remove part of our landscaping, the planting strip. We were required to change our drip irrigation to sprinkler irrigation and plant turf grass. City officials were so extreme in their views that even a small circle of mulch around trees in the strip had to be removed and grass planted in the formerly mulched area. The issuance of a new water permit allowing a huge increase in the water use of the Quad Cities is outrageous to me, given the disdain city officials have demonstrated for water conservation.” *Pasco*

“As a boy I visited Celilo Falls fishing sites and observed the “Indians” fishing from their platforms. The river was powerful, exciting, spectacular. Now the river is a series of boring ponds. I hope in my life to see the river restored. At least, I hope to see the salmon runs I witnessed growing up restored.” *Olympia*

“We enjoy various activities along the Columbia Gorge – rock-hounding and bird watching. We love to get in the gorge to see the change from west to east, or hike the side canyons. Lewis County PUD buys all its power from the Bonneville Power Administration and I am concerned about how reduced flows in the Columbia might affect my utility rates.” *Chehalis*

“I am a fourth generation Washingtonian and have a strong spiritual and cultural affinity for the Columbia River. Both of my parents, now gone, described to me what the river looked like before the dams were constructed, and I have a strong wish for the river to be restored in any way possible toward something closer to what it was then – with clean and flowing waters and healthy runs of fish.” *Seattle*

“I have an interest in keeping the Columbia as clean, flowing, and pristine as possible for my recreational use. I am also concerned that my utility rates may increase if reduced flows in the Columbia impact the ability of the Columbia hydropower system to generate electricity. I

live in the Los Angeles area, and electricity generated by the Columbia hydro-power system connects to my local utility through the Pacific inter-tie.” *S. Pasadena, CA*

“I appreciate the Columbia Basin as a truly unique environment – no other river basin in the world has been created by the unusual set of circumstances that has been responsible for the Columbia System. My aesthetic appreciation of the environment has been adversely impacted by heavy water use and diversions from the river’s flow. I believe that diminished instream flow will continue to injure the waters and fish that have brought me pleasure over the years....” *Tacoma*“



Celilo Falls on the Columbia River, circa 1890
(photo courtesy of Oregon Public Library)

“I have a disability and am reliant on passive and therapeutic recreation afforded me by my proximity to the Columbia River. At least weekly I walk along trails on the north side of the river for therapeutic exercise and observation of plants and wildlife. I especially enjoy visiting fish ladders and rearing ponds for fish at some of the dams and hatcheries. For the whole of my life I’ve drawn inspiration and sustenance from this river...I am concerned about the devastating effects

on shoreside natural communities and human settlements from low water levels, particularly given the circumstances of reduced winter snowpacks in the mountains and a generally warming climate.” *Vancouver*

“My husband and I have paddled and sailed our canoe on many parts of the Columbia. We have been absorbed by the wonders of the Lewis and Clark expedition and shared them with our children along its banks. The beautifully rugged surroundings, the play of light on the water – the feeling that however tamed the Columbia is, there are still aspects of wildness and power left.” *Bainbridge Island*

Learn More

To stay current with developments on the Columbia River, visit www.celp.org and sign up on CELP’s email action list.

How does water fit in your wallet? - continued from page 1

of market, institutional, and policy failures lies at the heart of our water crisis. These failures keep the private cost of water low, and make waste, inefficiency and over-use of water economically feasible - at the cost of healthy rivers and streams.

Market Failures

Market failures occur when the market (or society) fails to make a polluter pay for costs generated by their polluting activity. If a company or individual is not required to compensate the downstream victims (ecosystem, species, or human) for pollution damages, the costs of the polluting activity are lower than they would be otherwise, making it easier to pollute.

Washington State's lax enforcement of pollution laws is an example of such market failure. Nearly half (46%) of the penalties that the Department of Ecology assessed for violations of pollution standards between July 1997 and May 2001 have gone uncollected - more than 2 million dollars that could be in state coffers.

Although some penalties remain uncollected because they have been appealed (23) or the company filed for bankruptcy (3), data from Ecology's fiscal office indicates that this accounts for a minor percentage of the uncollected penalties. Compounding the problem, penalties collected for water pollution or illegal water use are deposited into the state's general fund, rather than being dedicated toward environmental protection.



In one sense, the "value" of water is quite high, in that life itself depends on it. But in another sense, water's "value" is quite low, in that its price is quite low.

Institutional Failures

Institutional failures occur when public institutions fail to assign and enforce clear use rights over resources, thus discouraging the consideration of water depletion costs (the cost of using water today in terms of reduced use tomorrow or into the future).

Here again, Washington State's water laws and policies fail to adequately protect rivers, streams, lakes and aquifers, because the costs of water depletion are not a factor in many water allocation decisions. Less than one-third of Washington's watersheds (18 out of 62) have a minimum streamflow rule in place. In the past 16 years, the Department of Ecology has approved over 2000 water rights and set only one minimum stream flow by rule.

Water rights are issued on a first-come, first-served basis in Washington, so people with older water permits get water before those with more recent permits. Because minimum streamflows are regarded as water rights, many water rights pre-date minimum flow rules, and minimum flow targets often go unmet.

Policy Failure

The final type of failure that artificially lowers the cost of water is policy failure. When a government's water policies fail to let the price of water reflect the true cost of its provision, it causes excessive water use. Water is a fundamental human need, so the price of water is typically set artificially low so that everyone, rich or poor, can afford it. But the price of water is so low in Washington, people tend to use more - often wastefully.

Most users pay only for the cost of the pipes and pumps necessary to bring water to their homes or businesses. The water itself is free. As a result, even though supplies of unallocated water have dwindled, there is little economic incentive to improve efficiency. Nor have legal requirements filled the gap.

Washington's laws merely require planning or consideration of conservation - not actual efficient use of water. Because the Department of Ecology and Department of Health have no specific requirements or standards to measuring conservation success, Washington wastes millions of gallons (and millions of dollars) developing new water sources, putting more strain on our rivers and streams.

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How does water fit in your wallet? - *continued from previous page*

In order to rethink and reassess the value of water for long-term sustainability, we must address this vast pool of failures; change our water laws, regulations, and enforcement; and raise public awareness of our water crisis.

Water: A Social and Economic Good

In one sense, the “value” of water can be said to be quite high, in that life itself depends on it. But in another sense, water’s “value” is quite low, in that its cost to individual users is quite low.

How do we as individuals and as a society value water? Is water only as valuable as the monthly or quarterly amount we pay on our water bills? Or is it worth more than that? What of the host of social and environmental services that come with water, but for which there are no traditional markets?

Fresh water resources can be viewed simply as an input into the economic production process, or more broadly as a renewable resource in terms of its own internal logic of equilibrium and regeneration.

Under some approaches to resource management, these two perspectives are compatible, but in others they clash. For example, should government regulations that manage water resources be based on improving ecological diversity or on maximum economic yield?

No Cost=Resource Degradation

Because the consumption, use, and pollution of water in Washington is a low cost endeavor, the actual social and ecological cost of excessive water use is not apparent. The result has been large scale overconsumption and rampant pollution of water resources, despite the far-reaching problems that have resulted – from environmental contamination to urban sprawl, and

the depletion and degradation of forests, fisheries, and farmland.

As long as the prices of goods and services provided by our water do not reflect the actual costs of their production, sustainable water use will remain out of reach in Washington. Ultimately, of course, if our water resources are used beyond what they can sustain, they will collapse and be unavailable for anyone to utilize, let alone for fish, forests or wildlife.

If we are to sustainably manage state water resources, we must integrate our economic, social and ecological goals toward that end. Debates about growth are not really about protecting the environment versus growing our economy.

Our economy only exists and grows because of our environmental resources. Economic goals must therefore be compatible with environmental needs.



Fish, wildlife, plants and trees can't buy water - as the cost of water increases, how will we ensure fish and wildlife have the water they need to live?

Reversing The Flow

To address the economic causes of our water crisis, we must develop systems for valuing and pricing water based on ecological economics that promote water conservation. Promoting efficiency through market mechanisms makes sense for many reasons:

Social: The complexities presented by consumption, economic development, pollution, and the unequal distribution of fresh water resources presents a host of implications that extend to the future. Efficient water use looks after the interests of future generations.

Environmental: Conventional thinking about water conservation has changed due to greater awareness of habitat protection. For example, dams were once viewed as a

way to conserve water because water flowing out to sea was viewed as a wasted resource. We have since learned that healthy stream flows are essential for fisheries. Now, some areas are giving consideration to and actually removing dams to allow rivers to flow freely.

Economic: For a business to make more money, it either increases prices or cuts costs. Water efficiency cuts costs, because efficiency is an alternative resource for supplying new water needs. Efficiency measures that cost less than new water supply projects can serve new water needs at a lower cost to the ratepayers. Efficiency can also bring certainty to long-term water supply planning.

Legal: Endangered Species Act listings of salmon and other fish runs are forcing Washington and other Northwest states to re-examine their management of water resources. Hydroelectric generation, water supply dams, and groundwater withdrawals all affect salmon.

Summary

Fundamentally, ecological economics is about making the cost of water reflect the actual social and environmental costs of using it. By including these costs in the price of water, household, industrial, and agricultural water consumers will make more sustainable choices in resource consumption that promote efficient water use.

Changing how we use water will require a paradigm shift – not unlike that which took us from incinerating solid waste to recycling it. Accurate information on the costs of inefficient water use helps people understand the true cost of water - and use it more efficiently.

We are no more likely to find free water than we are to find a “free lunch.” All decisions we make with respect to water will impose costs. The decisions we make today determine, among other things, whether we pay for water now or make our children pay later. This is the model we have inherited - yet, clearly there is no reason for us to continue to embrace a system when we are all too painfully aware it does not work!

The threats that face our water resources not only affect Washington’s wildlife, but also agriculture, towns and cities, economic growth, and recreation. It is imperative we find a way to value our water resources in such a way that we preserve and restore our rivers and streams for future growth, a healthy environment, and a thriving economy.

Learn More

[Investing in America’s Water Infrastructure](http://www.epa.gov/water/speeches/041503tm.html)
<http://www.epa.gov/water/speeches/041503tm.html>

[Reflections on the Price of Water](http://www.mentorlaw.com/AWRAJan01.PDF)

by Joe Mentor, Jr., Mentor Law Group, PLLC
<http://www.mentorlaw.com/AWRAJan01.PDF> (pg. 2)

About the Author

Dr. Julie Ann Gustanski, LLM, AICP is an economist, planner, and policy analyst specializing in land use and natural resource issues. She is co-founder of Resource Dimensions, a firm of networked associates specializing in the integration of economic, social, environmental, and policy information in the analysis, and crafting of solutions to land use, social and natural resource problems.

Washington WaterWatch is published by The Center for Environmental Law & Policy. Our mission is to protect and restore the natural integrity and enjoyment of Washington’s waters. Through agency oversight, policy research, litigation and education, we serve as a voice for the public interest.

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Editor: Aaron Keating
Printed by: Swifty Printing

The opinions expressed by contributors to WaterWatch are not necessarily the official views of CELP.

It's the water (and potentially a lot of money)

The decision by Miller Brewing Company to sell the Tumwater Brewery will have an impact on the area's economy. Not only will 400 jobs at the brewery itself disappear, but local companies and suppliers who once had Miller as a client will have to find a way to replace the business Miller once brought them. Local supplies of water, on the other hand, could rebound.

Large Water Rights

According to state Department of Ecology records, the brewery has water rights for at least 6.56 million gallons per day (7,344 acre-feet) of water from nine commercial and industrial wells in the Tumwater Valley. (An acre-foot is the amount of water required to cover one acre of land with water one foot deep.) The brewery also has two irrigation water rights and one irrigation-industrial water right.

That makes Miller one of the largest water right holders in southern Puget Sound. Given that Miller's water rights could also be on the market along with the brewery and land, it also raises questions about how the Department of Ecology will handle the water. Water is legally defined as a public resource in Washington State (it belongs to all of us), and in this case, the water will no longer be in use by the water right-holder.

Where Will The Water Go?

So, will Ecology allow the transfer or sale of some or all of the water rights to other parties? Or since the water is no longer being used, will the water be returned to local rivers, streams and aquifers?

The potential sale of the rights highlights issues around how Washington values and prices its water. Although the price of water (like the value of other economic goods) changes according to market demand and available supply, there is no open "water market" in Washington State.

Water rights holders can only sell, transfer, or change the use of their water rights with Department of Ecology approval. The actual price of a water right is influenced as much by policy and legal decisions (such as the ability to transfer the use off-site or change the use of the water) as it is by supply and demand.

Water Prices Vary

On the Columbia River, farmers have gotten uninterrupted water rights by paying as little as \$10 per acre foot for it to Ecology. At that price, the value of the Miller rights would be around \$73,000.

But along the Walla Walla River, Ecology once paid \$665 per acre foot in order to return water to the river that had previously been diverted for irrigation.

At that rate, Miller's water could be worth over \$4.8 million. (By comparison, the 98 acres of land in Tumwater that Miller owns is assessed at \$6.84 million.) In Oregon, efforts to calculate the value of water rights going on the market have generated prices ranging from \$100 to \$1,153 per acre-foot.

Of course, it might be cheaper for a buyer to simply wait for the water right to be abandoned, and then apply for a new water right with Ecology. But getting a new water right can take years, and it may not always be possible to wait.

For example, the City of Lacey (just 6 miles from Tumwater) is currently proposing a plan to tap more water sources by 2008 – and through 2022 – to meet growth projections. Planners predict peak water use in the city could reach 25 million gallons during the next two decades, nearly double the current usage.

Management Alternatives

Increasing demand and shrinking supply in the South Sound will continue to put pressure on water resources. But challenges are also opportunities, and in this case, Washington could think big. Perhaps it shouldn't be too easy for Miller to sell its water rights to the highest bidder.

For example, what if the state leased water rights, instead of essentially giving them away? The income to the state could provide a stable revenue stream for improved leak detection, conservation technology, and public education about wise water use. Leasing such a large water right could fetch money for the state to be used for job retraining, education, or other public services.

Another alternative: if the water the brewery once used is no longer needed, perhaps the water right simply be put back in streams to support fish and wildlife habitat or improve water quality. Improvements to fish and wildlife habitat could promote fishing or tourism in the area, generating economic revenue for the community. And improvements to water quality from increased streamflows would be good for the entire region.

Learn More

The Olympian: <http://www.theolympian.com/home/specialsections/TumwaterBrewery/>

Volunteers bring time and talent to CELP

CELP's crew of volunteers has more than tripled in the past few months. Thanks to the efforts of the individuals on these pages (and others profiled in the Winter 2002 issue of *WaterWatch*), we're developing new projects and keeping on track to reach our goals for 2003! Our heartfelt thanks go out to each and every volunteer who is helping leave a legacy of clean, flowing water in Washington's rivers and streams for future generations!



Michael Ash is helping CELP stay on top of developing water news by doing weekly media research, focusing on news outlets in Eastern Washington. He brings a wealth of public service and research experience to CELP, having worked in local government, education, and non-profit management.



Madeline Chaney is coordinating Public Disclosure Requests to all Water Conservancy Boards, and then files and analyzes WCB decisions as they are received. Madeline is new to the Seattle area, and she has extensive policy research abilities developed while working as an environmental planner for almost twenty years.



Melissa Hornbein is developing media packets and organizing CELP's library of media, law and other resources. Melissa brings skills honed through work for the Rocky Mountain National Park and the Massachusetts National Guard Environmental Protection Office. She is an aspiring law student with environmental experience in spades!



Natalie Jones is researching groundwater management issues in the Yakima area. She has a strong interest in water policy issues, public education and outreach, and water resource protection. She is graduating this May from the University of Puget Sound with an English major and Spanish minor.



Brahm Khalili is a local photographer who is helping CELP scan photos, slides, and negatives for use online and in documents, as well as create a database for easy lookup and use of the images. A local photographer, Brahm volunteers at CELP because he "just wanted to help out in my community".



Collin McKean keeps CELP on top of developing water news by doing weekly media research, focusing on news outlets in Western Washington. He volunteers for CELP while attending Seattle University Law School, where he is particularly interested in studying energy and natural resource law. He anticipates attending Lewis & Clark School of Law this fall.



Laurie Pollack helping Shirley Nixon, CELP's Staff Attorney, in litigation involving a huge water right for the Quad-Cities. She has an interest in environmental law and is presently enrolled in a paralegal certificate program. A dedicated and professional volunteer, Laurie has worked previously as a corporate librarian in an environmental engineering firm, and holds a degree in library and information science.

Heather Wood has spent the past three years performing policy research and analysis, and is at present putting that experience toward CELP's water use fee paper. She has a strong interest in environmental policy as it relates to conservation, land use and natural resource management. Heather holds a master of urban planning degree from McGill University in Montreal, and has worked as a senior policy advisor in the Canadian Environmental Conservation Service.

You can help put clean, flowing water in Washington's rivers and streams. Find out more: www.celp.org/volunteer.html

Director's Notes - *continued from page 2*

in the past Ecology has had to spend over \$600 per acre foot to buy instream water rights through its Trust Water Right Program.

Ecology has also issued a permit to the Quad-Cities for a massive new water right from the Columbia River. CELP has responded by appealing the permit to the Pollution Control Hearings Board. More news about developments in the Quad-Cities case can be found on page 3.

Columbia River Initiative

As spring arrives, the Governor's Columbia River Initiative is well underway. The state finalized a contract with the National Research Council (NRC) to determine what flow levels are necessary in the Columbia River to support recovery of the 12 ESA-listed fish species that call the river home.

A panel of NRC scientists is convened, and after holding two public meetings, has now gone into closed session to get to work analyzing necessary flow levels. It will also consider what level of mitigation will be necessary, presuming (as the state does) that more water will be withdrawn from the Columbia River in the next 20 years. We anticipate the NRC's final report will be made public in March 2004.

The first public meeting was held in early February 2003. CELP was asked to present its views to the panel of scientists who will be conducting this study. With help from American Rivers, we prepared testimony and a long bibliography of resources for the panel to consider. We urged the panel to answer a fundamental question: Can the river's salmon populations and water quality levels afford more water withdrawals? The next question this study must answer, in our opinion, is whether water withdrawals can be mitigated at all.

The Department of Ecology presented the NRC panel of scientists with four "management scenarios" for consideration as they look at the vast body of existing flow and fish information pertaining to the mighty Columbia. These management scenarios assume that more withdrawals will occur and that they can be mitigated.

These scenarios contemplate that over the next 20 years, up to 1.6 million acre feet of water will be diverted out of the Columbia River. The scenarios propose various levels of mitigation, including none, (i.e., there's really plenty of water available), to Ecology collecting \$10,

\$20, or \$30 an acre foot per year for all new water permitted to be withdrawn during critical summer months (i.e., we need to spend some money to either buy water or do some habitat restoration to help out the fish).

Although conservation really should be our state's first resource for extending water supplies (rather than taking more water from rivers and streams), Ecology appears to see conservation as a last resort. The scenarios state that "an aggressive conservation policy would be instituted" only as an extreme measure. This idea is currently being discussed with irrigators, but not with the environmental community.

Ecology Limits Comments

This newsletter isn't long enough to go into all of the reasons why Ecology's management scenarios don't pass the straight-face test. Unfortunately, despite knowing these scenarios would be developed as early as October 2002, when Ecology signed the contract with the NRC, Ecology provided roughly a week for CELP to review these scenarios.

Although we had virtually no ability to influence the final scenarios, CELP provided some initial comments to Ecology and the NRC panel, and we are confident that the scientists will bring their expertise to bear and cut through what appears to be Ecology's attempted political manipulation.

The draft of these scenarios CELP received contemplated that Ecology would engage in a public process to establish a flow regime for the Columbia prior to the completion of the NRC study. We will be keeping a close eye on Ecology and pressure it to put politics aside and follow through with its commitment to allow the NRC report to provide a scientific basis for Columbia River flows.

In mid-April, Ecology provided a draft of a scope of work for an economic review of "the value of water various mainstem uses" that will "inform water allocation and management decisions." CELP will provide comments on this scope of work and attempt to shape this project into a credible analysis of the value of leaving water instream as well as potential out-of-stream uses.

Stay tuned...



Thanks for your support of clean, flowing water for Washington!

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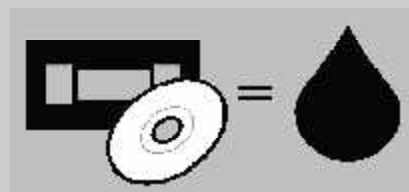
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Spring Cleaning? Save the good stuff!

We're holding our first ever rummage sale to benefit CELP!

We need donations of goods for resale and volunteers to help organize the event.

Email Aaron Keating at info@celp.org for more information.

Mark the date!

Sunday June 29th, from 8am to 4pm, in the parking lot adjacent to our office. (Located in Wallingford at the corner of N. 45th Street and Sunnyside Avenue.)



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