DATE: March 8, 2004
TIME: 2:30

COMMISSIONERS PRESENT: Bruce Coe, Max Golladay and Perry Huston

THOSE PRESENT: Allison Kimball, David Taylor and Catherine Dunn

OTHERS PRESENT:

ATTACHMENTS: 1. Agenda
2. Proposed Potable Water Policy
3. Letter from Environmental Health to developers
4. Email from Jim Hurson to David Taylor re: Exempt wells

TOPICS: 1. Legislative Issues
2. Policy for Potable Water Supply for Subdivisions
3. BOCC Issues/Concerns

DISCUSSION: 1. David Taylor presented an email from Kathleen Collins regarding the trust water bill. He feels that this is the only water bill that will pass.

Bruce Coe said that as he sees this as a way that municipalities could bank water. He said that there was only a small section which talks to water banking in the Yakima River.

Perry Huston said that this bill came from talks with WA ST DOE to streamline water banking. They had talked about ways to bank water but there are no ways to take water out.

Taylor said that a new section says that trust water rights used for in-stream flows cannot be relocated.

Coe said that the city (Cle Elum?) is trying to see about water banking as an alternative to relinquishment.
Huston said that the fear is that once the water is in the banking system, if you don’t have a good enough reason, you won’t be able to get it out. Taylor added unless it is put in the bank for a temporary time.

Taylor said that there was one section that he didn’t understand, “...department is authorized to use a previously unappropriated water right...” Coe said that the buzz around the Upper County is that the USFS has acquired land from Plum Creek with water rights that they don’t know what to do with. Taylor said that court cases in Nevada (Hedges) have stated that private users on Federal land have the water rights not the Federal Government.

Taylor said that the Water Policy Alliance has agreed with the addition of $500,000 for DOE’s budget.

Max Golladay brought up the Attorney General’s opinion on Sen Honeyford’s request about withdrawing from watershed planning. Huston said that the opinion cannot be about Kittitas County as they hadn’t withdrawn. Golladay said that the meeting on the 11th might bring some clarification.

2. David Taylor presented the proposed policy. He said that John Wolpers letter to developers says what the Board has been talking about. What is needed, he said, is something for the face of the plat. What is needed is a combination of what we have and Benton County’s disclaimer. Perry Huston said that he thought the Board could come up with a disclaimer that would cover the county. There is no right answer, he said, but he thought the county should be consistent with all divisions. The exempt segregation form has a disclaimer that shows no review of water, access or buildability. Taylor said that staff would make the changes for the March 16, 2004 agenda.

3. Taylor warned that Board that they may get a call from John Rankin who is disturbed by his neighbors pole barn
garage. He had met with Rankin and Byron Thomas another neighbor that morning and tried to convince them that this permitted use would not require a public hearing.

Perry Huston brought up the Salmon Recovery meeting Tuesday at 9:00 AM at the PUD conference building.

Bruce Coe said that Rob Omans, ABO, was interested in integrated software. Taylor said that he was sending Omans along with Allison Kimball and Catherine Dunn to the software demonstration in Pasco on March 17. He said that MountainStar was somewhat interested in funding this software, too.

Coe also mentioned the April 15th meeting of the League of Women Voters meeting with Board members and department heads to ask questions of them on process and other questions. Coe would be attending the meeting also.

**ACTIONS:**

1. Taylor was directed to keep the Board informed in this last week of the legislature.
2. Taylor was directed to bring the policy before the Board at their next agenda session as part of the continued public hearing.
3. Taylor was directed to go to the Salmon Recovery meeting. He was also directed to attend the League of Women Voters meeting.