



CLEAN, FLOWING WATERS FOR WASHINGTON

The Center for
Environmental Law & Policy

CELP 2001 Annual Report



Late last year, I had a conversation with a friend who is a longtime owner of property near Bear Creek, in what used to be rural Redmond. He was bemoaning the loss of fish in the streams around his property, which, in his youth, had teemed with hundreds of salmon each summer. We agreed that the extra large homes with huge water-guzzling green lawns had helped to greatly diminish the amount of water and

thus the number of fish in the streams around his property. At the same time, however, he was critical of all *those* environmentalists “who tell us how to use our property.”

Even with the best of intentions, it is difficult for most of us to know what an individual can actually do, beyond individual water conservation efforts, to help protect our rivers, aquifers and streams from overuse. Additionally, it is often hard to put environmental public interest ahead of financial self-interest. When it comes to protecting water, a public resource, it is also critical to have strong laws and strong enforcement of those laws.

My friend's position convinced me even more of the need for education about how our behavior affects the environment, as well as enforcement of environmental laws meant to protect our resources. Without education, people are unaware of their impact, and may be resentful of laws that tell them what they can and can't do with their property. Without enforcement, there will always be those for whom education, and the call for responsible stewardship, isn't enough to protect our resources.

To address these twin goals, in 2001 CELP made plans to hire an outreach coordinator, and we began work on a publication about the need for enforcement of water laws in Washington.

With our dedicated staff and Board and a strong membership base, CELP continues its work to strengthen laws that protect instream flows, to make sure that the laws governing water use are rigorously enforced and to encourage conservation of this precious public resource. (CELP's accomplishments for the past year are listed on the following page.)

Future challenges are many. Most Washingtonians are charged only a minimal set fee or no fee at all for unlimited water use. Studies and experience show that when water use is metered and people are charged for the amount of water used, water use drops, limiting the need for new sources of water. There are those people who continue to use water illegally. They are stealing from all of us. The laws against illegal use are in place, the next step is for lawmakers to demonstrate the political will to enforce them. Legislators also need to make certain that any changes to the present water code take into account the importance of adequate water flow and healthy watersheds.

Washington's rivers, streams and aquifers face many problems, from low flows to impaired water quality.

CELP works to protect and restore the natural integrity and enjoyment of these waters. Through agency oversight, policy research, litigation and education, CELP serves as a voice for the public interest.

Earlier I noted that it is difficult for most of us to know what an individual can actually do, beyond individual conservation efforts, to help protect flows in our rivers and

streams. Rest assured that your support of CELP does just that by insuring that we can educate the public about the need for sustainable water use, and work to enforce environmental water laws. Thank you for your continued support.

(See “2001 Accomplishments,” inside ☞)

- Due to CELP's efforts, the **City of Kent left approximately four cubic feet per second in Rock Creek during the very dry late summer months of 2001, allowing threatened Puget Sound Chinook salmon to return for the first time in approximately 15 years.** In years past, the City of Kent and Covington Water District withdrawals combined almost completely dewatered the lower portion of Rock Creek (a tributary of the Cedar River) during the fall Chinook spawning season. The Kent City Council also passed a resolution in 2001 to develop a Habitat Conservation Plan for Rock Creek.
- CELP filed a suit against two water conservancy boards for their failure to follow public disclosure laws.** Despite repeated requests, these boards refused to provide CELP with verifiable public documents such as records of decision and meeting

minutes. Water conservancy boards are independent units of local government that make water rights transfer and change decisions impacting all water users - including irrigators, fishers, kayakers, hikers and any person who enjoys a flowing river.

- As a result of ongoing negotiations and relationships in the basin, Walla Walla irrigators returned **additional flows to the Walla Walla River:** 18 cubic feet per second (cfs) at the Nursery Bridge and Gardena Farms diversions. They have committed to increase that amount to 25cfs beginning in 2002. The City of Walla Walla has contributed additional flows of 10 cfs to Yellowhawk Creek, a major tributary of the Walla Walla River. A basin-wide Habitat Conservation Plan is proposed and many stakeholders are participating in the negotiations, including CELP.
- The Battle Mountain Gold Company finally abandoned its plans for an open pit cyanide-leach**

FOUNDATION SUPPORT

Bullitt Foundation
Environmental Support Center
Hugh & Jane Ferguson Foundation
Flintridge Foundation
General Service Foundation
Harder Foundation
Kongsgaard-Goldman Foundation
Mountaineers Foundation
NW Fund for the Environment
Overton & Katherine
Dennis Fund
The Russell Family Foundation
Seattle Foundation

CORPORATE SUPPORT

Bank of America
Microsoft Corporation
Patagonia
Safeco Insurance Companies

GROUPS

FFF - NW Steelhead Committee
Hood Canal Environmental
Council
Clark-Skamania Fly Fishers
Methow Valley Citizens Council
Metropolitan Democratic Club
The Mountaineers
Northwest Women Flyfishers
Paddle Trails Canoe Club
South Sound Fly Fishers
Washington Fly Fishers Club
WaterWatch of Oregon

INDIVIDUAL SUPPORT

Thank you for supporting CELP in 2001!



Watershed Level

(\$1000+)
Anonymous
Benella Caminiti
Betsy Dennis & Jane Eiseman
Julie Gerrard
Eric Rehm & Mary Geary
Nancy & Richard Rust
Neal Sheldon
Francis & Thelma Wood
Vim Wright & Estella Leopold

Aquifer Level

(\$500-999)
Jack Christiansen
Barbara Doat & Barbara Floyd
Eric Froines & Susan Warwick
Roger Lowe
Joe Mentor
Bob Seana
Roger van Gelder

River Level (\$250-499)

Robert Caldwell &
Susan McIntosh
Stanley Carlson
Audrey Haberman &
Marge McGinty
Dwight Holobaugh

Doreen Johnson
David & Frances Korten
Rod Malcom

Stream Members

(\$100-249)
Ann & Knut Aagaard
Karen Allston
Melissa S. Arias
Pete Baird
Bill & Patricia Barmettler
Jim Brennan
Gardner and Victoria Brown
Jovana & Bill Brown
Mary & Brent Brune
Marcie Burkel
Ed Chadd
Mary Helen Clarke
Deb Crespin & Lois Harris
Dianne D'Alessandro
Brewster & Patricia Denny
Earl & Tena Doan
Polly Dyer
Gerald Eller & Tara Adams
Joan Foley
Alix Foster
Thomas Fox
Hilary Franz &
Edward Mahlum

Roland Franz
Elizabeth Fries &
Darren Van Pelt
Kitty Gillespie
Elizabeth Gould
Harrison Grathwohl
Bruce M. Hall
William Harper
Bruce & Debra Howard
Eric & Virginia Hoyte
Anne Johnson
Phil Katzen
William R. Kincheloe Jr.
Kyle Kovalik
Vince Larson
Lloyd Moody
John C. Narver
Lucy Reid
Dana Roberts &
Carol Anne Modena
Gayle Rothrock
Esther Rousso
Doug & Judy Schaad
Jeff Schuster
Joanne & James Smith
Louise Stonington
Joan Thomas
Audrey Watson
Tim Weaver

gold mine in Okanogan County. In 2000, CELP and other environmental groups won a challenge to Battle Mountain Gold's water quality permits



before the Pollution Control Hearings Board. Saying the Crown Jewel project was no longer economically feasible, Newmont Mining Corp. withdrew from a decade-long effort said to cost more than \$80 million in prospecting, permitting and legal fees.

- During the 2001 legislative session, CELP worked collaboratively with both houses of the legislature and the governor **to substantially change the water conservancy board statute** in the Governor's water bill, HB 1832. The bill clarified that water conservancy boards are subject to public disclosure laws, and more accountable to the public.

- With help from Conservation Impact, the CELP Board and staff devised a comprehensive strategic plan **to guide the Center's focus and efforts, with input from stakeholders, environmental groups, members and colleagues.**
- CELP volunteers **created a comprehensive database of Washington's watersheds** listing flow, water quality, out-of-stream and instream uses and hydrographic data for each water body. We are working on bibliographies for each water resource inventory area, so that someone conducting research on a given water body can easily find this information.
- CELP co-hosted a legislative water conference** with the Washington Environmental Council and other environmental groups, to prepare a Shared Water Vision for the 2002 legislative session. CELP also was an active participant in the Governor's legislative water conference, where we represented the environmental community and presented our Shared Vision.

Thank you for supporting CELP in 2001!

Charles Wilkinson
Stan Young

Creek Level (\$50- 99)

Anonymous
John Adams
Jack B. Albrecht
Ginny Allemann & Gerry Howe
Robert T Anderson
Brian Bales
Rachel Bard
Reed Benson
Alan & Sarah Black
Russell W. Busch
Judith K. Bush
Paul Carkeek
Betsy Case
Dr. Hugh Clark
Holly Coccoli
Joan Crooks
Leslie R. & Christopher M. David
Don Davidson
Ron Dion
Colleen Dunham
Harrison Dunning
Deborah Dwyer
James Dyjak
Frederick Ellis
David Getches
Craighton Goeppele
Hugh & Beverly Jennings
Douglas L. & Janette A. Jonas
Jerry Jones

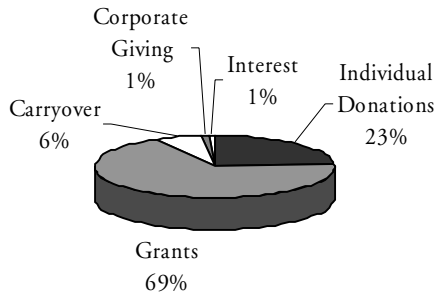
Charles D. Judy
Cindy Lantry
Liz Lathrop
Dick Levinthal MD
Frank Lill
James & Janis McRoberts
Ed Melvin
Cynthia Nelson
Meg Nelson
Lois North
Gordon H. & Elizabeth Orians
Kelly O'Rourke
Ted & Patricia Pearson
Chris Pitre & Sheryl Wilhelm
Guillemette Regan
Joanne Richter
David H. Round
David Rudo
Carl Samuelson
Esther Schurter
Jamestown S'Klallam Tribe
Brenda Senturia
Mac Shelton & Frauke Rynd
Robert & Rachel Smith
Elsie Sorgenfrei
Diana & Chuck Sparks
Kjell & Marilyn Stoknes
Patricia Sumption
Pat Svoboda
Mary Swanson & Peter Murray
Gary & Catheryn Towle
Gary Wilburn
Norman Wooldridge

Memberships

Mary Ann & David J. Anderson
David Baumchen
Ronald J. Beck
Jennifer Belcher
Lee Bernheisel
Joyce Bloch
Stina Booth
Robert & Patricia Campbell
Carla Carlson
Greg Caron
Chris Carrel
Carol Coker
Sheila Crofut
Jerry D'Addio
Ben Dennis
Tom & Laura Deschner
Richard & Lynn DuBey
Carolyn Edmonds
Phill Fisher
John Foster
Jeremy Freimund
Diana Gale
Jennifer Gotanda
Elsa Gruber
Sharon & Thomas Haensly
Richard Hildreth
Judith Johnson
John Karpinski
Richard Kennon
Colette Kostelec
Barbara Kowalski

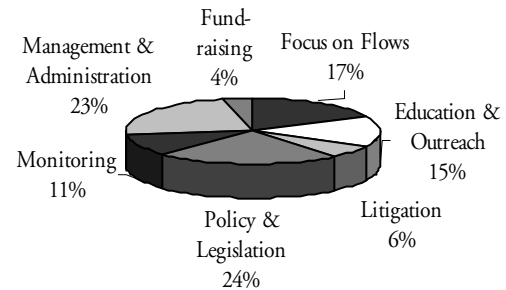
Jenny A Kowalski
Therese Kunzi-Clark
Michael Laurie
Mike Layton
Daniel Lichtenwald
Mary & Mike Lilga
Kelli Linville
Victor & Natalie Magistrale
Rob & Sarah Masonis
William H. Matchett
Gary Minton
Michael & Hilary Moran
Jo Morgan
Jan Naragon
Bob Nelson
David Ortman
Kathleen Patton
Ruth Peterson
Todd Peterson
Fidalgo Fly Fishers
Mary Randlett
Bill Redman
Liz & Paul Ritzenthaler
William H. Rodgers Jr.
Charles & Marilyn Roe
Barbara Shelton
Denise D. Smith
Richard Smith
Wade & Shirley Vaughn
Eugene Weimerskirch
Lucy Werner
Yolanka Wolff
Nancy Wright
Margaret Yeoman

2001 Income Sources



Grants:	\$213,190
Individual Contributions:	\$ 72,738
Carryover:	\$ 20,050
Interest:	\$ 2,651
Corporate Giving:	\$ 2,402
Total:	\$311,031

2001 Expenditures



Focus on Flows:	\$49,594
Education & Outreach:	\$43,088
Public Trust Litigation:	\$18,427
Policy & Legislation:	\$67,388
Water Rights Monitoring:	\$30,810
Management & Admin.:	\$64,825
Fundraising:	\$10,680
Total:	\$284,812

2001 Accomplishments, continued...

- ◆ In 2001, CELP's work received significant attention in the press. We have become much more sophisticated in using our media strategy to influence public opinion and shape public policy. Many thanks to the staff at Environmental Media Services for their assistance!
- ◆ CELP has a new logo, and our newsletter and materials have a new, more professional look that better reflects our mission. The newsletter is also easier to read, with more diverse articles using everyday language to appeal to a broader cross section of members. Graphic designer Dak Elliot spent considerable time and energy working with staff and Board members to create the new logo, stationery, and educational materials for CELP.
- ◆ CELP staff made presentations on water quantity issues to the League of Women Voters, local Audubon chapters, continuing legal education workshops, Ecology employee workshops, Sierra Club local chapters, college classes, local watershed groups concerned about the waters flowing through their neighborhoods, and citizens interested in water law. Individuals and groups often seek us out for advice or assistance in protesting the issuance of new water rights, and we are happy to work with them.

CELP Board of Directors

Melissa Sparks Arias	Kyle Kovalik
Benella Caminiti	Nancy Rust
Betsy Dennis	Timothy Stearns
Joan Foley	Roger van Gelder
Craighton Goepppe	Francis Wood
Greg Hicks	

CELP Staff

Karen Allston, *Executive Director*
 Kristie Carevich, *Associate Attorney*
 Ali Erskine, *Program Assistant*
 Aaron Keating, *Outreach Director*
 Jill Sheldon, *Deputy Director*

CELP Volunteers

Stephanie Ayers	Kristine Kenneagh
Barbara Doat	Cindy Lantry
Gerald Eller	Duncan McIntosh
Barbara Floyd	Taavi McMahon
Julie Gerrard	Sean Russell
Keith Goyden	Mike Schmidt
John Kaiser	Alex Sienkiewicz