

Enviro group seeks clarity on watering issue

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COLUMBIA BASIN — The Spokane-based Center for Environmental Law & Policy (CELP) is asking the state Department of Ecology to make a formal stance on its position regarding stockwatering uses.

The issue recently came to the forefront because Easterday Ranches in Franklin County is trying to build a 30,000-head feedlot near Eltopia.

The operation is expected to use between 3 million to 5 million gallons of water daily during the dry season, according to a Dec. 4 letter written to state dairy, irrigation, potato, hay, biofuel and cattle groups by DOE Director Jay Manning.

The operation wants to rely on a stockwater exemption in state law to include water uses in addition to drinking — including cattle care.

The DOE wants to help the Easterdays to find an additional water right to care for the cattle, which drew a firestorm of responses from industry groups.

Some have said they fear they'll be put out of business with the DOE's apparent interpretation of the law.

The group asked the DOE to withdraw an earlier letter written in November.

On Friday, the issue's most recent development, CELP's request, presented another matter to work through.

The state agency wasn't sure how it was going to respond to CELP's petition filed Thursday, said Keith Stoffel, a Spokane-based water resources program manager for DOE. Stoffel said DOE's upper management would consult with its attorneys in the state Attorney General's Office to learn its options.

A CELP representative wasn't available for comment. Stoffel said CELP wants a more formal statement on DOE's stance.

Stoffel said the DOE's most recent letter doesn't supersede the DOE's November letter. Both letters still stand and Manning's letter confirmed what was in the first letter, Stoffel said.

CELP and Five Corners Family Farmers, an Eltopia group of dry land wheat farmers, supported Ecology's first letter.

Pat Boss, a spokesperson for the Cattle Producers of Washington and the Columbia-Snake Rivers Irrigators Association, said the two groups appreciate Manning's recognition that livestock operations are important and the DOE wants to work and address the issue.

But questions remain, Boss pointed out.

"We're not clear on what Ecology wants to do concerning the situation," he said. "We haven't seen any specific proposals that show us a revised definition of stockwatering."

Boss said he was hoping meetings could take place with DOE officials, legislators and affected groups before session starts.

Boss said that starting a rule making process would be far more reasonable than to change the law during the Legislative session.

Rule making is a public procedure that happens when there's a disagreement about the interpretation of a law.

The law is further clarified and time is allowed for public comment.

Boss said session starts in less than a month and questioned if it was possible to find bill backers so quickly.

He also suggested having a study group examine the issue for a year.

Only allowing water to be used solely for drinking is not reasonable, he claimed.

Washing, misting and other uses regarding animal care should be included in the definition, Boss added.

The issue could have a economic ripple effect in the Moses Lake and Othello areas, he explained.

Many of the ethanol companies send distilled grain to feedlots and cows eat potato byproducts, Boss said.

Products are bought from food processors to feed cattle.

"We need these types of operations for income, taxes and jobs," he said.