

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
THURSDAY, APRIL 10, 2003**

THURSDAY, APRIL 10, 2003:

10:00 a.m. – 10:30 a.m. Consideration and Possible Signature – Interim Memorandum of Agreement for Skagit River Basin Water Rights

The Skagit County Board of Commissioners met in special session on Thursday, April 10, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

Chal Martin, Public Works Director, explained that the purpose of the special session is to approve an Interim Memorandum of Agreement (MOA) between the City of Anacortes, Public Utility District No. 1 of Skagit County, Skagit County, the Sauk-Suiattle Indian Tribe, the Upper Skagit Indian Tribe, the Swinomish Indian Tribal Community, and the Washington Department of Ecology that would authorize continued negotiations, a procedural lawsuit and stay for the Skagit River Basin Rural Water Rights. The MOA was tentatively agreed to by the signatory agencies at the conclusion of a negotiating session on Tuesday, April 8, 2003.

The agreement retains all of the County's procedural and substantive appeal rights related to Ecology's Skagit Instream Flow Rule, while authorizing continued negotiations to arrive at a solution which will avoid litigation and allow continued exempt well use, if that use is mitigated.

Commissioner Anderson thanked Doreen Maloney of the Upper Skagit Indian Tribe as she brought a positive focus to the negotiations. He also thanked all the parties that attended numerous meetings, including Chairman Dahlstedt who acted as the County's representative, as well as Commissioner Munks for time spent at evening meetings.

Commissioner Munks stated that the whole process has been exasperating. He feels the language in the agreement still needs to be worked on but appreciates everyone's efforts in getting this document finalized.

Chairman Dahlstedt also thanked Commissioners Anderson and Munks for their team effort, along with Mayor Dean Maxwell, Ian Munce, Ken Kukuck, Jones Atterberry, and Doreen Maloney. He said he is hopeful that as the process moves forward, all concerns will be addressed.

Commissioner Anderson moved to approve the Interim Memorandum of Agreement authorizing continued negotiations between the parties of the 1996 MOA to provide sufficient, reliable water supplies for Skagit County's rural residents, and authorizing the County to file a procedural appeal to the 2001 Skagit Instream Flow Rule. Commissioner Munks seconded the motion, which passed unanimously.
(Contract No. C20030157)

ADJOURNMENT.

Commissioner Anderson made a motion to adjourn the proceedings. Commissioner Munks seconded the motion, which passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

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Ted W. Anderson, Commissioner

Don Munks, Commissioner

ATTEST:

JoAnne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners