STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

REPORT OF EXAMINATION

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☒ Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

☐ Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
April 24, 1998	S2-29642		

NAME
City of Longview

ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
1525 Broadway	Longview	Washington	98632

PUBLIC WATERS TO BE APPROPRIATED

SOURCE
Cowlitz River

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE FEET PER YEAR
8.88		2500

QUANTITY, TYPE OF USE, PERIOD OF USE		
2500 Acre-feet per year	Recreation and Beautification	Year-round, as needed

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL
1800 feet North and 1200 feet West of the Southwest corner of Section 28.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
NW¼ SW¼	28	8	2W	26	Cowlitz

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Lake Sacajaiwea, located within Sections 28, 29, 32 and 33 of T. 8 N., R. 2 W.W.M., in Cowlitz County, Washington.

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DESCRIPTION OF PROPOSED WORKS

Surface water intake on Cowlitz River.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER PUT TO FULL USE BY THIS DATE:
Started	June 1, 2003	December 1, 2003

REPORT

BACKGROUND:

On April 24, 1998, Edwin R. Ivey, City Manager for the City of Longview (Longview), Washington, filed an application for a permit to appropriate public surface water from an intake on the Cowlitz River. Mr. Ivey requested authorization to divert water at the instantaneous rate of 8.88 cubic feet per second (cfs) and a maximum annual rate of 2,500 acre-feet per year (ac-ft/yr). The surface water would be used to flush Lake Sacajawea. Because the surface water returns to the Columbia River, this is deemed a non-consumptive use. The application was accepted for processing and assigned application number S2-29642. The priority date of this application is April 24, 1998.

This application is processed under Ecology Cost-Reimbursement Project No. 9E54 in agreement with Avista-Steag and the Port of Longview. HWA GeoSciences Inc. (HWA) was contracted by Ecology to determine the senior water right applications competing for the same source of water as Avista-Steag and Port of Longview, and to prepare draft reports of examination (ROE) for Avista-Steag, the Port of Longview, and all other relevant applications in the region. HWA reviewed all available documents pertaining to the Longview area site conditions, historical water use, projected water demand, existing right-holders, and seniority of pending applications potentially affected by the Longview application.

The City of Longview holds the following certificated surface water rights:

Certificate No.	Source	Withdrawal Rate	Annual Quantity
S2916	Cowlitz River	7cfs	Not defined
S2-00823C	Cowlitz River	50 cfs	8,904 ac-ft/yr (under all rights)
S2-25806C	Columbia River	2.22 cfs	Emergency supply only

A legal notice of the proposed appropriation was published in the Longview Daily News on June 8 and June 15 2001. No objections were received in response to the public notice.

The application is not categorically exempt from the SEPA review process. As the lead agency, Longview prepared a SEPA checklist and issued a determination of non-significance (DNS) for the water appropriation and uses.

INVESTIGATIONS:

In consideration of this application, I (Steve Nelson of HWA, GeoSciences Inc.) conducted a site visit on May 29, 2001. I reviewed the information submitted with the application, pertinent Washington Department of Ecology (Ecology) records including well drilling reports and recorded water rights, the City of Kelso Ground Water Resource Study (Robinson and Noble August 1998), and the Longview-Kelso Urban Area Comprehensive Water Plan Final Draft, (February 1999). These reviews are summarized in Ground Water Rights Evaluation, City of Kelso (HWA, June 2001).

Project Site

The Longview intake on the Cowlitz River is in a suburbanized area of the Cowlitz River floodplain, approximately five miles upstream of the confluence of the Cowlitz River and the Columbia River, one-mile northeast of the city center of Longview, Washington, in Cowlitz County. Fishers Lane, Washington Way, and Highway 411 provide site access. The area receives 30 to 40 inches of rain per year, mostly during the period from November through June. The stage of the Cowlitz River fluctuates twice daily by approximately 1 foot due to tidal response.

The project site lies within a sub-basin of the Grays-Elokoman watershed (WRIA 25), herein named the Kelso/Longview sub-basin. The southeast corner of the sub-basin extends into alluvial sediment on the eastern shore of the Cowlitz River, and into a portion of the Coweeman River valley in the Cowlitz River watershed (WRIA 26).

Availability of Surface Water

With this application, Longview has applied to withdraw an additional 8.88 cfs of water from the Cowlitz River. The summer minimum and winter maximum average flow in the Cowlitz River at Castle Rock, 10 miles north of Longview, is approximately 3,000 cfs and 10,000 cfs, respectively. The tidally influenced lower Cowlitz River appears to contain sufficient surface water to supply the rate requested by Longview.

Potential for Impairment of Existing Surface Water Rights and Senior Applications

Six certificated or permitted surface water rights are recorded for the area within one mile of the Port property. The combined rate of certificated and permitted surface water withdrawal from the Cowlitz River within one mile of Longview is 70.01 cfs.

No impairment of existing surface water rights by increasing the Cowlitz River surface water withdrawal by 8.88 cfs is expected. Surface water flow in the immediate area would not be impaired due to the comparably vast quantity of water in the lower Cowlitz River basin. No minimum instream flow restrictions exist for the tidally influenced lower Cowlitz River.

Fisheries

RCW 77.55.160, the Columbia River anadromous fish sanctuary, applies to the lower Cowlitz River. The regulation includes the following statements:

FINDINGS OF FACT AND DECISION

Upon reviewing the above report, I find all facts, relevant and material to the subject application, have been thoroughly investigated. Furthermore, I find water is available for appropriation and the appropriation as recommended is a beneficial use and will not be detrimental to existing rights or the public welfare.

Therefore, I ORDER a permit be issued under Surface Water Application Number S2-29642, subject to existing rights and indicated provisions, to allow appropriation of public surface water for the amount and uses specified in the foregoing report.

Signed at Olympia, Washington, this 5th day of October, 2001.

J. Mike Harris
Water Resources Supervisor
Southwest Regional Office

(1) Except for the north fork of the Lewis River and the White Salmon River, all streams and rivers tributary to the Columbia River downstream from McNary dam are established as an anadromous fish sanctuary. This sanctuary is created to preserve and develop the food fish and game fish resources in these streams and rivers and to protect them against undue industrial encroachment.
(2) Within the sanctuary area:
(a) The department shall not issue hydraulic project approval to construct a dam greater than twenty-five feet high within the migration range of anadromous fish as determined by the department.
(b) A person shall not divert water from rivers and streams in quantities that will reduce the respective stream flow below the annual average low flow, based upon data published in United States Geological Survey reports.

Because the Cowlitz River at the point of intake is tidally influenced, increasing the surface water withdrawal at the Kelso Ranney collector would not reduce the lower Cowlitz River streamflow below the annual average low flow.

Proposed Intake

The proposed surface water intake is at the existing Longview intake on the Cowlitz River. By December 2001, Longview will complete its upgrade of the intake and treatment system to meet current and future demands. The raw water pumps will be replaced by four (4) 125-horsepower units for a maximum firm (3 or 4 pumps in operation) pumping capacity of 15,400 gpm (34 cfs). This will combine functions of the existing Lake Sacajawea Pump Station and the River Intake Pump Station, which supplies the Regional Water Treatment Plant.

Project Description/Water Demand

The surface water will be withdrawn from the Cowlitz River and transferred into an open ditch that flows to the head of Lake Sacajawea. The water flows through the lake and discharges into a ditch-slough system that discharges to the Columbia River, approximately 5 miles northwest of the lake. Most of the water is returned to a downstream surface water body and is not consumed.

FINDINGS:

- The lower Cowlitz River contains substantial potential to sustain increased rates of surface water withdrawal.
- Increasing the rate of surface water withdrawal up to the proposed rate would not detrimentally affect existing surface water or ground water right holders.
- The surface water withdrawn from the lower Cowlitz River would be beneficially used by Longview to refresh Lake Sacajawea.
- The increased surface water appropriation will not be detrimental to the public interest.

CONCLUSION:

In accordance with Chapters 90.03 and 90.44 RCW, I find there is water available for appropriation from the source in question, that the appropriation as recommended is a beneficial use, and should not impair existing rights or be detrimental to public welfare.

RECOMMENDATIONS:

Based on these findings, I recommend approval of this surface water right application and issuance of a permit to allow the withdrawal of 8.88 cfs and 2,500 ac-ft/yr from the Cowlitz River for use in flushing Lake Sacajawea.

PROVISIONS:

The applicant is advised that the quantity of water allocated by this permit may be reduced at the time of final certification to reflect system capacity and actual usage.

An approved metering device shall be installed and maintained in accordance with RCW 90.03.360, 90.44.450 and WAC 508-64-020 through –040, and WAC 508-12-030. Meter readings shall be recorded at least monthly.

A certificate of water right will not be issued until a final investigation is made.

The permit is issued subject to Washington Department of Fish and Wildlife screening criteria as outlined in a hydraulic project approval. Please contact the Department of Fish and Wildlife, 600 Capital Way North, Olympia, Washington, 98501-1091, Attention: Habitat Management Division, (360) 902-2534, to obtain specified requirements for your project.

The Water Resources Act of 1971, Chapter 90.54 RCW specifies certain criteria regarding utilization and management of the waters of the State in the best public interest. Favorable consideration of this application has been based on sufficient waters available, at least during portions of the year. However, it is pointed out to the applicant that this use of water may be subject to regulation at certain times, based on the necessity to maintain water quantities sufficient for preservation of the natural environment.

The applicant is advised that notice of Proof of Appropriation of water (under which the final certificate of water right is issued) should not be filed until the permanent distribution system has been constructed and that quantity of water allocated by the permit to the extent water is required, has been put to full beneficial use.

REPORTED BY: Dm David for Steve Nelson, HWA Date: October 5, 2001

The statutory permit fee for this application is $20.00.