

MEMORANDUM OF UNDERSTANDING

A-2005-70

Among the  
Washington Department of Ecology  
and  
Washington Department of Fish and Wildlife  
and  
Pend Oreille County

Related to:

MANAGEMENT OF WATER RESOURCES IN LAKES OF THE LITTLE SPOKANE RIVER  
WATERSHED.

PURPOSE AND SCOPE

This MOU documents the commitment of Pend Oreille County and the Washington Departments of Ecology (Ecology) and Fish and Wildlife (WDFW), as staff and funding resources allow, to participating in the implementation of the strategies listed below through the watershed planning process for Water Resource Inventory Area (WRIA) 55, as described in Chapter 90.82 RCW.

1. Review the methods implemented to manage water levels, including actions taken to manage beaver populations and dams. If the WRIA 55/57 Planning Unit or a special committee of that group determines it is warranted, develop proposals to submit to the applicable legislative representatives.
2. Assess the methods and regulatory mechanisms for managing water levels on those lakes actively participating, including an economic analysis of constructing, maintaining and operating preferred alternatives.
3. Identify potential funding sources for capital projects proposed by WRIA 55/57 Planning Unit members.
4. Ecology and/or WDFW will request that the Washington State Office of the Attorney General review *Griffith v. Holman* (Supreme Court 1900) and any related case law, and prepare a written opinion on jurisdiction of local and state government in, under, and around the Little Spokane River from its confluence with the Spokane River up to and including its tributaries.

SCHEDULE

This MOU shall be effective when signed by all three parties and may be terminated upon 30-days written notice by any party. The MOU may be amended at any time by the mutual written consent of the involved parties. Actions taken to implement this MOU will be reviewed by the involved parties six months from signing, and thereafter as needed, to ensure the intent of the agreement is being fulfilled. This MOU shall expire June 30, 2007 unless amended to extend its duration.

12-05-05 Mitchel D Brown  
Date Mitch Brown  
Chairman  
Board of Commissioners  
Pend Oreille County

12-7-05 John Andrews  
Date John Andrews  
Director  
Region One  
Washington Department of Fish and Wildlife

12-12-05 Rene-Marc Mangin  
Date Rene-Marc Mangin  
Regional Director  
Eastern Regional Office  
Washington Department of Ecology