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Granger  
Harrah  
Mabton  
Moxee  
Naches  
Selah  
Sunnyside  
Tieton  
Toppenish  
Union Gap  
Wapato  
Yakima  
Yakima County  
Zillah

**YVCOG EXECUTIVE  
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**33-Year Yakima  
River Basin Water  
Rights Case  
Wrapping Up**

By Shawn Conrad, Land Use/  
Transportation Planner

Back in 1977, during a drought, a Richland man named James Acquavella attempted to find out whether he would be able to access water to which he maintained he had a water right.

Many others had the same question. To sort out whose water rights were legitimate, the Department of Ecology sued all known water users in the Yakima River Basin, which includes four counties. The case became known as Ecology vs. Acquavella, and required all who claimed a surface water right in the Yakima River Basin to defend their claims before the Yakima County Superior Court. The resulting adjudication has been used to determine which water users have valid rights, how much water those with rights can use, and which water users have priority during water shortages. The case has been ongoing for 33 years. Around 40,000 people in Yakima, Benton, Kittitas, and Klickitat Counties have had water rights settled in the courts, and the process has included six excursions to the state Supreme Court or Court of Appeals.

Now, the case is finally drawing to a close. The Department of Ecology is required to notify all of the original 6,630 lawsuit defendants of a hearing on water rights claims. The notification is intended to provide any defendants who have not yet laid claim to water rights during the trial a last chance to do so. The ads, which announced a "Motion for Default Order and Entry of Default Judgment," were published on Friday, August 21, 2009, in the *Tri-City Herald*, the *Yakima Herald-Republic* and the *Ellensburg Daily Record*. The Department of Ecology has also mailed notices to more than 2,000 addresses. The hearing will be held October 8, 2009. Any original defendants who do not show up for the hearing will lose any rights to surface water that they may have laid claim to. A final court decree in the case is expected sometime in 2010.

James Acquavella won't have much to gain from the outcome of the case, having sold his property in 1989.

For notice to appear for the hearing and scheduling information, contact:

Dennis Herreid  
Yakima County Clerk's Office  
509-574-1443  
[dennis.herreid@co.yakima.wa.us](mailto:dennis.herreid@co.yakima.wa.us)

For more information, contact:

Ben Bonkowski  
Department of Ecology  
360-407-6603  
[bbon461@ecy.wa.gov](mailto:bbon461@ecy.wa.gov)





# Welcome Aboard!

John Rohrbaugh joins the YVCOG staff as the new Geographic Information Systems Analyst and Network Administrator.

John most recently held a similar position at the U.S. Army's Yakima Training Center in Selah. In addition to a combined 23 years with computers, software, and mapping, John has a background in land use planning with both Yakima and Kittitas counties. Based on his professional background and rather eclectic education (to include everything from physics to philosophy), John refers to himself as "the worst of all specialists, the well rounded man". He has spent the last 21 years in Ellensburg where he currently resides with his family; wife, Lisa and sons Eion and Seth.

John is looking forward to assisting our membership. His office hours are Monday through Thursday from 7:30 am to 5:00 pm and 7:30 to 4:00 on alternating Fridays. We are very lucky to have him with us. His email is [john.rohrbaugh@yvcog.org](mailto:john.rohrbaugh@yvcog.org). Please join us in giving John a warm welcome to the YVCOG!

## Farewell, Drew!

Drew Miller, Senior Transportation Planner

YVCOG Senior Transportation Planner, Drew Miller, will be leaving YVCOG in early September to attend Portland State University. This fall, Drew will begin the Graduate Certificate in Transportation Studies program offered through the Center for Transportation Studies, within the Nohad A. Toulan School of Urban Studies and Planning. The City of Portland and, specifically, Portland State University have an international reputation for being on the leading edge of integrating land use and transportation planning with multi-modal transportation solutions. Portland State University is one of only ten schools nationwide identified by SAFETEA-LU as a National University Transportation Center. We wish Drew well in his future endeavors and have enjoyed having him return to his hometown to work personally with all of YVCOG's member agencies. After Drew's departure, all land-use related questions may be directed to Planner Shawn Conrad at [conrads@yvcog.org](mailto:conrads@yvcog.org) and all transportation inquiries may be directed to YVCOG Executive Director Page Scott at [scottp@yvcog.org](mailto:scottp@yvcog.org).



## Public Works Grant Deadlines Approaching Fast!

By Shawn Conrad, Land Use and Transportation Planner

Two grant opportunities are available through the Washington Public Works Board.

*Small Communities in Rural Counties Grant Program.* This is a competitive grant available only to selected rural counties, including Yakima County. Award selection will be based on: inclusions of a construction component,

### Deadlines Continued...

jobs created or retained as a result of the project, the applicant's ability to complete the job promptly, and the value the project holds for long-term improvements to public safety, recreation, environmental quality, or economic development. The total funds available statewide is \$9,531,000. Jurisdictions must request at least \$100,000, but there is no maximum limit. Applications must be postmarked by **September 8, 2009**. For more information and an application, visit [www.pwb.wa.gov/smallcommunities.htm](http://www.pwb.wa.gov/smallcommunities.htm)

### Deadlines Continued Right...

## September Meetings

### MPO/RTPO Technical Advisory Committee

Thursday, Sept 10  
10:00 a.m.  
The 300 Building  
311 North 4th St, Ste 202  
Yakima, WA

### General Membership Meeting:

Wed., Sept 16 at 6:30 p.m.  
Doonan's EZN Café  
802 First Ave, Zillah, WA

### YVCOG Executive Committee & MPO/RTPO Executive Committee & Policy Board

Monday, Sept 21 at 1:30 p.m.  
The 300 Building  
311 North 4th St, Ste 202  
Yakima, WA



## Second Amtrak Train To Vancouver, B.C.

Contributed by AmtrakCascades.com

### Amtrak Cascades and WSDOT

Since 1994 the Washington State Department of Transportation (WSDOT) has partnered with Amtrak, the state of Oregon, the Province of British Columbia, the railroads, and others to provide fast, reliable, and more frequent intercity passenger rail service along the Interstate 5 corridor. The service, known as Amtrak Cascades, provides travelers transportation options for their intercity trips.

The Department of Transportation has announced that a second daily Amtrak Cascades train between Seattle and Vancouver, B.C. started running Aug. 19.

The second train has been approved as part of a pilot project through the 2010 Winter Olympics and Paralympics games.

The service has begun with a northbound arrival from Portland into Vancouver at 10:45 p.m. A southbound train will leave Vancouver at 6:40 a.m. the following morning and arrive in Portland at 2:45 p.m., according to WSDOT officials.

### WSDOT's Role in Amtrak Cascades

WSDOT is responsible for:

- Planning and project identification
- Budget development
- Construction project management and reporting
- Operations oversight and reporting
- Local, regional, state, national, and international program coordination
- Public education, public involvement, and marketing activities

Since 1994, WSDOT has invested over \$280 million in public funds for track and signal improvements, new train equipment, station construction and renovations, and train operations.

### Amtrak Cascades Long Range Plan

WSDOT's updated long-range plan for Amtrak Cascades (pdf 7.9 mb) is intended to serve as the state's blueprint for the development of intercity passenger service. This plan provides a road map for needed improvements to our intercity rail system to meet the demands of the next 20 years, with an ultimate goal of providing hourly daylight service between Seattle/Tacoma and Portland, OR with frequent connections to Vancouver, BC.

For more information on schedules and special offers, see the Amtrak website at

<http://www.amtrakcascades.com/default.htm>.

#### TITLE VI Notice to the Public

YVCOG fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see <http://www.yvcog.org/title6.pdf> or call (509) 574-1550.



## Transit Service Expands to Terrace Heights

By Page Scott, Executive Director

On August 31, Yakima Transit began service into lower Terrace Heights with expansion of Route #6. The new route will serve the Pacific Northwest University of Health Sciences (PNWU), Snokist, and Riverside Christian School and points in between. The new service provides a link from downtown Yakima to the eastern fringes of Yakima. Service will operate Monday through Saturday, every thirty minutes, during Yakima Transit's regular service hours.

The Yakima Valley Metropolitan and Regional Transportation Planning Organization (MPO/RTPO) approved \$50,000 in federal Congestion Mitigation and Air Quality (CMAQ) funding for this demonstration service. CMAQ funds have previously been used to expand demonstration transit service into Selah and Union Gap, ultimately leading to voters approving sales tax increases to permanently fund those routes.

This is the first expansion of Yakima Transit service into unincorporated Yakima County using CMAQ funds. As Terrace Heights has developed and new businesses and schools are opening, requests for transit service have increased. Yakima Transit is a city-owned transit service, funded in part by sales taxes collected within the city limits.

This service expansion is a demonstration project that will need a permanent funding source if it is to continue beyond the CMAQ grant. Statistical data generated during this demonstration period will be tracked to assist Terrace Heights residents decide whether to continue transit service in the future.



## Transportation Commission in Yakima on Sept. 22

The Washington State Transportation Commission will be holding a local meeting at 9 a.m. on Tuesday, September 22 at the Hilton Garden Inn in Yakima. The agenda will include presentations from city and county officials on local and regional transportation issues as well as an opportunity for public comment. For more information about the Transportation Commission, it's members, or to see the agenda, please refer to their webpage: [www.wstc.wa.gov](http://www.wstc.wa.gov)



### Your YVCOG Staff:

J. Page Scott, Executive Director  
 Brian Curtin, CTR Coordinator  
 Vacant, Senior Planner  
 Vacant, Senior Transportation Planner  
 Shawn Conrad, Land Use/Transportation Planner  
 John R. Rohrbaugh, GIS Analyst/Systems Administrator  
 Tamara Hayward, Housing Rehab Office Specialist  
 Nancy Soules, Senior Accountant  
 Sarah A. Hyndman, Office Specialist

