



Monthly Meeting Minutes

December 21, 2017

5-7 p.m. – River Bank Building, Twisp, WA

Council Members Present: Dick Ewing, Andy Hover, Rick Karro, Greg Knott, Bill Tackman, Travis Thornton (arrived at 5:18 p.m.), and Ashley Thrasher. Mike Fort attended via conference call. John Fleming was unable to attend; Mayor Soo Ing-Moody acted as alternate representative for the Town of Twisp.

Others in Attendance: Natalie Kuehler, Jennifer Molesworth, Jackie Moriarty, Mayor Sally Ranzau, and George Schneider

Minutes recorded by: Sali Kilmer, Administrative Assistant

1. Call to order

The meeting was called to order by Chair Greg Knott at 5:06 p.m.

2. Introductions

3. Approval of Agenda

Andy Hover moved to adopt the Agenda of December 21, 2017, as presented. Ashley Thrasher seconded, and the motion carried.

4. Minutes – Review and Approval

The following amendments to the Minutes of the November 16, 2017 MWC meeting were proposed:

- George Schneider – Second sentence in first bullet point of Grant Administrator’s report, replace “up to 200 acre feet per year” with “on average of 200 acre feet per year.”
- Andy Hover – Starting with the fifth sentence in the Okanogan County report, make the following changes (in **bold**): “However, hydraulic continuity could not be established with absolute certainty **in certain areas**. Andy shared that DOE has put out a draft technical document on their findings in the Wolf Creek area. Stated simply, areas outside of the mapped **portion of the** “closed basin” **were found to most likely not be in hydraulic continuity with Wolf Creek**. Areas inside the mapped boundaries are **most likely** in continuity with the closed tributary. However, at some depth down there is a layer of dry material, and DOE has determined that wells drilled into the dry material layer are not in continuity with the closed tributary. DOE is planning to similarly analyze several other closed basin areas including Beaver Creek and Pearrygin Creek. Based on this information, Okanogan County will treat the **closed basins** as they have done before: permit applicants in the closed basin areas must obtain a letter from DOE prior to being issued a building permit.

Bill Tackman moved to approve the Minutes of November 16, 2017, as amended. Andy Hover seconded, and the motion carried. Rick Karro and Soo Ing-Moody abstained, stating they were not in attendance for the meeting.

5. Report from the Chair: Greg Knott

Greg informed the Council that he, Andy Hover, and Mary McCrea have arranged a meeting with Department of Ecology representatives on January 19. The purpose of the meeting is to have a face-to-face talk about the structure, purpose, and goals of the Methow Watershed Council and what the group aims to achieve in the future. Greg will work on putting together an agenda, which he will share with Council members prior to the meeting.

As discussed at the November MWC meeting, Mike Fort has suggested combining the Instream Flow Rule Revision Committee with the Technical Review Committee for the sake of efficiency since committee membership overlaps. Greg clarified that the committees will retain their separate identities since they each serve a distinct purpose, but will be combined with regard to meeting times and reporting to the Council.

6. Grant Administrator Report: George Schneider

George reported that Department of Ecology has approved the grant amendment request, which changed the second phase of the scope of work to include, 1) implementation of a pilot project involving WCRD automation, saving an average of 200 acre feet per year which can be made available to the Twin Lakes aquifer, 2) securing a binding agreement between the parties with broad community support, and 3) developing a monitoring plan for the project. In early December a “kickoff” meeting was held between TLAC, WCRD, MWC, MWF, and Aspect to set roles, tasks, and a schedule. Aspect is working on putting together a temporary donation to the Trust Water Rights program. Once this is accepted by WCRD, the project can proceed.

Dick Ewing updated the Council on TLAC’s role in the project. The TLAC contribution includes ongoing monitoring and analysis of the data which has been collected since 2010. This will establish a baseline to study how the additional average 200 acre feet per year will affect the aquifer. TLAC also has infiltration gallery issues to work out. TLAC representatives will be meeting with DOE the second week of January to change the scope of work of the original legislative grant. Greg Knott assured Dick that the MWC is willing to provide technical assistance in preparation for the meeting with DOE.

The group discussed how this project should have broad community appeal, since it will benefit instream flows on Wolf Creek, irrigators and other users, and may serve as mitigation credit to the towns of Winthrop and Twisp. Soo Ing-Moody stated that the vision from the beginning of the project involved mitigation credit for the towns and reiterated that this vision needs to be retained even though the original scope of the project has changed.

Mike Fort expressed concern about when the final determination of water rights would be made and what happens when the funding runs out. Greg Knott stated that these concerns would be added to the next Technical Committee agenda.

7. Methow Watershed Foundation Report: Greg Knott

In Mary McCrea's absence, Greg reported that the MWF is in the middle of developing a financial plan and is aiming to present the Council with an annual budget proposal at the January meeting. Once the budget is approved, the Foundation will begin applying for funding for long-term projects like Water 2066. The Foundation will be reapplying for the Moccasin Lake as well as the Community Foundation of North Central Washington grants to be used for administration expenses as well as public outreach and education efforts.

8. Initiating Government Reports

Town of Twisp: Soo Ing-Moody stated that she had nothing new to report, but mentioned that at the last Twisp Town Council meeting, concern was expressed regarding the MWC move to consensus. The discussion was deferred to the later agenda item.

Town of Winthrop: Rick Karro reported that he had nothing new to report and would defer to the later agenda item on the consensus decision.

Okanogan County: Andy Hover stated that he had nothing new to report but was willing to clarify any questions regarding the draft DOE report on Wolf Creek hydraulic continuity. DOE has stated that they will be studying Beaver, Pearrygin, and Thompson Creeks in a similar way to try to establish more clarity regarding the closed basin areas. Okanogan County will continue to treat the closed tributaries as they have done before: permit applicants in the closed basin areas must obtain a letter from DOE prior to being issued a building permit. Andy further clarified that if the application is for an area close to the border on the shapefile, they are sent to DOE for clarification.

9. Sub-Committee Reports

Instream Flow Rule Revision & Technical Review Committees: Mike Fort stated that there was nothing new to report.

Political Action Committee: Bill Tackman indicated that the Governor's proposed Hirst Revision is the one piece of legislation that may be gaining traction in Olympia. Natalie Kuehler went over some of the provisions of the bill, as detailed on the "Summary of Governor's Proposed Draft—"Hirst Revision 12.07.17" which was distributed to Council members. She mentioned that most provisions in the bill apply to areas that do not already have instream flow rules established. The proposal calls for the establishment of "watershed restoration and enhancement committees" in WRIAs covered by an instream flow rule adopted before 2000. These committees would be chaired by Ecology and include all tribes within the WRIA, WDFW, each county in the WRIA and each city in the WRIA. The committee would need to approve a watershed restoration and enhancement plan by 2023. She noted that the committee would be structured by "consensus" vote, meaning that all members of the committee must approve the plan. Additionally, until amended rules are adopted, local governments would be required to enforce the following requirements for new exempt wells for domestic and commercial uses:

- \$1,500 fee per applicant
- Water use limited to indoor use and no more than 350 gallons per day

- Management of storm water with “green infrastructure”

Bill, Natalie, and Andy will arrange to meet together to come up with a strategy on the role that the Council should play on trying to influence political action with regard to this proposal. Most Council members agreed that it would be important to the Methow Valley that the 2cfs reservation be preserved if the instream flow rule is revisited. Dick Ewing will circulate a list of objections to the governor’s proposal. Soo Ing-Moody expressed a desire to be included, since she is familiar with political representatives who are working on the issue.

Outreach and Education Committee: Bill Tackman provided a summary on the upcoming subject matter expert presentations:

- January 9 – Trust Water Rights program (co-sponsored by Methow Conservancy)
- February 20 – Water banking

Bill expressed appreciation for the interest shown in the presentations. Amy Snover’s talk on climate change drew a crowd of over sixty people. Terry Hunt recorded the presentation, which will be made available on www.methowwatershed.com and on the Methow Watershed Facebook page. Terry will also record the January and February presentations.

Bill is working on putting together a list of potential future presentation topics, which he hopes to bring to the Council next month.

Bylaws Amendment Committee: Ashley Thrasher stated that work on amending the bylaws is at a stand-still until the question of consensus vote is determined.

Water 2066 Committee: The Water 2066 Committee has been working on a vision for the final form of the committee. It has been suggested that the committee be a year-long commitment by members of local businesses, government agencies, non-government agencies, tribes, etc. The name currently in discussion is “Water 2100 Community Forum.” The purpose of the committee is twofold: 1) Identify where there is a lack of knowledge regarding current water-related issues, and 2) Create a roadmap for planning for future water needs. It will take about six months of planning to create the structure of the committee, and the group will need to pursue funding to achieve its goals.

10. Agenda Items

Discussion: MWF Grant Funding Opportunities: Discussion deferred due to lack of time.

Decision: Ecology Metering Grant: Greg Knott discussed the “Estimating Water Use by Exempt Wells in the Methow River Basin (WRIA 48)” grant proposal drafted by the MWF. He clarified that this is not a proposal to buy and install meters. Rather, it is a proposal to develop a work plan for implementing a metering study that builds on existing studies estimating total and consumptive water use by permit-exempt wells. Total cost is estimated to be \$45,000. If the grant is secured, the project would go out for competitive bid. Soo Ing-Moody stated that return flows from the towns need to be discussed in this context. Greg affirmed that this point will be discussed with DOE later in the process.

Andy Hover moved that the Methow Watershed Foundation should proceed with submitting the “Estimating Water Use by Exempt Wells in the Methow River Basin (WRIA 48)” grant proposal, WRPIFA-1719-METWAF-00030. Bill Tackman seconded, and the motion carried.

Discussion: Decision by Consensus Change: Dick Ewing explained the reasons why he requested that this item be added to the agenda:

- None of the initiating government representatives were present for the vote.
- He felt that the vote was done too quickly. If the initiating government representatives had been present, they would have gone back to their respective government Councils for approval of the decision. The proposal discussion and vote would not have taken place in one sitting.

Greg Knott clarified that last month’s motion was to “present to the Colville Confederated Tribes, Yakama Nation, and DOE that MWC will amend its bylaws to vote by consensus if any one of them choose to join the Methow Watershed Council.” However, per the current bylaws, any amendments to the bylaws require that the notice for the meeting states any proposal to amend the bylaws prior to the meeting.

Andy Hover clarified that this was not an idea Mike Fort proposed on his own. The two were discussing how the Methow Watershed Council could get some meaningful changes implemented and they agreed that it would take input from DOE and the tribes. Past dealings reveal that these groups are more likely to come to the table if they feel they are not going to be overruled by the majority. This discussion led to the proposal regarding changing to consensus vote. However, Andy expressed concern after reading the Hirst revision bill that this change would set up exactly what the Governor is proposing.

Soo Ing-Moody assured the Council that the Town of Twisp has no issue with the involvement of the tribes and DOE in the work of the MWC. However, she recalled that prior to the formation of the Council by the enabling legislation, it did work under consensus. At that time, consensus rule was not greatly effective in decision making, thus the reason for the eventual switch to Robert’s Rules of Order. Further, she stated that the tribes and DOE will be weighing in on any proposed rule changes anyway, so she wonders whether it is necessary to change to consensus at this time to accommodate them.

Sally Ranzau agreed that when the Council was in consensus mode, things seemed to move very slowly. The Winthrop Town Council expressed desire to see the MWC maintain Robert’s Rules of Order to keep making steady progress moving forward. Further, Rick Karro stated that the original WAC which enabled watershed planning units was based on a modified consensus. All of the government agencies spoke as one and agreed on rule revision and other provisions of the plan. Therefore, it is a moot point to try to get DOE to agree, since they have already agreed.

Mike Fort reiterated his viewpoint after working with the Methow Watershed Council for many years that in order to produce something meaningful that will actually make changes, the Council needs involvement by the tribes, thus a consensus vote.

It was agreed that two issues need clarification, going forward:

- What are the attitudes of the tribes and DOE regarding this proposal?

- More details on the governor's proposed committee structure is needed to ensure that parallel groups are not being formed.

Dick Ewing made a motion to table the discussion regarding consensus vote to the January 18, 2018, agenda as the first item. Soo Ing-Moody seconded, and the motion carried.

Continuing Discussion: "Waterwise" program idea: Discussion deferred, due to lack of time.

Continuing Discussion: SB5239 and other Legislative Proposals: Dick Ewing mentioned that SB5239 seems to have lost steam and that the governor's proposal is being discussed as having the most potential to be acted upon.

Action: Nominations of 2018 Officers and Members: Per the current MWC bylaws, Greg Knott gave official notice that at the January 18, 2018 meeting, the Council will be electing a chairperson and a vice-chairperson. Additionally, the initiating governments will need to appoint or reappoint Council position #1 (currently held by Greg Knott) and Council position #2 (currently held by Mike Fort). Nominations for these positions can be emailed to Sali Kilmer at Sali.Kilmer@gmail.com.

Public Comments: Deferred, due to lack of time.

Discussion: Agenda Items – Next Meeting: The next meeting agenda may include a continuing discussion on decision by consensus, a Methow Watershed Foundation budget proposal, and the election/appointment of officers and members.

11. Meeting Adjournment

At 7.02 p.m. the meeting was adjourned by Chair Greg Knott.

Greg Knott, Council Chairman

Approved at the January 18, 2018 Council Meeting.