



**Monthly Meeting Minutes**  
 March 17, 2022 -7 p.m. – Via Zoom

**Council Members Present:** Mike Fort, Dick Ewing\*, Jean Bodeau, Soo Ing-Moody, and Andy Hover  
 \*Dick Ewing was not present for the full meeting

**Others in Attendance:** David Clement, Susan Crampton (OWL), Mark Easton (Twisp Council), Jasmine Minbashian (MVCC), Sandra Streiby (Metering), Lorah Super (MVCC, CD), Teddy Thorson, Jeanne White (MC)

Minutes recorded by: Sarah Lane, Administrator

**Non-Procedural Motions**

Motion #	Short Title	Yeas	Nays	Abstain
3.22-01			0	0

**1. Call to order**

The meeting was called to order by the Chair, Mayor Ing-Moody at 5:05 PM.

**2. Roll Call of Council Members**

**3. Agenda – Additions or Changes**

The agenda was approved as presented.

**4. Minutes – Review and Approval**

Commissioner Hover moved to approve the February 17, 2022 MWC Minutes. Councilmember Bodeau seconded the motion which passed unanimously.

**5. Report from the Council Chair:**

Mayor Ing-Moody reported that the Water Banking committee had reduced members and now consists of Councilmembers Bill Tackman, Jean Bodeau, Mike Fort and Alyssa Jumars. Mayor Ing-Moody requested that conflict of Interest forms for 2022 be returned to Administrator Lane.

**6. MWF Report: Chair- Sarah Lane**

Administrator Lane reported that the MWF’s Methow Valley Fund grant was successful, resulting in \$7000 for Education and Outreach for water banking, CRM, water topics and the Confluence event. Finances are stable. The MWF added new member Michael Bastian, who has an interest in developing longer term financial planning with the MWF. The MWF would still like to add at least another member. Lane also noted that with Councilmember Jumars leaving the MWF, the MWC Chair needed another person to officially represent her when she can’t attend MWF meeting. Councilmember Fort was suggested for the role as he attends nearly every meeting and is an officer. Councilmember Fort agreed to the role.

Administrator Lane said that the tech needs for communication, councilmember access and website upgrades were also being discussed in order to develop a budget and plan. A wish list and concerns will start to be developed through the Education and Outreach committee.

Councilmember Fort said that in regard to the Community Foundation grant, he would like to see a plan and budget developed and approved. Mayor Ing-Mood asked if that meant a draft budget and plan for the MWC to review. Commissioner Hover said he'd like to see a line-item budget. Administrator Lane said that such a budget was presented and approved in January, and that the Education and Outreach committee could work to refine these items and bring the back to Council. Councilmember Fort asked if this plan was OK with MWC, and no one objected. Councilmember Fort also said he'd like to see interim reports send the Community Foundation in addition to the required grant-end report.

Mayor Ing-Moody asked if any Councilmembers were willing to join the MWF. Councilmember Bodeau volunteered and was thanked for doing so.

## **7. Subcommittee Reports:**

### **Technical Review Committee, Chair – Fort**

Councilmember Fort reported on the Task #4 report, Due May 31, 2022. Councilmember Fort believes the MWC should have conversation about the report with the community. There will be a 60-day public comment period, and that will be advertised in the MVN. The Tech committee will be looking for final approval at the May MWC meeting.

### **Outreach and Education Committee, Chair- Knott**

Administrator Lane reported on planning for the Confluence event, June 25<sup>th</sup> from 1-4PM. Outreach and Ed committee does need more members. Next O&E meeting will be at the River Bottom at 10AM Tuesday April 11<sup>th</sup>. Lane reviewed specific invitees. Councilmember Greg asked for Michael Bastian, new MWF member, to be allowed to join this committee. The O&E committee hopes this can be discussed, regarding having non-MWC members join non-policy making committees.

The O&E committee is looking at the work to go with the recent Community Foundation grant. Plans are in the work for 6 public presentations in the fall, and potentially two presentations at MWC meetings: Mike Kaputa on mitigation and water banking, and the Conservation District on the local water bank as it is further developed. Lane asked if these near-term presentations are desired by the MWC. Commissioner Hover said they sounded good. Mayor Ing-Moody noted that Lorah Super said in the chat that the CD is not ready yet.

### **Ad Hoc Reports**

**Water Banking Subcommittee** – The report was moved into the agenda portion of the discussion.

**CRM Subcommittee** – No Report, no meeting.

**Resilient Methow Report** – Lane reported that the RM group was focusing on process, and that some grants resource and stakeholder lists could be helpful. Lane is volunteering some of her time unless the group focus is water related. She was able to share info on Water Banking Priorities and the upcoming Confluence event. Lane thinks that forming a Resilient Methow Water committee through the MWC, where water-related project ideas could be vetted and brought to Council might be the best connection with the group for the MWC.

## **8. Initiating Government Reports**

**Town of Winthrop**- No report

**Okanogan County**- Commissioner Hover reported that the CD has received proposals on the RFP for consultants to help draft the water banking documents. Commissioner Hover noted that water banks are regulated by statute, and what can be done with water will be governed by that. The CD and County are in

agreement that if people state how they want water to be used it'll be treated that way, otherwise, will follow priorities as allowed.

**Town of Twisp-** No Report

**9. Ecology Report:** No report

**10. Presentation:** No Presentation

**11. Agenda Item 3.17.22-01: Public Comment**

**The following written public comments were received via email prior to the meeting:**

- From Jeanne White:
  - Given the community interest in housing for Towns, I'd recommend that they match/prioritize year-round water rights or water rights that could satisfy Foster, with the municipal uses.
  - Will water rights holders who sell to the water bank have input on the use of their water right?
  - Will the public have input not only on the water banking agreement itself, but on how a purchased water right will be used?
  - Which entity (County, Watershed Council, OCD?) will publicize the opportunity for the public to comment on the water bank agreement between Ecology and the County/OCD?
  - When the priorities say "permanent agricultural use in WRIA 48 or sub basin of origin"—does this mean that the water right will be permanently attached to a specific piece of land in the watershed or simply protected for use anywhere in the watershed?
  
- From Anonymous:

First of all, thank you for expanding on the priority list and developing some basic guidance on your vision for the Water Banking project. This is now a time sensitive project and needs to move forward quickly. The most recent WA legislative session did not approve of a statewide drought mitigation bill, unfortunately, which leaves drought problems up to the local folks without additional resources.

Similar to fires, monies are often appropriated during an emergency and can be difficult to assess need and costs in the midst of the emergency. I believe the Water Banking project should include some guidance on drought. It looks like E. WA is in for another drought year, always hard to predict of course. The Elephant in the room is where we would even start on water restrictions. The only precedent we have is restricting "Junior" rights first by cutting them off. Without metering in place, this is pretty draconian.

**I believe metering needs to be part of the Water Banking plan** so that any "leases" especially out of basin would be the first to be restricted (sort of the reverse of your priority list now) even if they originate from a "Senior" water right. This should be made very clear to everyone and metering should be required for anyone taking part in the banking process. I'm not really sure, to be honest, how senior vs junior fits into the banking process. I am very new to the situation so please excuse me if I am off base. Hopefully, I am asking questions that can help in the planning process.

**In-Person Comments:**

- Lorah Super reported that Aspect was selected by the CD to consult on water banking. Super also discussed the funding mechanism. The appropriation went to the conservation commission, and is time limited to June 2022, and these funds will pay for this consultant to work on an initial purchase and sale agreement. A lot of work needs to happen in a short time: Super listed continuing to develop the water bank, apply for Ecology funding, and completing the contract with the County in this time. After the application is submitted, a letter of intent from the water right holder will allow the application to be processed.

Super said she has comments on the Water Banking priorities as well, if it would be allowed. Commissioner Hover asked that the CD be allowed to participate in the discussion about the water banking priorities.

- Jeanne White: White said she submitted comments late. She stated that knowing the community's interest in growth in the towns, she'd like to see the right water rights for municipal use that would satisfy the Foster decision, knowing some rights will require mitigation to convert. White says it's a high priority and difficult. White also said she thinks public comment on the formation of the water bank is needed. Regarding permanent agricultural use, White asked if, in the priorities, the water right would be tied to a specific piece land. Commissioner Hover answered that the water could be moved, with priority in the subbasin. White also observed that is the water bank purchases a right, and if the use is changed, there would be a public comment. Commissioner Hover believes that the use needs to be stated as the right goes into the bank, and there is public comment period. Councilmember Fort said water can be legally put into a bank without defining what it will be used for. Banks can have different rules about how water is received regarding ROE and RODs.

#### **12. Agenda Item 3.17.22-02: Discuss Water Banking Priorities for WRIA 48**

Jean Bodeau reported the Water Banking committee reviewed and produced a second draft of the Priorities. They are still preliminary, and the goal is to be sure they are included in the formation of the entity.

The governance questions were changed to recommendations. The MWC wants to be represented in the process and participate in development. Another committee meeting is set with Lorah Super to attend. Administrator Lane notes the order of the priorities were changed to reflect Water 2066 results.

Commissioner Hover said that when the list is finalized, he will work with the CD and consultant in order to have the language reflected as closely as possible. He likes how this has developed to date.

Mayor Ing-Moody asked if municipalities should look at the new draft and provide comments. Councilmember Fort said yes, and to submit comment throughout the process, not just on the final version. Commissioner Hover will review the draft with the other commissioners.

Lorah Super said she appreciates that between the CD, County and consultant, roles are being discussed, as well as questions such as if the future use of the water needs to be identified going into the bank. Super believes one of the main purposes of the proviso was to prevent Wall Street buying water and transferring out of basin. One important item Super notes is that the money in the proviso needs to be obligated by June 2023, and funding won't be renewed. Sper also stated that under this funding, transferring water out of the watershed is not acceptable. One states that water is solely for ag use in the watershed of origin, and secondly, water is not to be transferred out of the County of origin. Commissioner Hover asked if those last priorities should just be taken out, or if they can be left in for other source of money. Super said that we heard loud and clear through Water 2066, that water should not leave the basin. Commissioner Hover said there may be need for return on the investment of buying water for the bank, to allow for funding for administration at least, and maybe out of basin lease should be considered.

Mayor Ing-Moody directed the conversation and work back to committee, and to flag the items regarding out of basin leases for committee discussion in particular.

#### **13. Agenda Item 3.17.22-03: Review and Approve Draft Task #4 Metering Report**

A quorum was no longer present and this agenda item was postponed.

#### **14. Agenda Item 3.17.22-04: Review and Approve 2021 Financials**

A quorum was no longer present and this agenda item was postponed.

**15. Agenda Item 3.17.22-05: Next Steps**

- Water Banking priorities next review: WB Committee will meet with Lorah Super/CD. Lane will send current document out for comments. Commissioner Hover will share with other commissioners.
- Review Task #4 review will continue until complete. Due June 30.
- Committee membership

**16. Adjournment:** The meeting adjourned at 6:07 PM

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Mayor Ing-Moody, Council Chair

Approved at the April 21, 2022 Methow Watershed Council meeting