



Monthly Meeting Minutes

February 20,2020

5 -7 p.m. – Methow Valley Community Center Basement, Twisp, WA

Council Members Present: Dick Ewing, Mike Fort, Andy Hover, Soo Ing-Moody, Jeff Sarvis, Bill Tackman, Travis Thornton, Ashley Thrasher

Others in Attendance: Lee Bernheisel (OWL), Sarah Brooks (MC), John Crandall (MRC), Alyssa Jumars (MC), Curtis Koger, Craig McDonald, Jasmin Minbashian (MVCC), Jason Paulsen (MC), Melanie Rowland (MVCC), Betsy, Smith, Isabelle Spohn (County Watch), Sandra Strieby, Lorah Super (MVCC), Jacquelyn Wallace (TU), Jeanne White (MC), Dawn Woodward, and Dick Woodward. Katie Haven, Natalie Kuehler, and Wyatt Southworth attended by phone.

Minutes recorded by: Sarah Lane, Administrative Assistant.

Non-Procedural Motions

Motion #	Short Title	Yeas	Nays	Abstain
2.20-01	Motion to Approve Request for Water 2066 Funding from County	7	0	1
2.20-02	Motion to Open the Methow Rule – TABLED			
2.20-03	Motion to TABLE 2.20-02	5	2	1

1. Call to order

The meeting was called to order by Ashley Thrasher at 5:00 P.M.

2. Introductions

All introduced themselves.

3. Agenda – Review and Approval

Ashley said item 2.20.05 will move to the Water 2066 report. Mike asked to move agenda item 2.20.03 to 2.20.01. Andy moved to approve as amended. Mike seconded. Agenda was approved.

4. Minutes – Review and Approval

Andy noted a correction in section 8. Andy moved to approve the January minutes as amended. Dick seconded. Minutes were approved.

5. Report from the Chair

Ashley asked members with outstanding conflict of interest forms to turn them in to Sarah. Photos and bios for website should be sent to Sarah as well.

Volunteer hour forms were distributed and introduced. Members were asked to track how many hours they are volunteering monthly and bring sheets to next meeting. This information can help with grant applications.

6. Ecology Report

No Report.

7. MWF Report.



Printed Foundation report is included in meeting packet. MWF has a \$5000 grant application pending with the Community Foundation of NCWA. Wyatt requested funds to purchase PA equipment for future outreach programs. Right now, we borrow equipment, and if we continue to do three or more events a year, it might be helpful. Bill offered his projector and said the money could be spent better elsewhere. Mike, as Treasurer of MWF would like to wait a couple of months before considering it.

8. Initiating Government Reports

Town of Twisp-

Enterprise services will be providing new electronic meters for the town of Twisp.

Town of Winthrop-

No report.

Okanogan County-

Andy reported on developments from last session. The new planning director decided not to take the job after all, one day before he was to start. Feb 25 is the continued hearing for Ordinance 2019-11. The record is still open for comments. Hearing will be in commissioners hearing room. Look on the website to confirm the time.

There has been a lot of discussion happening around rule revision. Many people in the room have been through this issue for years. Andy asked what kind of information the Council provides. He stated that as this group is the continuation of 90.82, monitoring is a function of the group. Andy has not seen a recommendation come out of the Council to the initiating governments, which would then be reviewed by the governments in session together. Andy wants us to understand what the Council is thinking as far as the mechanics of discussing the issue.

Mike confirmed that what Andy was discussing is in regard to 173.548. Ashley said her understating is that the Council is the advisory committee to the initiating governments and as such has a role in facilitating the process if and when we decide to ask to open the rule. The Council provides information and technical information. As initiating governments, Ashley asked, would the assumption be the governments would be in agreement? Dick said if we are an advisory board, what are the pros and cons, should we make a recommendation regarding opening the rule to the initiating governments?

Mike said the Council is in an advisory role, but we don't need to make a list of the issues. The County should collect that input before submitting request to Ecology. Mike doesn't think the Council should initiate the request itself. Andy asked if Mike's belief, in general, is that if the Council wants to take any action, the Council should recommend that action to the initiating government (IG)? Bill thinks the county will have a better opportunity to gather citizens for a committee, and Ecology would appreciate the community outreach. Dick said some data from Water 2066 will also be available to advise the issue. Bill said we can provide that information as part of recommendation to IGs.

Travis said after the statutory process ended with an implementation plan, now we are doing education. In regard to what we can do to help for what's coming, the IG should ask the Council to do work including providing facilitation and an open forum for discussions to occur. Andy said that the meetings are a good venue, the audience had grown, and there is a diversity of views present in



the audience. Soo said that there would be individual processes for each of the IGs, should this effort move forward. The process won't happen immediately, and input will be taken throughout.

Andy noted that there is Pateros stream gauge data from 1959-76. He compared that to instream flows in the rule. We were below instream flow for 50% of the months in that time frame. From 1977-2018, we are doing better. Bill asked if those measurements have been impacted by ice.

9. Sub-Committee Reports

Technical Review Committee, Chair – Fort

Mike is trying to chase down errors in regard to counting of Group B's in the database. Andy asked when the data will be complete in order to share with Ecology. Mike said information is current through 2018, other than the group B's. One shape file is needed from the County. Andy asked to have it completed and to the County soon. Andy confirmed we are using 710 gallons per day, consumed, currently.

Sandra Strieby said that in order to evaluate the 710, the Council has been working on a metering project. One is installed, another 10 are signed up, and several more people are interested. In order to validate that number, we need more participants. The Tech committee met with Sen Brad Hawkins a while ago, and the Senator thinks money could be appropriated for meters if we could get 50-100 more people interested in having a meter. Sandra would like to discuss one on one outreach to meet this goal.

Andy said if the Council were to recommend it, the County could consider a requirement to put meters on all new houses. Soo asked what will be done when the usage number is verified? Andy said this would still be a 10-year program and would sunset after 10 years. If it were to be a requirement on new homes, it would provide a rolling source of data. Andy said he wanted to be clear he is not advocating for meters, but wants the Council to make a recommendation.

Soo asked if a meter malfunctions, can it be located? Mike said yes. Sandra said that as long as the meters are uploading through cell signal, we'll get the numbers. There are many benefits to owners, such as leak detection. Data uploads to a protected website. Meters are IDed by number, not by address. If the public wants to see data, privacy should be protected.

Ashley asked if Council is willing to do outreach. Mike said yes. Bill said, as mailers are expensive and not that effective, personal contact is the best way. We can also use our contact lists and associated contact lists. Soo asked us to identify partners to help us get the word out, as it is our best interest to know the number, and that towns support the effort. Ashley asked the public present to help share the word.

Travis asked if we should discuss the potential recommendation to the IG's. Ashley asked for a Council member to present a letter at the next meeting for such a recommendation. Bill said the tech committee could draft this (Bill will). Soo recommended bringing it up with the Commission ahead of time so that they will be prepared for the recommendation. The issues of concern heard so far are privacy and potential for taxing.

Political Action Committee, Chair – TBD



No report

Outreach and Education Committee, Chair – Knott

Feb film series had 54 people come out and we also received \$105 in donations.
March's film will address resilience and drought management
April's will be at the Barnyard.

Water 2066 Committee, Chair – Thrasher

Ashley reviewed the table in the meeting packet detailing the cost overage on the project. Ashley reiterated the Andy did not promise funds, but did say it was possible that County might have funds to cover the overage. Bill said he doesn't feel WWT needs to be compensated for not tracking their budget. Bill asked about Sarah's overage, which was due to additional time sorting out billing challenges, and the 3rd community meeting.

Andy asked about how the project scope creep occurred and Ashley explained the process by which extra work was tacitly and formally agreed to. Soo asked if the Council did agree, and did the Council know the dollar amount at the time for the extra work. The answer was no. Soo said normally there would have been a change order for additional work to be authorized. Travis said he's not hearing that the Council or WWT feel there are financial obligations for this. If the County finds value in the work done, this request for payment should be supported. Travis said in looking at the draft report, the work is good and there is value to the work done.

Andy said there is an upper Methow study fund (194K), and that Water 2066 may qualify to have funds applied. Bill made a motion that the Council make a recommendation to the County to pay this if they are able. Dick seconded the motion and the motion passed unanimously, with Andy abstaining. Ashley will email a request to Andy on letterhead. Andy thinks the funds was originally set up chemical analysis, but will look back through money trail to see if funds are available.

The Draft Water 2066 report has been delivered. Council edits are due back to Ashley by March 1. The Water 2066 Subcommittee will look at edits and send it back to Council for email approval of revisions after which it will be sent on the WWT to complete. No update on whether Colville comments have been approved or if they've met with Yakamas.

10. Resilient Methow

Sarah has met with the Resilient Methow group a few times now, and is working with the Natural Systems subcommittee to refine information on climate change problems and solutions. More involvement from the Council is invited. Dick said he could provide comments on the work.

Agenda Item 2.20.01 Discussion: Rule Revision of WAC 173-548

Ashley said Sage Park will attend next Council meeting, and will give information about the process for rule change. Andy said 173-548-100 requires Ecology to review information any time conditions change. Ashley asked him to bring that up with Sage at the next meeting.

Mike reminded the Council that with gallon for gallon mitigation, the Tribes won't support or be opposed, however, if there is additional mitigation, they would support rule change. It's been 14 years since the towns of Winthrop and Twisp have been dealing with water shortages. Bill said that Council



should submit request to County, County to Ecology, and move forward. In that way the Council will be meeting its goals from the 2006 Plan.

Mike made a motion that the Council approve recommending to IGs that they initiate opening the rule 173-548 for revision. Bill seconded the motion.

Dick asked, to what purpose. Bill said water for town, and for business. Mike said that the Council and the County would come up with a list for that recommendation to open the rule. Andy said that he thinks in order for the County to move forward, a draft revision would need to be put forward. He said we need two strikeouts and two revisions for the rule to be changed. Andy said for discussion, let's try to get 1.5 cfs moved down for towns. If we move up group domestic in the Rule, someone could see that as more development potential than there is now. Bill said he doesn't think we should limit our recommendations, and the commissioners put together specifics from community outreach. Dick said that questions related to this from water 2066 should provide information.

Dick said we should wait to hear what Sage says next month before making this decision. Travis said that what is being discussed, moving water for towns, and into group domestic, "silos" the issue. Mike said no, we don't want to put those limits on the issue. Travis said that if it's going to be a motion, we should recommend exploring above and below the rule for options. He doesn't believe Campbell Gwinn settles the issue. He'd like to get AG opinion. Is there a size limit? Does SFD apply to instream rule? Travis thinks we can look at options at the County ordinance level, including interruptible flows. Travis thinks there has been maturation of the rule-making authority since the rule was made. Travis wonders if under prior appropriation rule, this is possible.

Mike said that those would be questions for the County to forward to the AG. Mike thinks that the sooner we get the process started, the sooner we can access and address these questions. Mike doesn't think it's our place to direct the work of the County. Travis agrees that the appropriate request is to start with a comprehensive analysis. Dick made friendly amendment to have the county investigate opening the rule. Mike disagreed. Dick doesn't want the rule open unless we know what we'd get out of it. Mike said we know what we want: group domestic and water for town. Mike said the County has already approved of those ideas.

Andy asked if those were already accepted by Ecology in the 2006 plan. There is a caveat in the plan for Ecology. Is the recommendation to revise the DIP? Dick clarified his amendment is to open the rule to implement the DIP. Mike said putting the caveat onto the County will keep them from wanting to do it. Travis asked if we approve the motion, what does it do? Mike said that it gets the task from the DIP in the works. The DIP was not signed off on by the County or by public process.

Ashley said that she thinks this motion would have no "teeth". She asked, why not wait one more month until Sage is here for more information. Dick said he'd like to see the motion tabled. Travis said he thinks the motion is void as it is. He would like a motion to begin study for a recommendation on the rule. Travis is for moving forward with action that could lead to the rule being opened. Andy said that the Yakama basin integrative plan process is what we're talking about. Tribes, irrigators, PUD and users were at work and they came together to come to an agreement.

Mike said that the Council can't do that. The Council doesn't have the funds or clout to do it. Travis said that the funding could be found for the Council to act as an entity to bring together a group. Mike and



Bill feels strongly that the Council doesn't have the resources to play that role. Mike feels that we have a responsibility to move forward with the agreed upon plan. Having meetings for a year to come up with a list to give to the governments is not feasible, in his view. Moving forward will help sort out zoning, and the 2 cfs. We have a closed basin, essentially, and we can't move forward as it is. Bill said with commissioners agreeable to moving forward, we should take advantage of it. Dick said his recommendation would be to recommend the County invest and make a recommendation for a pathway to open the rule with defined objectives.

Travis asked the IG's what this motion would mean. Andy said it would set a hard and fast starting point. We're looking at 2066, we have other issues with the rule. It brings more awareness to this issue. If the motion passes, Andy wouldn't move this forward without hearing from all stakeholders, including government to government discussion. Andy agrees that looking below at and above the rule for potential changes is valid. 2066 is not the only piece of information. Andy said some stakeholders won't come to the Council table because they don't believe this is where decisions will be made. Andy wants to hear from these groups to hear what their limits are, and to define what we are looking for. Andy said if we look at buildout and the database, we do have the water. Travis said you can change use if there is no injury.

Soo thinks all are not that far apart. What she hears is that no one is opposed to moving forward. Opening the rule is a very strong statement and there is trepidation attached to that. It seems everyone around the table is not happy with how it is now. Soo thinks establishing a process is a first step. Defining objectives will come out of process. Soo said she thinks the motion is a statement that we need to move forward. Continuing discussion will not move the issue forward. Soo said the Council purpose is advisory. The Council is advisory to the governments. When IGs take this recommendation back, they will hear from constituents. Soo asked, is this recommendation directed to County? Or to IGs? If it's an IG process, the process will be different if all are involved. Soo sees that there is a value on hearing Ecology's presentation. She would like to hear from Ecology and challenge the understanding presented and ask questions.

Travis said he hears this as a way to set the IGs to solving the problems and take it off the plate of Council. Andy says IGs can bring those other players to the table. Andy says, as an elected official, he is trying to help figure out where we are going. Andy wants to know how to get everyone together to figure this out. This is not discussing theoretical problems; these problems have come about now. Andy wants to be moving on it. Travis said he would like the County to want the Council to be involved. Andy says he does want the Council to be involved. Soo agrees Watershed Council needs to stay involved. Ashley agrees that this is a discussion about process.

Bill said he is not concerned about what Ecology has to say. He thinks our job is to make recommendations to IGs, and at the time that it moves forward, then Ecology will be involved. Mike said if we listen to DOE, will we not want to open the rule? Dick said the approach to the process is the important part. Travis said his resistance to just opening the rule is that if law counteracts the desired outcome then it's not effective.

Ashley said a motion to table could be seconded, or we could have a motion to form a committee to discuss. Jeff said that anything that affects his time or cost, he doesn't have enough information to make a vote on as a staff person for Winthrop. Jeff couldn't support the motion currently.



Dick moved to postpone the original motion and discussion until the next meeting. Ashley asked for a second. Travis seconded.

Ashley called for further discussion. Mike said he understand the concern, but doesn't think anything we hear will change the progress toward changing the rule. Travis asked if a motion to commence active processes to open the rule and or explore other channels to achieve the goal of the implementation plan and other water related rules would be supported. Bill said he wouldn't support that. Mike said he feels if the Council asks the County to open the rule, it will be a process and it will get done.

Ashley called the vote on Dick's motion. Jeff, Dick, Travis, Ashley, Soo approved the motion. Bill and Mike opposed the motion. Andy abstained. The motion passed, and Mike's motion was tabled until the next meeting.

Agenda Item 2.20.04 Discussion on Ordinance 2019-11

Andy asked if this item will be lengthy. Travis said this has to do with amending the ordinance. Andy said until the comment period is closed, the County will be taking comments.

Andy asked if the Council can strike the rest of the agenda other than public comment. Ashley agreed to the change.

11. Agenda items for next meeting

Recommendation to IG re meters on new building

Original items 2.20.01 and 2.20.02 were struck at the end of the meeting for time. These items should be on the agenda for the next meeting.

12. Public Comment

Isabelle said that the planning commission meets Monday night 7PM regarding water. By county statute they are to have advisory committees and there are currently none. Ashley said there has been no communication from the planning commission. Andy said he would give note taker George Thornton an update on what was discussed at this meeting.

Dawn Woodward said after reading letters and listening to all this information she doesn't see what problem is being solved or what does success look like. She thinks the advisory Council should advise the IGs. If we can provide information about the problem to be solved and the benchmark for success to the process, it will help.

Jason said that there has not been discussion about the four items in Ordinance 2019-11, and who is responsible for these items. Are these pre-rule making tasks? The process is not clear now and is not going to get clearer if it moves forward as it is currently. Clarifying the process and roles is important.

Lorah said we should adopt the tuba as our official instrument. Lorah reported that in regard to water transfers, as of yesterday, both house and senate have failed to even pass the Ecology bill out of committee. Sen. Hawkins is looking for another bill to attach the amendment. It's not dead yet, but looking rough.

Melanie supports what Jason said and attempts an answer about what we should be going for – not to have a bunch of separate processes. We should integrate water and land planning. How do we integrate



these two? Melanie asks the County to keep this in mind as County approaches the process, and find a way to integrate.

13. Adjournment

The meeting adjourned at 7:13 P.M.

Ashley Thrasher, Council Chair

Approved at the April 16, 2020 Council meeting.