



Monthly Meeting Minutes

October 19, 2017

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

Council Members Present: Dick Ewing, John Fleming, Mike Fort, Andy Hover, Rick Karro, Bill Tackman, and Travis Thornton. Greg Knott and Ashley Thrasher were unable to attend.

Others in Attendance: Brian de Place, Steven Exe, Michele Hinatsu, Logan Johnson, Steve Kolk, Natalie Kuehler, Mary McCrea, Chris Riggio, George Schneider, and Jacquelyn Wallace

Minutes recorded by: Sali Kilmer, Administrative Assistant

1. Call to order

The meeting was called to order by Vice Chair Dick Ewing at 5:05 p.m.

2. Introductions

3. Approval of Agenda

Andy Hover moved to adopt the Agenda of October 19, 2017, as presented. Mike Fort seconded, and the motion carried.

4. Minutes – Review and Approval

Mike Fort moved to approve the Minutes of September 21, 2017, as presented. Bill Tackman seconded, and the motion carried. Rick Karro abstained, stating he was not in attendance for the meeting.

5. Report from the Chair: No report. Greg Knott absent.

6. Grant Administrator Report: Discussion deferred to the agenda item.

7. Methow Watershed Foundation Report: Mary McCrea

Mary informed the Council that Kent Hitch has joined the Methow Watershed Foundation as a new board member. Dick Evans has emailed the Treasurer's report to Council members. In summary, about \$3,360 remains of the \$4,000 Moccasin Lake grant and about \$2,550 remains of the \$3,600 Community Foundation of NCW grant. It is anticipated that both grants will be applied for again next year, with their purposes flip-flopped; Moccasin Lake will be for administrative assistant fees and Community Foundation of NCW will be for education/outreach efforts. George Schneider will present an update on the WCRD/TLAC project budget with the agenda item to follow.

Mary applauded the fact that a lot of work has been accomplished so far with very little money spent, as the Foundation is striving to be very frugal in how it spends the funds that have been granted and/or donated. The Give Methow campaign has raised

approximately \$365 so far, and will continue through the end of October. Additionally, Foundation members met with Jennifer Molesworth recently to discuss potential funding by the Bureau of Reclamation. A list of possible projects is being compiled, which will be submitted to the Bureau. The project list will consist of items that have already been in the works, including data and information gathering for Water 2066. Mary will report to the Council in November what projects in particular are likely to be funded by the Bureau.

Foundation members also met with Torre Stockard and her co-worker on the Methow Beaver Project. The Foundation is looking at the possibility of becoming a supporting partner of the Beaver Project.

Finally, Mary reported that Tom McDonald of Cascadia Law Group has expressed willingness to give a public presentation in the spring regarding the legislative process and the impacts of the Hirst decision.

8. Initiating Government Reports

Town of Twisp: John Fleming stated that the Town of Twisp had nothing relevant to report. However, he asked a question about a trailside sign posted in the Mazama area which references a huge underground aquifer 1000 feet deep by a mile wide. He wondered if all of that water (perhaps over 1.5 trillion cubic feet) is really untouchable to Methow Valley residents. Dick Ewing clarified that the aquifer referenced on the sign refers only to the Mazama basin aquifer and does not stretch the length of the entire valley. There are several underground aquifers in the valley of various depths. Natalie Kuehler explained that this question illustrates the frustration people feel with how water law (including the 1976 Methow Rule) is written versus up-to-date geological science and what is actually seen on the ground. Mike Fort lamented that the only way to fix the problem is to change the laws.

Town of Winthrop: Rick Karro had nothing relevant to report.

Okanogan County: Andy Hover reported that he contacted Tim Flynn of Aspect Consulting regarding the Microsoft Access database created for the Methow Watershed Council. The Aspect database is based on tax parcel numbers but no well data logs are tied to the information. The County's goal is to add this information later and to link the building, planning and assessor databases to one another.

Mike Fort made a motion to authorize Aspect Consulting to release the database previously prepared for the Methow Watershed Council to Okanogan County. Bill Tackman seconded, and the motion carried. Andy Hover abstained.

Andy received an email from Trevor Hutton of Department of Ecology to set up a joint meeting with Okanogan County and the Yakama Nation to discuss DOE findings on their assessment of hydraulic continuity in the Wolf Creek area. Mike Fort mentioned that the MWC has already contacted USGS regarding a study of the Wolf Creek area. The overlap is not a cause for concern, as it will be interesting to compare the results obtained by both entities. Mike asked Andy to implore DOE to make the meeting public, since members of the community have a right to have access to these findings. Andy agreed to ask that the meeting be open to the public.

A discussion ensued regarding Okanogan County's Ordinance 20 and its response to the Hirst decision in comparison with what other counties are doing (or not doing). Andy stated that the buildable lands analysis and well logs that the County is working on should help to answer the question of where we are regarding the 2 cfs reservation. Bill Tackman asserted that in reality, zoning should be tied to the 2 cfs. He suggested that the County should sit down with various stakeholders to flesh out issues and discuss the impacts of various scenarios. Andy agreed that one or more work session meetings may be in order.

9. Sub-Committee Reports

Instream Flow Rule Revision Committee: Mike Fort had nothing to report.

Political Action Committee: Bill Tackman stated that he will email Council members a list of about ten bills being discussed in Olympia. Nothing has gained traction yet, but there are a couple of interesting proposals that might have some merit.

Technical Review Committee: Deferred to the "Confirm WCRD/TLAC Project Direction" agenda item.

Outreach and Education Committee: Bill Tackman reported on the successful MWC sponsored public presentation by Chris Konrad on hydraulic continuity. The event was attended by over 50 community members. Terry Hunt video recorded the presentation and has completed the editing of the first segment. A video will be embedded to the www.methowwatershed.com website. The next expert presentation will be on Tuesday, November 21, 6-8 p.m. at the Methow Valley Community Center. Amy Snover, Director of the Climate Impacts Group at the University of Washington, will present, "Wetter, drier and hotter. What's in store for Methow waters?" All Council members and interested parties were encouraged to attend.

Bylaws Amendment Committee: No report. Ashley Thrasher absent.

Water 2066 Committee: No report. Ashley Thrasher absent.

10. Agenda Items

Report: MWC Authorization Research: Travis Thornton revealed that the issue of protection of Council members from possible litigation came up when the current MWC bylaws were being reviewed. Originally, the Methow Watershed Planning Unit was set up under authorization of WA Chapter 90.82 RCW. The Methow Watershed Council evolved out of that process once the Methow Watershed Plan and the Final Detailed Implementation Plan were adopted. The question is whether the current Methow Watershed Council is furthering the purpose of the Methow Watershed Planning Unit, or has it evolved beyond the authority granted by 90.82 RCW? Mike Fort clarified that he has always stressed the importance of staying within the outline of the Final Detailed Implementation Plan, which protects the Council members from litigation. Travis highly recommended that if the Council wants to broaden into areas outside of the scope of the Final Detailed Implementation Plan, a legal mechanism for protection of its members should be adopted (i.e., incorporation as a non-profit organization). He also recommends looking into board insurance for Council members. Mary McCrea will follow up with Greg Knott on this later.

Action: Confirm WCRD/TLAC Project Direction: George Schneider distributed a draft Amendment Request for the WCRD/TLAC Project. The amendment is required by DOE because it revises the scope of work and extends the expiration date of the agreement to October 31, 2018. The revision of the scope of work includes:

- Task 4 – Pilot Project Agreement and Stakeholder Outreach - Development of a draft agreement between WCRD and TLAC for a pilot project involving the transfer of some WCRD water to the Twin Lakes aquifer for a limited amount of time. Stakeholder outreach will include intensive efforts to involve others including Ecology, Yakama Nation, Colville Tribes, WDFW, towns, landowners, irrigators, water rights holders, and community members and organizations.
- Task 5 – Implementation and Monitoring Plan - Partner with Bureau of Reclamation to design and implement storage release automation at WCRD screen box. Cost estimating and a funding plan for implementation of pilot project will be developed. Includes development of a monitoring plan, but no actual monitoring or data collection.

George noted that Natalie Kuehler will be assisting with the legal strategy. He stated that it will take tight budgetary management to stay under the remaining \$42,000 for the project. Mike Fort highlighted that Aspect estimates \$13-14k for limited participation in stakeholder and MWF meetings, preparation of presentation materials and participation in DOE water right strategy meeting, limited support to BOR for automation system design and preparation of the monitoring plan. It is important that Aspect sticks to the budget and does not go off track.

George stated that he has run the revised scope of work past Vanessa Brinkhuis at DOE. Though she could make no promises, she sees no problems with the amendment and predicts that it will take DOE about a month to process the request.

Mike Fort made a motion to authorize George Schneider to submit “Amendment Request No. 1, Ecology Grant Agreement No. WRFA-VER1-METWaF-00004” to Department of Ecology for processing and approval. Rick Karro seconded, and the motion carried. Andy Hover abstained.

Public Comments: There were no public comments.

Discussion: Agenda Items – Next Meeting: The next meeting agenda may include a discussion on board insurance.

11. Meeting Adjournment

Mike Fort motioned to adjourn the meeting. Andy Hover seconded, and the motion carried. At 7.02 p.m. the meeting was adjourned by Vice Chair Dick Ewing.

Dick Ewing, Council Vice Chairman

Approved at the November 15, 2017 Council Meeting.