

**APPENDIX L**  
**COMMENT COMPILATION**



## OWL COMMENTS

October 20, 2003

OWL  
90TCR  
Carlton, WA 98814

RE: Comments Methow Basin Watershed Plan

To Methow Basin Planning Unit

OWL comments:

This four year, million dollar process, has consistently placed local interest over Statewide interest in allocation of water resources. The PU has refused to acknowledge that they must conform to State law or protect public interest. All local members of the PU have vested out of stream interests. The Plan's bias in support of leaky and wasteful irrigations ditches is so pronounced that some local members of the committee are saying that the plan is too one sided.

One goal of the Plan is to change WAC 173-548, which currently determines local water usage. These changes favor new out of stream uses and allow changes that permit more condos and commercial uses in the valley. These changes will have a negative effect on the rural character in the Methow.

The Plan miscalculates the amount of water remaining under WAC173 for future allocation. The current WAC does not allow the use of more than 14cfs of water at any one time for new development..

The first mistake the Plan makes is to employ a water use figure based on an average of year around use, instead of the amount used at any one time.(instantaneous use) The Plan calculated 600-1200 gpd for domestic use. This allows them to claim that the 14cfs provided for future use in WAC 173 has not been used up. State law provides 5,000gpd for domestic use, and this figure is frequently exceeded in summer due to domestic irrigation. The PU chooses to ignore this fact. They also choose to ignore DOE figures from the Methow Regulation Review Advisory Committee(MRRAC) in the early 1990's showing unequivocally that the 14 cfs has already been greatly exceed by domestic and commercial development since 1977. In fact, the over allocation was so pronounced that the MRRAC committee actually voted to close the entire basin to further development ( DOE ignored that vote).

The PU calculations also fail to include water usage by developments allowed under the mid ninety's emergency rule; planned developments and community domestic supplies allowed by the County in violation of the WAC.

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Among other water uses not included in the Plans calculations are: non interruptible ground water permits issued after Jan 1977; non interruptible surface water permits issued after Jan. 1977. These two types of permits have never been conditioned for instream flows and by themselves far exceed the 14cfs provided for future use in WAC 173.

The Plan fails to recognize that the 14cfs is long gone; fails to recognize the fishery resources suffer from low instream flows; fails to acknowledge the impact to fisheries from irrigation dams and bad fish screens; and in fact promotes further out of stream uses.

The Plan plan creates a local council to direct implementation of the plan. This council is proposed to have veto authority on any required efficiency improvement to irrigation; authority to determine whether the basin is over allocated ( a boon for us local water wasters...); and powers to supercede both county and state authority. Another task of the local council is to make recommendations for water law changes. All of these recommendations weaken current state law for water resource protection. These range from amnesty for non-use to changing waste definitions.

Much of the PU plan is intended to justify waste of water in leaking irrigation canals. The PU assumes that all canal seepage returns to the river. They ignore a number of facts in terms of canal seepage and waste. First, waste impacts the amount of water available for junior rights holders. They are likely to be curtailed sooner and for longer periods of time due to low flows. Second, in order to compensate for seepage, they must divert larger quantities of water than are actually needed for irrigation, thus taking vital flows from the river. Third, what seepage does return to the system comes back in a different reach of the river. The canals are miles in length, leaving long stretches of stream dewatered. The PU actually proposed to build canals that go nowhere and divert water into them on the theory that this will recharge groundwater. The PU also wants to dismantle efficiency improvements to the Skyline and Wolf Creek irrigation districts. Fourth, water that seeps back into the stream returns not only at a different time and a different stream reach, but also may be in a different condition. The classic example is the irrigation flow diverted through a local rancher's feed lot, taking heavy loads of manure into Beaver Creek . The PU chooses to ignore all the above problems with seepage from irrigation uses.

OWL asks the planning unit members to vote against this plan.

Sincerely;  
Lee Bernheisel, President of OWL

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## Ken Sletten Comments

Date: Monday 20 October 2003

From: Ken Sletten

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To: **Methow Basin Planning Unit (MBPU)**  
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**Subj: Comments on Methow Basin Final Draft Watershed Plan (MBFDWP),  
Dated 14 Oct 2003; and associated Tables 1 through 12.**

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### BACKGROUND:

I started construction of my permanent residence on 10.6 acres of Methow riverfront on Wolf Creek Road between Mazama and Winthrop in 1995.

### SIDEBAR to those on copy:

You may not have the time to read all of what follows. But since I mention the State Legislature and the County Commissioners several times in my comments, I forward copies for reference so that you can see what I said if you want to. Note that I'm not asking for or expecting action by anyone on copy as a result of this document. But I trust that the Legislature and the County Commissioners will continue to be actively involved in water issues in the Methow Valley; and will assist as required in moving the MBFDWP forward. There is little doubt that the Methow Valley will need your help (again), in the struggle with bureaucrats at WA-DOE and other executive agencies.

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**Mea Culpa to All:**

This ended up being a lot longer than I first intended. But given the importance of getting a good Methow Basin Watershed Plan (MBWP) and the looming deadline for submitting comments, I just kept going until I ran out of things to say (at least for now). I also regret the somewhat "rough draft" nature of what follows: Just flat-out ran out of time for further "polish".

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**COMMENTS on MBFDWP:**

**Page 01, line 07:**

Since only 14 percent of the land within WIRA 48 is privately owned, it follows that the majority of vegetation in the Methow Basin is on federal and state land. There is certainly a lot of thinning of trees and removal of ladder fuel that can productively be done on the 14 percent in private ownership; to reduce fire danger and promote forest health, and thereby protect water quality. Those efforts on private forest land should be encouraged and supported. But a primary focus from the perspective of efficient use and conservation of water resources should be on the other 86 percent of WIRA 48 in the hands of government agencies: Except during the winter, every tree draws in and transpires an average of "X" gallons of water every day. Multiply the current total number of trees in WIRA 48 by that average "X" gallons per day in the summer season, and you get a VLN (very large number).

The preponderance of WIRA 48 water use by vegetation on federal and state forest land is immediately obvious from combining the "86 percent public land" statistic and pertinent data in Table 1 of the MBFDWP: Table 1 does an excellent job of clearly presenting overall Methow Basin water use, and shows that **NINETY-SIX PERCENT of current total water use in the Methow Basin is by the "Forest"**. Even if we assume this "Forest" water use is evenly allocated between all WIRA 48 private and public land (the proportion of "Forest" water use per acre by private land is likely less, perhaps by a considerable margin, since on the whole a smaller percentage of private land is forested), then:  $(0.86 \times 1,405,757 / 1,463,182) = 83$  percent of total use = **1,208,951 acre-feet per year are currently used by the "Forest" on federal and state land alone.**

A major portion of this 1,208,951 acre-feet per year used by the "Forest" on government land in WIRA 48 is lost via evapotranspiration during the summer months. But this water loss is much bigger than it needs to be: Large sections of federal and state forest land in the Methow Basin outside of designated wilderness areas have over the last 75 years or so become massively overcrowded with trees (so have some lower-elevation segments of wilderness areas, but they're off-limits). A major effort should be launched to initiate and then continue on a standing basis a program of thinning trees on federal and state land in the Methow Basin, to bring the number of trees per acre down, or at least much closer, to the optimum for forest health and reduced fire danger; and by doing

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so at the same time significantly reduce evapotranspiration losses. Given the hot and dry summers in most of WIRA 48, there would be a huge reduction in water loss via evapotranspiration through trees if we had the optimum number of trees per acre over much of the Methow Basin outside of wilderness areas or close to that; and then kept the understory vegetation between those more widely spaced trees in check.

I suggest that a final Methow Basin Watershed Plan (MBWP) should include another table giving at least an initial basin-wide "best estimate" comparison of yearly evapotranspiration losses with the current tree density, versus water losses that would be expected if we had the optimum number of trees per acre on non-wilderness federal and state lands in WIRA 48. While it is unlikely that we will ever get to the optimum number of trees on 100 percent of non-wilderness federal and state land, an overall comparison of "current spacing" with "100 percent optimum spacing" would allow easy extrapolation of water use for intermediate percentages.

The two paragraphs on "Forest Management Plans" starting on page 19 line 49 are good as far as they go. But I would suggest that a final MBWP include more specific statements on the importance and desirability of thinning of trees on federal and state land in the Methow Basin; as well as the need to continue such a program to maintain as close to the optimum number of trees and other vegetation per acre over the long run as is practically possible. Note this would also have the additional major benefit of providing some long-term local jobs.

With respect to the obvious follow-on question about a large-scale, standing program to work towards and maintain an optimum number of trees per acre on much if not most of the federal and state acres in WIRA 48; i.e.: How much would it cost and who would pay for it: First consider this: According to USFS statistics, the total cost to fight just the 2003 Farewell Creek and Needle Creek fires in the Methow Basin now exceeds \$48,000,000. The yearly investment of a small portion of what was expended just to fight those two fires would go a long way towards paying for a major ongoing forest thinning and optimum-density maintenance program.

The other obvious way to cover initial thinning costs is to allow commercial timber operators to take enough of the larger trees to make overall thinning operations financially viable; or at least close enough that it would be much easier for government agencies to make up the difference with "fish money" and etc. (reference the very large amount of money that the NWPCC / BPA spend each year on fish projects). Because of the order-of-magnitude level of overcrowding on much of the forest land in the Methow Basin, this should not be a significant problem in most areas; i.e.: We're NOT talking about clear-cutting or anything remotely close to that here (the eco-extremists who will inevitably complain about this and for that matter ANY commercial use or alteration of public forest lands should be ignored).

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**Additional comments on “Table 1”:**

**Note # 2 says: “Does not include recharge from irrigation canals and ag application.”**

Especially given recent studies which confirm hydraulic continuity and the beneficial effects during later low flows of aquifer recharge from irrigation canals during high flows earlier in the year, I suggest expanding Table 1 (or alternatively adding a supplemental “Table 1A”) to indicate estimated NET agricultural use by Sub-Basin when allowing for said recharge; and directly comparing that to the ag use column in the current Table 1.

**Note # 3 says: “All domestic uses in this table reflect a total use number, without return factor or percent of occupancy factor.”**

An estimate of actual domestic consumption does follow the existing Note # 3; however, I would suggest this “actual consumption” data be made more prominent and included in an expanded Table 1 or a supplemental table. With the estimated 90 percent return factor for municipal - residential - exempt water use, it is misleading to most prominently present numbers in the main table which are calculated on the assumption of ZERO percent return; and then only include the “90 percent return” qualification in a footnote. Even if we can’t absolutely prove that the return is 90 percent, we KNOW that it’s a WHOLE lot more than zero percent.

With respect to the Table 1 “footnote qualifications”: The absentee ownership and occupancy percentages are perhaps difficult to quantify precisely. So we can be conservative on those numbers and just assume 100 percent, year-round occupancy. Clearly municipal - residential - exempt water use is mostly NON-consumptive; i.e.: With a yearly average 90 percent estimated return factor, actual consumptive municipal - residential - exempt water use per the Table 1 footnote is only 37,991,628 gallons = 117 acre-feet per year for domestic applications at a 100 percent occupancy rate. I propose that this number should at least be included in the main “Table 1” totals, if it does not outright replace the 210 and 956 acre-feet numbers.

**Summary of municipal - residential - exempt water use: It is LESS THAN ONE PART IN 10,000 of the total Basin-wide water use.** Keep that in mind, and then consider the standard deviation natural variation in yearly total flow for the Methow River and Basin-wide natural recharge. It should be immediately obvious to everyone without a predetermined agenda that **consumptive domestic use is so far down in the noise that IT DOESN’T MATTER**; even when making allowances for the fact that yearly averages do NOT tell the whole story; i.e.: at Methow River low-flow times even a relatively small amount of added or subtracted water may be important. But just like irrigation water seepage into the unlined canals recharges the aquifer, so does the domestic use return factor; albeit on a smaller scale. From the technical water use perspective, spending money, time, and effort focusing on domestic use is a total waste; and unnecessarily diverts resources from other more productive, necessary, and cost-effective activities.



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**While I'm on "tables", let's go on to "Table 3":**

Hopefully all involved in the current Methow Basin Watershed Planning effort (especially federal and state agencies and ESPECIALLY WA-DOE) will note that the 1993 Upper Methow Groundwater Management Plan, the 1994 Pilot Planning Project, and the 1999 Draft Methow Rule were all NOT ADOPTED by State government agencies. Plus I recall there were various and sundry other abortive associated water planning efforts in the last 10 years. I recall because I took a minor part in some of them, and commented on others. In any case, a lot of Okanogan County citizens have put in a HUGE amount of mostly volunteer, uncompensated time working on water issues and various water plans over the last decade. They were (at least initially) greatly encouraged to do so by state agency personnel, who told everyone how important and appreciated these citizen efforts were..... And then the end-products of those prior citizen efforts essentially ended up gathering dust in the offices of those same state agencies. That is UNSAT.

Now another group of dedicated citizens and local Okanogan County officials have again invested big chunks of their time in yet another sustained effort (probably the biggest one yet) over a period of nearly five years, in getting the MBFDWP dated 14 Oct 2003 to the current state. Let the record show that this citizen will consider it totally unacceptable for WA-DOE and other state agencies to ignore, subvert, or modify without consent of the MBPU yet another major water planning effort by citizens of Okanogan County.

**Now back to the MBFDWP:**

**Page 02, line 46: "... the opportunity to utilize excess water from spring run-off ...".**

This is an area that should be explored in depth and in detail: In many years at times of high run-off there are THOUSANDS of excess cubic feet per second that rush on down to the Columbia, that provide no significant beneficial use to either Methow Valley citizens or to fish; other than making for a great ride through the Black Canyon rapids for expert river runners. Extreme high water can in fact be DETRIMENTAL to both fish and people. Meanwhile, at times of high run-off in the Methow Basin the Columbia River almost always has all the water it needs and then some. There would seem to be no significant downside to "slowing the exit of water from the basin during times of high run-off" as the MBFDWP wisely suggests. Opportunities for further appropriations during high flows should also be pursued as the MBFDWP proposes.

SIDEBAR: As a whitewater boater for 25 years, I don't want the Methow whitewater experience to disappear. But during spring run-off it's very unlikely that everything above base flows can be diverted into aquifer recharge; not even close. So spring and summer boating on the Methow should be "safe" even with the maximum practically achievable use of excess spring run-off for aquifer recharge; albeit perhaps with slightly smaller waves in Black Canyon.

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**Page 04, line 49: “These runs flourished in spite of the largest number of unlined irrigation canals and a complete lack of fish screens...”**

So.....: Can WA-DOE explain just how Methow salmon runs did SO well during that time, without the “assistance” of ANY of the expensive fish screens that water users have been forced to install in recent years ?? Enquiring minds would like to know...

**Page 06, line 21: “... groundwater inflow from unlined irrigation canals and irrigation practices to the Twisp River extends into winter.”**

The findings of this USGS study are extremely significant. Even though the study dealt in detail only with the Twisp River, the evidence of this study in conjunction with the other historical and anecdotal evidence discussed on pages 7 and 8 of the MBFDWP make it completely reasonable to assume that similar and proportional effects most likely occur in other areas of the Methow Basin where groundwater and the Methow River are in hydraulic continuity. Since there is no apparent significant downside to implementing maximum groundwater recharge during periods of high run-off, WA-DOE should not require volumes of statistics on every sub-basin in the Methow Watershed (that are very time-consuming and expensive to generate) before moving on this. At the very least work to facilitate a major expansion of ground-water recharge during high run-off should be allowed to start while more hard numbers are being generated if WA-DOE just cannot live without more data (getting to the desired end-point is likely to be a multi-year project).

**Page 11, line 12: Missing word: Should be: “cushion may be large....”**

**Page 12, line 37: “functions of the MWC will be delegated to salaried....”**

How about instead saying: “functions of the MWC **may** be delegated....”; i.e.: Many if not most ongoing functions probably will be delegated to staff. But why preclude volunteer members of the MWC board from possibly performing some of these “actual functions” at least on an occasional basis if they are able to do so; which is what current wording seems to say ?? Current members of the MBPU have many years of in-depth experience and a lot of expertise on watershed planning in general and Methow Basin water issues in particular. Seems like it would be a shame to preclude volunteer board members from performing some of the “actual functions” of the MWC if they’re qualified and inclined to do so; as I expect several members of the current MBPU would be.

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**Page 12, line 44: "... and encourage reintroduction of beavers."**

I've got nothing against beavers in general: They're interesting critters, and the beneficial effects of the water their dams impound are well known. BUT: From years of personnel experience on my 10.6 acres of Methow riverfront just below Weeman Bridge, I would caution that before proceeding careful consideration needs to be given to the ramifications for private property owners of any large-scale augmentation in the number of beavers; i.e.: It doesn't take many beavers in one area before a LOT of trees along the riverbank start falling: On the island directly across the channel from my home site beavers already in residence have cut down a noticeable number of trees, and not just small ones: Those industrious little tree-choppers happily chewed away on a number of cottonwoods a foot and more in diameter. They even attempted to topple a TWO-PLUS-foot-diameter cottonwood (although apparently they gave up on that one).

For a good example of "unintended consequences" in other beaver introduction / encouragement efforts, take a look at the experience of Reno / Carson City Nevada. Following is a short snippet from just one article in the April 2002 Reno Gazette-Journal. For the complete article see:

<http://www.rgj.com/news/stories/html/2002/04/01/11108.php>

"Beavers have been notorious for killing for giant cottonwoods. In the east Truckee River canyon, Reno city forester Jim Ross said he has seen stands where 90 percent of the trees are girdled and dead or dying. In the late 1980s and early 1990s, a large number of beaver were eating their way through town, setting off a huge controversy. Reno City Council chambers became a war room, with conservationists and river lovers pitted against animal rights advocates. The result was trees were wrapped in chicken wire and a number of trappers quietly went to work, ... The cottonwoods are important in shading the river and cooling its waters for trout and their deep roots stabilize the river banks, "

My summary on beaver reintroduction: I don't think we want to have to get into a major program of wrapping all stream-side cottonwood trees in the Valley with chicken wire. A few beavers are O.K. MAYBE the Valley can reasonably support a slight increase in the current beaver population. But let's not encourage beaver lodges on every bend in the Methow and its tributaries, or we're liable to end up with a lot less cottonwood and other trees and the shade they provide for fish (and people).

**Page 12, paragraph starting at line 48:**

This is a good and reasonable initial list of potential water storage projects. It's hard not to reflect on the actions supported by WA-DOE and other federal and state agencies that lead to the current sad situation with Twin Lakes. Looks like we may now need to UNDO some of the expensive work done in the Wolf Creek Reclamation District; to restore and enhance Twin Lakes... All together now: They're from the government, and they're here to help us... While they're (theoretically) doing that, it sure would be nice if they didn't have to do these things over and over again with taxpayer dollars.

**Page 13, paragraphs starting on line 49 on “Enhance Artificial Recharge”; and Table 5:**

Table 5 provides some very interesting numbers: It says that except in years with abnormally low precipitation in the Methow Basin, there is a HUGE amount of water available during high run-off for aquifer recharge augmentation. I suggest adding a “total water available” column on the right like you did in Table 1; to highlight the scale of recharge that could be accomplished if all or at least most of this excess flow was utilized. Note that for 1999 (the last high-flow year) the total “water available for appropriation” is 4,198 acre-feet. That is nearly 8 percent of the “total” ag use listed in Table 1, which of course does NOT take into account irrigation recharge.

With respect to diverting water through existing head gates during high flows: Absolutely. But while that is the quickest and cheapest way to get started, I would suggest not limiting this option to just fully functioning irrigation ditches. From personal “walk-about” I have taken along the Methow River above Winthrop, it appears that there are a number of old, no longer used irrigation ditches that might in some cases be productively resurrected with relatively little cost and effort, if property owners were agreeable. There appear to be some cases where these old ditches would only require the installation of culverts under driveways or the repair of short segments of the ditch or etc. to be functional again.... At least the technical work to make them operational again seems like it would be limited. The “political” work to do so is of course another question. Note that just like with thinning trees on government forest land, this would seem to offer an opportunity to provide some local jobs.

**Page 14, line 24: “... could include the return of state lands to private ownership, “:**

An excellent idea; especially given all the acres in the Methow Basin bought up by the government over the last couple decades and then left to all appearances totally UNmanaged.

**Page 14, line 31: The section on “Modify WAC 173-548”:**

I definitely agree: WAC 173-548 needs to be modified as suggested by the MBPU (and perhaps in additional ways not touched on in the MBFDWP). Doing so is a key part of this process. If WA-DOE ends up being “reluctant” to mod 173-548 as required by the final MBWP, the MBPU and / or the proposed MWC should not hesitate to get our 7th and 12th District State Legislators involved. Remember the 2003 RMAP example: Until a major citizen grass-roots effort to lobby the State Legislature resulted in SSHB 1095, WA-DNR was on track with their initial RMAP rule to devastate small forest landowners in this State. Summary on mod of WAC 173-548: Stick to your guns on this one.

**Page 17, starting on line 9: Paragraphs on “Legal and Policy Discussions”:**

I encourage the pending MWC to prepare and pursue more specific legislative proposals. From 20 years of experience and involvement in land and water use issues in the Methow Valley and Okanogan County, I have the strong sense that depending ONLY on State agency rule-making to satisfactorily address all outstanding water use issues in the Methow Valley will most likely lead to a more-or-less unhappy outcome. Formally recognizing “Transportation water” and ground water recharge as beneficial uses are likely only two of several important changes in the RCWs that will be necessary. So, yes: We’re going to need the help of the people’s representatives in Olympia again; on many if not most of the following (and quite possibly additional items).

(a) As suggested by the MBFDWP, WA-DOE should issue interruptible water rights in a previously closed basin if “certain conditions are met”. Definitely YES.

(b) Expand “use is or lose it” water rights window from 5 to 20 years: Definitely YES.

(c) Ditch companies should be able to declare their “customary usage over the last 20 years” instead of being subject to a tentative determination: Definitely YES.

(d) Forfeited water that has been put to beneficial use in the past should be re-appropriable, or do away with tentative determination requirements: Definitely YES.

(e) Need Legislature to enact RCW that recognizes the benefits of groundwater recharge and ag practices: Definitely YES.

(f) All forms of groundwater recharge should be eligible for ASR projects if supported by adequate evidence: Definitely YES.

(g) Need Legislature to enact RCW that includes an amnesty clause that recognizes current use of claims not perfected by 1933: YES, for claims now being used.

**Some comments on a controversial issue that is not addressed in the MBFDWP:**

The Plan DOES mention the desirability of maintaining and if possible even expanding current agricultural operations and ag water use in the Methow Valley. There should be widespread agreement with this objective.

However, looking at the total number of acres under cultivation and ag water used in the Valley over the last 50 years, the trend line over that same period of time, and other property value and use drivers: An unemotional and objective analysis has to allow for a fairly good possibility that the total number of acres in ag use may continue to decline over time at least to some extent. Hopefully any such additional decline in total ag acres will be relatively small. But given the expected long lifetime of a new MBWP, it seems prudent for the Plan to allow for the possibility that in future years there may be some

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additional decline in the total number of acres devoted to ag; and thereby a corresponding decline in the use for ag of water rights associated with those acres.

If an additional decline in ag water use should occur, or excess ag water should become available for some other reason, then the MBWP should allow for a process that would preclude losing the water rights associated with that ag land. Of course there are a couple key issues with potentially allowing ag water rights to be transferred to other uses; i.e.:

(a) Some people will object because it would at least in theory facilitate additional build-out in the Valley. One answer: That is what County zoning ordinances are for. Another answer: Per the MBFDWP, there is most likely ALREADY enough water available for most reasonable build-out scenarios. Plus see following suggestion.

(b) Various and sundry wealthy individuals and organizations that support what I call the RADLOZ (that's "RADical Left-wing Obstructionist Zealots") could buy up ag water rights and give or transfer all of them to in-stream flows, ending their use for EITHER ag or other uses beneficial to the citizens of the Methow Valley and Okanogan County. That outcome clearly needs to be prevented. See again following suggestion:

To address concerns with (a) and (b) immediately above, I propose consideration of something like this: Situations might arise where it seems on balance to be beneficial to the citizens of the Methow Valley and Okanogan County to allow reallocation of some percentage of existing water rights associated with some number of ag acres. If any such cases should arise, then besides the usual "willing seller - willing buyer" standard, perhaps there could be a specific requirement for the Board of County Commissioners to approve any such transfer on a case-by-case basis; and that any such approval would have to include an affirmative vote by the Commissioner from the Methow Valley. Alternatively, perhaps it could be put to a vote of the people.

As stated in the MBFDWP, it is likely that there is enough water in the 2 cfs-per-reach reservation to support most if not all reasonable Methow Valley build-out scenarios without transferring any ag water rights. It just seems like there should be some way in a final MBWP for a majority of the citizens in the Methow Valley and their elected representatives at the County level to address special-case exceptions.

**Comments on comments by others:**

The 15 October 2003 Methow Valley News carried a letter to the MBPU by the President of the MVCC. Surprise, surprise: The current MVCC opposes the MBFDWP and local control, continuing their tradition of "working the system" with friendly bureaucrats in various State agencies to oppose, delay, and obstruct just about every reasonable, real-world proposal for the Methow that has seen the light of day in the last decade and then some. They appear wedded to the idea that by continued adoption of a "head in the sand" posture and opposing everything that might conceivably allow a little more planned development, that they can "protect the rural lifestyle and agricultural character of the

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Methow Valley”. They seem not to have noticed the continuing sub-division into 5 acre parcels (since group domestic clustered development is (inexcusably) still not available); the lack of good high-paying jobs that would give high school graduates an opportunity to return to the Valley and make a decent living after college; the risk to the health and welfare of Methow Valley citizens from having just one old, maxed-out power line over the Loop; and a bunch of etc. that are beyond the scope of these comments. But I digress...: I'll constrain myself to replying to the points raised in that latest MVCC letter of opposition:

(a) “The plan will allow developments in the Methow that are not allowed now.” Those new developments are in fact very much needed and long overdue. Following the principal of concentrated dispersal, the ability to do clustered developments focused on a pedestrian core would be a huge advantage for the Valley and all of Okanogan County. Best example: The earlier proposed Arrowleaf Resort; that would have been a world-class asset if WA-DOE and the RADLOZ had not been allowed to kill it.

(b) “The plan allows for over 9,000 new dwellings. .... not subject to base river flows for fish.”As clearly shown by data in the MBFDWP and tons of data over the last 20 years: Domestic use counting return factor is so far down in the noise IT DOESN'T MATTER. If anything, just as with the larger amount of water that sinks into unlined ditches, the domestic return to the aquifer probably HELPS low-water flows for fish a little. Probably not by much, but likely still positive. It's fairly amazing that some groups still keep harping on this red herring. It's a non-issue.

(c) “The plan assigns a water use figure that is three times less than is allowed by law ...” Which is a very good thing, since the current officially-endorsed-by-WA-DOE figure for domestic water use has always been ridiculously high. Whether or not the domestic aquifer return factor for actual average daily use is 90 percent, it's certainly not ZERO percent; and is without question much closer to if not at or over 90 percent. The MBFDWP uses a real-world reasonable number for water use, and the RCWs and WACs need to reflect the real world.

(d) “These changes in the Methow regulations will forever impact the rural character of the Methow, .....”

**Hogwash:** With reasonable and carefully planned clustered development, the Methow Valley could support three times the current population without significant negative impact on the rural character of the Valley, agriculture, and water resources. There WOULD be changes if the MBFDWP is adopted: Changes for the better.

Finally: Thank you to members of the MBPU and Okanogan County officials for all the hard work you put in over the last 4+ years to get the MBFDWP to where it is now. Hang in there: Stand your ground under pressure from WA-DOE and the RADLOZ. Don't hesitate to ask our 7th and 12th District State Legislators for help if and when necessary: Remember: The next legislative session starts in just over two months.

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While I'm at it: Thank you also to 7th and 12th District Legislators who have initiated and supported various efforts over the last few years to try and address the "water gridLocke" in the Methow Valley.....

Cordially,

Ken Sletten

## William Jones Comments

Hi Dick, thanks for including me on this. I took a quick look. It is very well written and makes for interesting reading. Your main point -- that unlined irrigation channels actually have positive effects on the environment in general and fish habitat in particular (through increase ground water recharge and stream inflow) -- comes through clearly and with good support from previous studies. I wonder what the boundaries are to this good news. Specifically:

1.) is there any downside? I would think water diverted for irrigation stays on the surface longer and is more subject to evaporation. Does this reduce flow deeper underground in the acquifer? And, if so, what are the impacts?

2.) water diverted for irrigation is taken from streams. I appreciate that this has the effect of slowing the egress of water from the valley but at what point does this have a measurably bad effect on the stream? Maybe for practical purposes this is not an issue but surely we could imagine in a "thought experiement" situations where diverstion would be bad. Obviously, if we diverted all water from the stream, it would negatively impact the stream ecology below :) Short of this, what is the boundary?

3.) are there rules regarding where and in what way water should be diverted from a stream for irrigation?

These are my questions as a person who loves the Methow but knows very little about its water issues. I think we are very fortunate to have your stewardship of these issues.

Here's hoping we can get together sometime this winter to ski!

-- William



## Jeremy Newman Comments

Hello,

Jeremy Newman  
240 Twisp River Road  
997-2120

On a whole I find myself in favor of the plan as it stands. I agree with the efforts to preserve our rural character and agricultural independence. I think that the creation of stored groundwater through ditch leakage and irrigation has great merit in providing a more stable water supply for the people of the valley as well as the wildlife that depends on it. I hope to see these efforts continue and expand.

I do find fault with one major area of the plan however. I think that the proposed change of the "Methow Rule" has several faults that need to be addressed before the plan is passed. The first problem is creating projections for allowable future development using the statistic that each residence will use an average of 600 gallons of water per day while the rule will allow for each residence to use 5,000 gallons per day. This seems to me to be a set up to allow more development than the natural water supply can accomodate. It is obvious the problems that over allocating water will cause, there are to many to go into.

The second major problem with the proposed rule change is allowing the inclusion of group domestic wells and industrial wells in the rule and allowing them to proceed unpermitted. By allowing group wells to slide in without permitting is setting us up for very poor developments that would greatly affect the rural and open character of the Methow Valley. Unpermitted and unregulated group wells could open the door to the building of condo units all over the valley. This does not serve anybody but developers well. The potential for a group well to greatly overdraw their 600 gallons a day seems large. I worry about the implications of allowing industrial applications to go unpermitted.

It seems as if the plan, as proposed, does not adequately address allocating water in a manner that will ensure the long term security of our water supply as our valley population grows ever larger. I would also highly encourage the metering of water draws so that we can get as accurate of an idea of actual use as is possible. This data seems crucial to the long term fine tuning of the water allocation rules in the future.

Thanks, Jeremy Newman

## Linda Hermeston (BPA).Comments

Mike -

Thanks for a copy of this document. Unfortunately I have not had the time to thoroughly read the document all the way through but do have just a couple of thoughts. It is not clear exactly who

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contributed to this document. I think it would be good to list those entities or representatives up front. Also I would definitely add a reference page at the end. It is hard to tell whether quotes are from studies, verbal conversations or what. This adds legitimately to references used in the document.

Also I know both the Twisp and Methow are on EPA's 303 (d) list for temperature and flow. Maybe that should be mentioned somewhere??

In my opinion you should also reference other documents that directly mention your Planning Unit. Such as the Methow Subbasin Summary that was prepared for the Power Planning Council. If you group gets plugged into those ongoing processes it is easier to get future funding for studies and projects you are interested in pursuing.

This is all I had to time contribute. Good Luck!!!

## Vicki

First I want to say I really appreciate all the time and energy that went into this plan. Four and a half years is a heck of a long time to be going to meetings. I appreciate those committee members who spent that time.

I'm also really glad to see the emphasis on agriculture and water storage. I'm glad to see the focus on preserving agricultural land for habitat, open space, and water storage, and focusing on new water management tools, overcoming legal barriers, collecting data, and see about getting the state to recognize water storage functions of the channels.

I think that water storage is where we have got to go; we're coming up with more water. I would like to see more emphasis on that on the plan especially in regard to protecting riparians from modifications that accelerate water loss such as riprafting. We need to store the water in the Spring and not see it rush downstream.

With regard to the change of the rule, to me the only thing that should be on the left side there, the only change that would be good as far as I can tell is for municipalities. I think they need to get water. But to put commercial use on the same basis as individual use, most individuals can not complete in a limited solution, the dollar wins out and I don't think that is fair at all to the locals. I am also concerned about the effect on rural agricultural character. I think commercial use should in no way be put above instream flows. Though I agree that municipalities should. The plan needs coordination with existing county and state regulation, which I hope happens.

Then there's what I call Enron accounting – that's just not gonna fly. I don't see how you can say that we are gonna keep granting rights at 5000 gallons a day but we are only gonna county them at 600 gallons a day or 1200 gallons a day. I mean this just doesn't work. It's contradictory, it's certainly contradictory to the agricultural use, it's very contradictory within itself and it will jeopardize senior water rights. I just don't see how you can – this is really creative accounting and I think that's got to change. It's got to be based on data. People use a lot of different things, we don't know what they are, it's not

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being metered. They may well use more than 5000 gallons a day, some use more, some use less, we don't know. Until we do know, we better not assume they are using less until we know for sure that's going on, especially in the dry times of the year.

I also think that as a final comment that the water availability should be tied to actual river flows, not what the paperwork on the project says should be in the river. I think we need to measure the river and avoid dewatering the river and assure that there is enough instream flows in there to protect the fish. I think water rights should be, future water rights should be continued to actual flows not on what we think might be there because we figured it out on paper. We know how inaccurate that tends to be.

Thank you for your time.

## Linda A. Freeman

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16 Mercer Road E-mail: freeman@mymethow.com  
Mazama, WA 988333

I strongly support the subject plan as recently made available to the public for review. The plan provides potential solutions for many of the current water problems in the valley, including transfer of some of the water management responsibilities from the Department of Ecology to Valley residents.

The plan provides benefits for both towns and rural areas and will permit correction of many of the problems that have developed due to misinformation, lack of understanding, and misapplication of water right rules. Current water shortages within Twisp and Winthrop can be alleviated with allowance for limited growth of residences and family businesses within towns. In addition, water can be provided for single family residences with an "in home" family business which promotes employment in cottage industries rather than factories and less desirable industries. By allowing a single well to supply several single family residences within the 5000 gpd exempt limit rather than requiring separate wells for each residence, several wells can be omitted and water can be used more efficiently. As a result, both growth within towns and preservation of the rural environment in the Valley are encouraged.

The Watershed Plan utilizes actual water use data from Twisp and other Eastern Washington residences as a starting point for planning and requires tracking of measured residential water usage as development evolves over future years to modify planning. This approach will replace speculation and opinion with factual data to provide credible information on available water, how water is being used, and permit realistic planning.

The plan protects existing water rights for present and future users. It also encourages residents who choose to assist in expanding the database by measuring and reporting their water use by requesting that Ecology continue their policy of supplying funding to assist

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in installation of measurement devices in return for their assistance.

In summary, the Watershed Plan allocates available water to both town and rural areas to solve currently recognized problems, provides a procedure for developing realistic planning estimates for growth based on actual data, and promotes growth in towns and maintenance of a rural environment outside of towns.

Bob & Linda Freeman  
Mazama Mountain Mail

## States Comments (John Stormon)

### **Proposed Refinements for the *Methow Basin (WRIA 48) Watershed Plan*, Release Date: 10/14/03**

The final draft Methow Watershed Plan provides a good basis for the completion of negotiations on a watershed plan. There are some refinements that will need to be made and some details that need to be spelled out before the State will be able to support this plan and accept its obligations. Below are compiled state agency comments and suggestions for language that would allow the State to support this plan.

These refinements are not intended to change the direction of the planning group but are intended make it clear exactly what the intent is and what specifically is being agreed to. Without refinement the State will not be able to support the plan or agree to accept its obligations.

Department of Fish and Wildlife comments will follow.

#### **Department of Ecology:**

Submitted by John Stormon

#### **Artificial Groundwater Recharge**

Page 6, lines 21 – 26, Overview:

“A 2003 USGS study shows that groundwater inflow from unlined irrigation canals and irrigation practices to the Twisp River extends into winter. This contributes to the aquatic habitat in that area. A recurring theme in this plan is the concept that unlined irrigation canals are potentially key management elements for enhancing water supplies and mitigation of human water use. This is particularly important during the naturally low flow periods of the Methow Basin streams.”

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**This key philosophical statement for groundwater recharge is acceptable to the State.**

Explanation:

RCW 90.03.005 states: "It is the policy of the state to promote the use of the public waters in a fashion which provides for obtaining maximum net benefits arising from both diversionary uses of the state's public waters and the retention of waters within streams and lakes in sufficient quantity and quality to protect instream and natural values and rights."

The work completed by the USGS (Konrad 2003) indicates that groundwater recharge from unlined canals discharges to the river at a lower rate than it soaks into the ground. (p. 53, 1<sup>st</sup> col.) "This [*recharge from unlined canals*] corresponds to an instantaneous rate of 124 ft/s from May to September, however, groundwater discharge to the rivers as a result of irrigation canal seepage would be lower because the groundwater would return to the rivers over a longer period of time." So while the unlined canals are contributing recharge water, instream flows are lower than if the recharge water were to remain in the channel. The USGS study does indicate that groundwater discharge attributed to unlined canals can provide additional instream flow water in the months immediately after they stop diverting water.

For a groundwater recharge project to result in higher instream flows during the low flow periods they must stop diverting the recharge water shortly before that period. Any proposed groundwater recharge project would also need to address the potential for negative effects of stream dewatering at the point of diversion which, if allowed, may be more important than the potential system gains. If a project does not represent the maximum net benefit or results in the waste of water, it will be in conflict with RCW 90.03.005. In addition projects may not cause an impairment of an existing water right including interruptible water rights and the water rights represented by the regulatory instream base flows established in Ch 173-548 WAC.

**Protect and Enhance Water Management Methods that Benefit the Methow Basin.**

Page 13, lines 9-12: (There appear to be some lines missing before the bullets.)

- "Preservation of existing artificial groundwater recharge from unlined irrigation canals;
- Enhancement of artificial groundwater recharge from unlined irrigation canals;"

**This statement needs to be refined to be acceptable to the State. The USGS (Konrad, et. al. 2003) report indicates that groundwater recharge contributes to stream flow. It does not indicate that all recharge projects are environmentally beneficial. The State will support enhanced groundwater recharge during high flows, when there is water available, if the projects are operated to minimize withdrawals during the late summer low flow when instream resources and interruptible water users are at risk.**

### **Suggested Language**

Would be acceptable to the State if:

- Preservation of existing artificial groundwater recharge from unlined canals during high stream flow periods such as spring and early summer, while minimizing loss of water/diversion rates during critical low flow periods such as late summer.
- Enhancement of artificial groundwater recharge from unlined irrigation canals during periods of high stream flows.

### **Artificial Groundwater Recharge**

Page 13, line 41 - 47:

“Critical to maintaining and/or increasing artificial ground water recharge is the protection and continued operation of unlined irrigation ditches. Current evidence suggests that the elimination of ground water recharge from irrigation canals could have a negative impact on adjacent groundwater levels, riparian areas, wildlife and fish habitat, stream flows, stream temperatures and the local economy. This PU strongly recommends the restoration of groundwater recharge formerly provided by Wolf Creek Reclamation District irrigation ditch and the Skyline irrigation ditch.”

**The language in this section originally recommended removal of piping but has been changed so that it is not clear what is intended. If the intend is removal of piping, the section remains unacceptable to the State. The statement should be refined to clearly indicate whether removal of piping is the intent. In addition recharge projects must be planned to provide the maximum net benefit, as required by RCW 90.03.005. This requires an assessment of both the potential positive and negative effects of a project. The State does not accept the premise that all recharge projects are good; each project must be assessed on its site specific merits and liabilities.**

### **Suggested language:**

Critical to maintaining and/or increasing artificial ground water recharge is the protection and continued operation of unlined irrigation ditches during high stream flow periods such as spring and early summer, while minimizing loss of water/diversion rates during critical low flow periods such as late summer. Current evidence suggests that the elimination of ground water recharge from irrigation canals could affect adjacent groundwater levels, riparian areas, wildlife and fish habitat, stream flows, stream temperatures and the local economy. This PU recommends the restoration of groundwater recharge formerly provided by Wolf Creek Reclamation District irrigation ditch and the Skyline irrigation ditch with another source obtained during high stream flows. The potential sources for this recharge do not include the removal of piping.

Groundwater recharge projects shall be planned to have the most positive net effects on adjacent groundwater levels, riparian areas, wildlife and fish habitat, stream flows, stream temperatures and the local economy. The planning unit recommends that the following criteria be used to determine which groundwater recharge projects are most likely to provide benefits that out weigh the possible negative effects:

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1. Determine the hydraulic conductivity and hydraulic gradient of aquifer, as well as the distance of expected recharge from rivers or streams to assess the potential for groundwater storage. Aquifer characteristics and the distance between the recharge area and the river should be adequate to ensure that the lag time between aquifer recharge and discharge to the stream will provide the proposed benefit.
2. Storage capacity of recharge area should be assessed and found to be sufficient for proposed gains.
3. Water must be available in source body without causing undue negative effect to habitat or impairing existing water rights.
4. Flows necessary to maintain channel structure and function must be determined and protected in the water source.
5. The project must be planned to divert water during high flow periods and provide flow benefits during low flow periods.
6. An evaluation of the losses to the source water body compared to the projected gains to the system should be completed for each project to determine the overall benefit.

Diversions of water intended for artificial groundwater recharge will need a water right. New water rights interruptible when flows are below the base flows established in WAC 173-548 may be applied for. These new water rights may be either for new recharge projects or for existing unlined canals whose historic water rights do not include groundwater recharge as a beneficial use. The speed of processing these applications would depend on many issues. Non-consumptive water rights which provide a significant benefit to the natural environment can be given priority processing by the Department of Ecology. (Ch 173-152 WAC) Any diversion of surface water would need to meet current regulatory standards, such as appropriate fish screens.

**Modify WAC 173-548 (a.k.a. 2cfs):**

Starting on page 14:

The biggest problem with this section is that roles and responsibilities are not well defined. It is important to the State, and the rest of the planning unit, to have a clear picture of what is being agreed upon. The Tables have not been corrected as the functions under this section have changed. It is very important that the tables, especially Table 12, is correct in the final plan.

Below are suggestions for the specific items that need to be in the plan:

**Water Use Database:**

The Department of Ecology is continuing to work on developing a water use database. It is not up and running today. It should be up and running within the next year. The Department of Ecology can manage the additional water use data for exempt wells. It is our intent to have information from the water database available on the internet. The plan should recognize these facts.

How much time & effort is envisioned in 3yr review/notification?

**Water Use data**

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Exempt water users shall submit data in a form that meets Ecology's irrigation metering program data submission standards. The water use data will be submitted by users annually and will include: monthly use, annual use, and peak usage. The Department of Ecology will not be reading water meters. It is the responsibility of water users to submit usage data annually.

**Usage toward 2cfs Reservation**

Water usage may not exceed the 2cfs reservation for any reach, in any month. The USGS study (Konrad 2003) suggests that generally aquifer/river effects occur over a period of a month or two; Konrad did not specifically address exempt well withdrawals. It is reasonable to estimate that wells pumping from dispersed locations throughout the aquifer will have an effect on river flow equal to the monthly average usage of all the wells.

**Single Domestic Usage**

Average single domestic usage will be calculated by a simple average of all submitted single domestic users in a subbasin per month. The average single domestic usage will be multiplied times the total post WAC 173-548 (12/28/76) single users (supplied by County?)

This will be total single domestic use per month toward the 2cfs reservation.

**Total Usage toward 2cfs Reservation**

Total Single Domestic use + All other "New" exempt uses (required to report) = Total toward 2cfs per month.

**When Expended**

If total toward 2cfs exceeds 2cfs (or the portion that remains, after transfer downstream) for any reach in any month, Ecology or MWC will notify County. If data indicates that the 2cfs reservation has been expended and development based on the reservation continues this will impair the water rights represented by the established regulatory base flows on Ch 173-548 WAC and will conflict with existing state statutes Ch 90.22 RCW & Ch 90.54 RCW.

**Moving an Unused Portion of 2cfs Downstream** (10/14/03 changed responsibility to MWC, Need to adjust Table 12)

How will the amount of unused 2cfs reservation to be transferred downstream be determined? Should it be calculated using estimated values today or should the move wait until the first 3yr review? The risk of moving it today, with estimated values, is that when real data comes in, it is possible that too much water was moved to protect all potential users in the upstream basin. If that water has already been put to use downstream, it will not be available to move back so the upstream basin may run out of the 2cfs reservation at some point in the future. The amount of the 2cfs reservation to remain in an upstream basin should address other exempt uses added after this change. How?

At the public hearing (10/18/03) it was presented that WDOE and MWC would have this function. The 10/14/03 draft plan indicates that only MWC has this function. The roles and responsibilities of the WDOE and MWC need to be clearly defined in the plan. In any case, the method for calculation of the amount of water to be moved downstream should be defined to avoid future conflicts between the two on methods of calculation.

**Rule Revision of Ch 173-548 WAC**



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The Department of Ecology must include the public review processes required by the Administrative Procedures Act. If there is an overwhelming negative public response to the "2cfs" rule revision of the Methow Basin Rule (WAC 173-548), the Department will not move forward with the rule revision. The obligation to modify Ch 173-548 WAC for the "2cfs reservation" is dependent upon public support for the proposed changes.

**Other Stuff**

Page 8, lines 13:

"During the spring of 2003, the USGS studied the consequences of ground water recharge caused by the unlined Twisp Valley Power and Irrigation (TVPI) canal."

- The USGS study was during years 2001 & 2002.

Many previous comments submitted for earlier drafts remain to be addressed.

The Following Comments are offered by Anna Hoselton on the October 14, 2003 draft of the Methow Basin Watershed Plan:

Pg 1, line 27-29: "These include but are not limited to conservation through surface and groundwater storage..."

- Comment: surface and ground water storage is not an equivalent to conservation. Storage implies impoundment and reservation of water for use at another time. Conservation implies employment of more efficient use methods that result in water savings that can be put to some new use.

Pg 6, line 21-22: "...groundwater inflow from unlined irrigation canals...to the Twisp River extends into winter."

- Comment: This comment should more clearly reflect the conclusions of the report in that the "increased rates of ground-water discharge decays by January..."

Pg 7, line 37-38: "The most significant feature [of the affected hydrology] is ground water recharge and increased streamflows.

- Comment: This statement appears to incorrectly assume that the surface water diversion required to provide ground water recharge does not significantly affect the basin hydrology. Diversion of the surface water should likewise be discussed as a significant feature affecting the basin hydrology.

Pg 8, line 15-17: "This study concluded that recharge from the irrigation canal accounted for a portion of the stream flow in the Twisp River through the winter into February of the next year.

- Comment: This statement incorrectly references the usgs study conclusions and requires correction to reflect the empirically determined decay of increased rates of ground-water discharge by January.

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Pg 11, line 23-24: "Agriculture contributes a positive impact to riparian zones, and provides important low land habitat for all species of wildlife."

- Comment: This statement concludes incorrectly. "All species of wildlife" is too universally inclusive to be correct.

Pg 13, line 13, third bullet: "protection of agricultural land uses that provide environmental benefits.

- Comment: How is the environmental benefit going to be determined ? Will both positive and negative effects be taken into account in order to determine if there is a Net benefit ?

Pg 13, line 45-47: "...strongly recommends the restoration of groundwater recharge..."

- Comment: "restoration of recharge" will have to come from some source other than the removal of pipe systems and a return to ditches.

Pg 13, lines 49-50: "Enhancing ground water recharge is the most probable technique for developing additional water..."

- Comment: Perhaps this would be better stated as .... Diversion of flows in excess of the regulated low flow to storage for a permitted use at a later time along with conservation efforts .... Is the most probable...

## **TABLES**

Tables need to be updated to match the plan text. Below is a suggested Table 12. The Rule or other agreement column is for the planning unit to designate which obligations they wish to see in a state rule and which they wish to see in another agreement. Without direction from the planning unit, the Department of Ecology is required by Ch 90.82 RCW to adopt by rule the obligations of both the state and county governments. I believe the planning unit will prefer to have some of the local obligations adopted by other agreements.

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**Table 12, Agency Responsibilities**

TABLE 12

Agency Responsibilities  
Only the obligations detailed below are in Methow Basin Plan

	Agency Obligations/Actions	Rule or other agreement	
	<b>Okanogan County</b>		
	Develop Memorandum of Understanding with WDOE on water use tracking (See Table 9)		
	Require new single domestic development applications to identify water system type and acknowledge whether voluntary monitoring will occur (See Table 9)		
	Initiate the formation of the Methow Watershed Council and appoint three initial board members		
	Develop a memorandum of understanding with the Methow Watershed Council acknowledging "lead entity" status.		
	Initiate a comprehensive Flood Hazard Management Plan		
	Provide undeveloped Parcel Data to WDOE (p15)		
	Cease issuance of Development Permits, if notified 2cfs has been expended		
	<b>Washington Department of Ecology</b>		
	Amend WAC 173-548 per the recommendations in the watershed plan		
	Input all water use data submitted by Okanogan County or individual water users in the basin		
	Compile and distribute water use data at least every three years or upon request from any local stakeholder.		
	Notify residents if actual use reaches 90% of the reserve allocated for Group B, single commercial/industrial, and single domestic user categories		
	Ensure water levels are maintained to support all undeveloped parcels in each sub-basin using actual annual usage rates		
	Notify Okanogan County if 2cfs Expended.		
	<b>Methow Watershed Council</b>		
	Develop a work plan, including a funding strategy by April 1, 2004		
	Provide quarterly public updates on implementation progress and issues		
	Place a high priority on projects or programs that protect and enhance water management methods that benefit agriculture		
	Prioritize water storage opportunities based on work completed as part of plan development		
	Provide technical support to local stakeholders regarding canal management plans, buyer-seller water agreements and water monitoring		
	Participate in planned floodplain management planning activities by Okanogan County		
	Participate in planned forest management planning activities by the US Forest Service		
	Pursue legal and policy recommendations in the plan at the discretion of the MWC board. This may include formal legislative proposals that would be subject to SEPA		

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**Department of Natural Resources:**

At this time, DNR asserts ownership of the lower portion of the Methow River on behalf of the citizens of Washington. The upper reaches appear highly likely to fall under state ownership as well, though determinations of ownership may need to be made on a case-by-case basis. Any proposed activities that will involve state-owned aquatic lands must be approved in advance by DNR.

**Department of Health:**

Thanks for the chance to comment on this. Table 10 lists the agency activity items, the info requested of DOH is not readily available--not sure if we can update Ecology periodically with this info.

**Department of Fish and Wildlife:**

Methow Basin (WRIA 48) Watershed Plan  
Final Draft *dated:* 15 October 2003  
WDFW Comments – Connie Iten

**Page 4 – line 51**

There was not a “complete lack of fish screens” in the Methow Valley in the 1950s. Additionally, the benefits from groundwater recharge from irrigation practices need to be weighed against the detriments such as inadequate stream flow for fish spawning, rearing and migration (Sullivan et al. 1987); migration delays or blockages resulting in a lack of adequate rearing habitat (Bryant and Seddell 1995); and increased stream temperatures (Rinella et al. 1992).

Screening has been required by law since 1905, 1915, 1917 and 1932. The first screen in the Methow Basin was installed in 1931 (Bell, 1932).

Existing laws address fish passage and fish protection at water diversions and flow control structures. Salmon and steelhead passage has been required at all dams and man-made obstructions of any kind since at least 1881 (Code of WA, Chapter XCIV, Section 1173). In 1893, that protection was extended to all food fish (Chapter CLXXVI, Section 2481). At least as early as 1913, that protection was extended to all game fish (Chapter VIII, Section 5395-49).

The language of this paragraph needs to be changed to reflect more factual information, **or removed.**

Page 5 – line 2

If these references are left as they are they need to be cited, or if they are references used by Mullan and Williams to make their own conclusions, then the reference should simply be Mullan and Williams.

### **Page 11 – line 23**

The statement '*Agriculture contributes a positive impact to riparian zones and provides important low land habitat for all species of wildlife*' should be changed to:

**Depending on the agricultural management practices employed and the use of best management practices for the protection of riparian areas, agriculture may contribute a positive impact to riparian zones.**

(Information supporting this statement can be found in Knutson & Naef, 1997))

### Page 13 – lines 42-45

The statement '*Current evidence suggests that the elimination of ground water recharge from irrigation canals could have a negative impact on adjacent groundwater levels, riparian areas, wildlife and fish habitat, stream flows, stream temperatures and the local economy*'

**'current evidence' needs to be referenced.** To adequately address impacts to riparian, fish & wildlife habitat, this statement needs to include additional language:

**The positive or negative impacts of ground water recharge from irrigation diversions would need to be weighed after examining the timing, location, magnitude, stream reach, and life history stages of species affected, in addition to the in-stream impacts from the diversion immediately downstream.**

### **Page 14 – line 2**

**Evidence and references need to be provided to support this statement or, it should be removed.**

### **Page 14 – lines 7-12**

The amount of water taken off the peak of the hydrograph needs to be carefully considered. High flows are required for channel formation, streambed and large wood movement, and upstream migration. Decreasing the amplitude of these flows may have long-term detrimental impacts to fish and wildlife habitat. **This paragraph needs to incorporate the following additional language:**

**The amount of water taken during high flows should be limited so that it will not affect channel-forming flows. Further research may be necessary to establish what portion of peak flows need to remain to maintain a properly functioning channel.**

### References:

Bell, M. 1932. Methow Basin Screening Controversy. Department of Fisheries & Game Report. Yakima.

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Bryant, M.D. and J.R. Seddell. 1995. Riparian forests, wood in the water and fish habitat complexity. Proc. First World Fish Cong. Oxford and IBH Publ., New Delhi.

Knutson, K.L. and V.L. Naef. 1997. Management recommendations for Washington's priority habitats: Riparian. Wash Dept of Fish and Wildl., Olympia. 181 pp.

Rinella, J.F., S.W. McKenzie, and G.J. Fuhrer. 1992. Surface water quality assessment of the Yakima River Basin, WA: analysis of available water quality data through 1985 water year. US Geol. Surv. Open-File Rep. 91-454.

Sullivan, K., T.E. Lisle, C.A. Dolloff, G.E. Grant, and L.M. Reid. 1987. Stream channels: the link between forest and fishes. pages 39-97 in E.O. Salo and T.W. Cundy, eds. Streamside management: forestry and fishery interactions. Coll. For. Resour. Contrib. No. 57, Univ of Washington, Seattle

## **Kris G. Kauffman, P.E.**

My cursory review indicates that the PU is on target. I would like to spend more time to review the plan and the detailed tables (displaying full basin ET with other uses is a novel way of doing the use part of the Water Budget! - associated %'s would bring this home to folks even more). I will review it in more detail on the next round (I can't do it justice by this Friday), if I have more time (there are some things going on outside the Methow...).

Two points of possible interest:

1. I like the stated support for continuing with the existing base flows in WAC 173-548; and,
2. The PU, under HB 2514 carries weight on the Adjudication issue - whether you support or do not support additional adjudication efforts in the Methow should be clearly stated. This will get your policy position on the record for future consideration by others. This is important. I do not advise you which way to come down on this issue - just to clearly state whatever it is.

Sorry I don't have time for more now...excellent focus on main issues.

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THESE COMMENTS RECEIVED AS OF FRIDAY 10/24/03 DEADLINE

## Barry Maitland

Barry Maitland  
50 Black Canyon Rd  
Pateros WA 98846

10/24/03

Dick,

The WATERSHED PLAN looks good. It appears that the new science supports the old science and also backs-up most valley residents perception of the Methow Basin hydrology. The re-charge from the irrigation ditches and irrigation is not a great percentage, but it is a **positive effect** and at the right time of year for those fish that need it. No one is going to be completely happy with the plan, but it appears to full-fill the Planning Unit's mission. I hope that you can push on with this plan and get it accepted. The Methow Watershed Council is a good idea. The residents of the valley should **always** have a say in what happens here. We can better manage our water for the good of folks and fish than those who have no stake here. Fish can remain abundant and the valley maintain its rural characteristic, if government bureaucracies aren't allowed to continue making arbitrary decisions to appease pressure groups. It is important to enhance existing water storage areas; and also to create new water storage areas that can be used as a supplement during the natural low water periods that exist in the valley. Thanks to those who stuck it out for five years and did the things that needed to be done in order to clarify the quantity, use, and hydrology of water in the valley.

Barry Maitland

## Ron Parrow

Comments on draft Methow Basin Watershed Plan by Ron Perrow

Oct. 24, 2003

These comments are probably identical or at least very similar to the comments made by Mike Gage, as Mike and I wrote them together. They can be dealt with together. Mine come under separate cover only to preserve my position as an individual commenter.

Pursuant to the motion was passed by the planning unit in early September 2003 which identified the content of our plan outline. One of the titles in the content of the motion was "Conclusions and Recommendations." We now have recommendations, but no conclusions. It is very important that conclusions be part of the plan. This is one of the best ways to pass reasoned findings to the reader.

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The nature of "conclusions" does not include any citations, as the citations are made when the facts leading to the conclusions are made in the previous body of the plan. The "Conclusions" section should be immediately in front of "Recommendations."

Other than the following conclusions, I have a couple of other comments:

1. In reference to the computations regarding water use surrounding the 2 cfs reservation (page 11, lines 1-13), a caveat should be added explaining that the return factor and the percent of occupancy are not included in the calculations.

2. Find the missing paragraph on page 13. The bulleted sentences on lines 9-13 make no sense without an explanation preceding them.

3. After "Recommendations" the plan seems to lose its continuity (pages 15 & 16). There should either be another title for the subsequent writings or they should be put under "Watershed Conditions" or "Conclusions."

## Conclusions

- The Methow Valley is blessed with a huge annual recharge of water, 3,000,000 acre feet per year. The best way to increase water supplies for environmental and human use is to store water from high flows. This will be done most effectively by ground water storage. Additional surface water storage is a remote possibility.

- Federal and state lands represent 86 % of the total land in the basin. These lands are associated with 96 % of the total water consumed in the basin. Best management practices of these lands would substantially enhance water availability in the basin.

- Agriculture should be preserved whenever and wherever possible. Agriculture has been a long standing element of the Methow Valley and is responsible for the character and rural atmosphere enjoyed by both residents and visitors.

- Ground water recharge from unlined irrigation canals is an integral part of the hydrology of the Methow Basin. Ground water recharge benefits fish and other wildlife; it establishes riparian zones which would not otherwise be present; it slows the movement of water in its travel to the Columbia River; it stabilizes river temperature (cooler in the summer and warmer in the winter); and it increases overall water quality in the rivers by filtering moving ground water through glacial till.

- Ground water recharge/transportation water from unlined irrigation canals does not constitute a "wasteful practice." It is a "beneficial use."

- Canal operators should be encouraged to augment ground water recharge where possible and appropriate. This does not mean to sacrifice any efficiency or increase any expenses to the canal entity. The Methow Watershed Council should assist canal entities in securing funding for ground water enhancement.



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- Ground water discharge to the river in the late winter and early spring can be increased by moving surface water further from the river. This will assist in alleviating the bottleneck for fish production.
- Water management for the Methow Basin is best accomplished at a local level.
- Interruptible water rights are available during high flows, and can be used for artificial storage and recovery projects (ASRs).
- Water should not be a limiting factor in domestic development. Growth management is best accomplished with implementation of land use ordinances which is outside the scope of this watershed plan. Domestic consumption is an insignificant portion of total water use, and has no measurable impact on instream flows. The actual water consumed by domestic applications is 73 acre feet per year. This is an inconsequential amount of water.

## Vaughn Jolly

Methow Basin Watershed Plan

Comments – October 24, 2003

Vaughn Jolley

Page 2 “Water Available for Appropriation” – I think that the exempt use includes “commercial”. There was a recent Court ruling on Bainbridge Island where Ecology denied exempt use of a nursery. The Order was upheld by PCHB & Superior Court and overturned in a Supreme Court appeal. The ruling was that the commercial use was included in the 5,000/gal exempt use.

Page 12 – Encourage land owner participation in water storage by diverting early season irrigation water to surface storage facilities i.e. ponds etc. for both storage and wildlife habitat considerations.

Page 16 – “Use it or lose it”; I agree that the Use it or lose it law needs to be changed for all water rights including agriculture. Specific provisions should also be included for Municipalities i.e. Towns, Irrigations Districts etc. to be exempt from any use it or lose it law as a means to set aside water for future growth.

Page 16 – “Tentative Determination” Ecology’s role is only to determine the sufficiency of the water right to grant the change. Their findings should be limited to a “Finding of Sufficiency” or a “Finding of Non-sufficiency”. They should not and cannot do what they

Comments on Methow Basin  
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have attempted in using a Tentative Determination as a means to “Administratively Adjudicate” water rights!

It seems like it might be helpful to use a “Findings of Facts” to summarize the specific findings of the Planning Unit. The plan reads well, but it seems like you are trying to make specific findings throughout the body of the plan.

Thanks for all of the good work.

Sincerely,

Vaughn Jolley

## Gary Erickson

Personal Perspective  
And Official Comments  
Of a Planning Unit Member

I have participated in two water-planning efforts in the last 20+ years in the Methow Valley. I was a member of the GWAC (Ground Water Advisory Committee) in the 1980's, and represented that group as a member of the MBPU. There were many times when the members of these groups wished they knew the reasons and intent of previous planning unit members. I wish to make it clear to those who are reviewing this plan both now and in the future realize on what basis I made recommendations and contributions to this plan. Please realize these are my personal opinions and may not be shared by other Planning Unit members.

I tried my best to use common sense and logic to best represent the interests of the majority of residents of the valley. It was my intent to insure future residents of this valley would have water for all uses, domestic, agriculture, fish and animals, fishing, pleasure, etc.

It must be realized that being a planning unit member is thankless and very frustrating. In coming up with a plan there are many constraints placed upon us. Among them:

We cannot impair any existing rights.

When we identify a duplicate water claim that makes it appear that the valley is over-allocated, we have no way of removing it from the books. Only adjudication in Superior Court can accomplish that. (An option the PU wanted to avoid as extremely costly, and time consuming. The Yakima basin adjudication has been going on for over 20 years)

We continually come up against policy or WAC that makes no sense but we are bound by it.

We cannot obligate any entity to do anything without their permission.

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For instance the vast majority of WIRA 48 is under USFS ownership and forest practices could potentially have a huge impact on our hydrograph. However we are limited to suggesting any future Forest Plan consider our input. Yeah like the Feds. listen to us.

Now to the plan. A past planning effort established a reservation (as of Dec. 28, 1976) for future use, amounting to 2 Cubic Feet Per Second (2CFS) in each of seven river reaches. This reservation was determined to exist for future use, even after present uses were taken in to account, such as existing irrigation and domestic rights, and in-stream flow needs for fish, wildlife, and riparian areas were accounted for.

Our plan chose not to attempt to revise this previous reservation, as we had neither the time, science, or money to do so. Instead we focused on best utilizing the existing reservation. We spent considerable time attempting to come up with a realistic, reasonable, actual use figure utilizing real figures from the Towns of Twisp and Winthrop, individual exempt well use, industry standards and other methods. We discovered that even without being able to take advantage of the water returned to the aquifer (via septic systems and outdoor use not absorbed by plants) using a realistic figure for average daily withdrawals (use) the existing reservation was sufficient for total buildout.

There has been a concerted effort in the past to accomplish land-use planning by using water availability as the club to hold the citizens of the Methow Valley hostage in an attempt to stop future growth. Land use planning is a zoning issue and has no place in a water plan. Our efforts focused on determining actual and realistic use figures.

Much credit goes to the Legislature for recognizing that all water plans are unique to the individual WIRA, and of necessity need extensive local input and control. One more issue that is critical to the success of future plans that still needs to be addressed by the legislature is the definition of "actual consumptive use". Nearly all water uses return some amount of water that is withdrawn, back to the aquifer. In the case of domestic use, that amount is a very large percentage. With large parcels (5-20 acres for the most part) the water returned to the ground through septic systems is filtered, cooled and available for future beneficial use by the time it leaves the property it was withdrawn from. The State Department of Health recognizes that water over 100 feet from a drainfield meets drinking water standards. Currently the DOE whether by law, rule (WAC) or policy, will not count ANY return factor. In their calculations it is gone forever, out of the WIRA, kaput, history. We all know the reality is that the next guy uses it, the next farmer uses it, the river benefits from it, IT DOES NOT GO AWAY. The law needs to be changed so we can deal with reality instead of beauracracy.

Another focus of the plan is to attempt in any way possible to slow the hydrograph of the valley down. By this, we mean attempt in any way possible to keep as much as possible of the excess early summer high flows in the valley as long as possible. We recognize that open irrigation canals accomplish this to some extent now. We wish to pursue other ways of augmenting the aquifer (ground-water) to retain more water where beneficial. If this policy is successful, over the long term we could put more water in the river over a longer period of the year, possibly even year round. If that turns out to be the case then there could be new water available for future use.

Among the ways pursued to slow the hydrograph was reservoirs and impoundments of various sizes. We realize that dams are currently not politically

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correct, however it needs to be looked at. The Planning Unit does not intend to limit future storage to only those sites listed or studied, but merely as a starting point for future consideration.

I realize that given more time we could have refined this plan and improved it, however I believe we have a workable, realistic basis. Unfortunately the Planning Unit lost almost two years to dealing with Endangered Fecies issues.

I have more comments but this is getting long. Thanks for listening,

The Methow Water Council will have it's work cut out for it but I believe this plan gives them good direction and a process to accomplish the objectives of the plan.

Gary W. Erickson  
GWAC and private citizen  
86 Poorman Creek Road  
Twisp, Wa.

## George Wooten

Subject:Comments on the Methow Valley Water Plan

>  
> Dear Members of the Methow Basin Watershed Planning Unit,  
>  
> On behalf of 800 members of Kettle Range Conservation Group, I would  
> like  
to  
> submit these comments to the Methow Valley Water Plan and thank you  
> for  
your  
> long and hard efforts in water planning in the Methow Valley. The Plan  
> is commendable for its emphasis on water storage and preservation of  
> agriculture for habitat, open space and water storage. Please consider  
> whether the following concerns were answered in the planning process.  
>  
> (1) The water calculations are wrong, inadequate, based on unproven  
> assumptions and are illegal under current regulations.  
>  
> Water use figures should come from hard data, not wishful thinking.  
> The figures for Twisp do not reflect typical Methow Valley rural  
> users, particularly since Twisp residents pay nearly \$50.00 per month  
> base fee,  
in  
> addition to an additional fee for amounts in excess. Thus, Twisp users  
> are frugal, and represent the lowest possible usage. Rural acreages  
> use far  
more  
> water than the city lots used by the Planning Unit to determine  
> average  
use

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- > (600 gallons / day out of the 5,000 gallons / day water right).
- >
- > (2) Use must be based on maximum instantaneous usage not averages. To
- > continue to allocate on the basis of 5,000 gal/day, and track water
- > availability based on 600 gal/day is inaccurate accounting.
- >
- > Reliable data still needs to be collected prior to designating new
- > allocations or changing the priority of existing allocations. Until
- > verifying data exists or adjudication occurs, new uses must be
- interruptible
- > and tied to base flows recorded at Pateros. Allowing uninterrupted
- > water rights for over an increase from 3,000 residences to 15,000
- > residences without knowing accurate quantities of water allocations
- > will undoubtedly short-change senior water right holders whose rights
- > are in continuity
- with
- > the source of potential new users.
- >
- > (3) Current water allocations of 2 cfs per reach need to be accurately
- > determined before proposed changes can be accepted. Many water
- > allocations were not taken into account when water availability was
- > determined. According to the best figures currently available from the
- > state, the
- Methow
- > Basin has been overallocated since the late 1970s.
- >
- > (4) Base flows should be determined using the Pateros gauge. The
- > Pateros gauge integrates the net system inputs and outputs of all
- > reaches, and is the portal through which all anadromous fish must
- > pass. The Pateros gauge has a long history of operation. Therefore the
- > Pateros gauge is the best single indicator of base flows available.
- >
- > (5) The plan should take into account the seasonality of various
- > withdrawals, and provide for year-round uses through storage or other
- means,
- > rather than lowering the priority of existing users. For year-round
- > uses,
- it
- > is necessary to have a guaranteed first right. If new developments are
- > to come from within the existing 2 cfs per reach, then the current
- > system of seasonal agricultural water rights might allow for storage
- > of peak flows.
- >
- > To be legal, the proposal should include hard data demonstrating where
- > storage for new users would be, how far stored water could be
- > transferred, who would pay, and who would benefit, for the transferal,
- > along with a proposed rule change. This amount and location of stored
- > water needs to be explicitly stated in the any rule or water right.
- > Currently, the actual amount of withdrawals remains unknown.
- >
- > (6) There needs to be economic data demonstrating the cost of this

## Comments on Methow Basin Final Draft Watershed Comments

proposal

- > on existing senior water rights and on single-family domestic users,
- > both

of

- > which will lose water to development under this proposal, and possibly
- > be forced to leave the valley. Single family domestic should not have
- > to compete with new commercial or industrial uses for water, because
- > these interests would be able to take away water from existing users
- > under the doctrine of greatest benefit. While there are problems with
- > the 5,000 gal

/

- > day single family exemption, it would not be fair to take this away
- > from those users after they have enjoyed it for so many years,
- > particularly to future development at a level of 5 times the current
- > population.

>

- > The proposed change could negatively impact the economy of Okanogan County.

- > The proposed change could result in lowered revenues for Okanogan
- > County tourist and recreation industry. The proposed change could
- > severely compromise the rural character of the valley by raising the
- > priority of commercial or industrial uses. The proposed change could
- > result in further overallocation of water.

>

- > (7) If the Planning Unit wishes to make more water available, it must first

- > establish a need. These needs need to be explicitly stated in the
- > proposal for a rule change. There is already a state-recognized need
- > to protect

base

- > flows for fish and wildlife, which provides for the benefit and
- > well-being of the citizens of Washington. The proposal provides no
- > sound

justification

- > to discard these benefits for new developments or new allocations.

>

- > (8) The Plan should incorporate useful data and recommendations from
- > previous water studies such as the 1977 DOE study, the GWAC documents,
- > the Pilot Project, and address the water planning data that is missing
- > from those documents.

>

- > (9) The 1976 Methow Rule should remain intact and unchanged. Base

> flows

and

- > fish protection should not be lowered below new uses and developments
- which

- > currently do not exist. As was recommended by the Pilot Project, new
- > water uses other than single family domestic and municipalities should
- > come from water storage or from existing water-rights. The changes in
- > WAC 173-548 recommended by the Planning Unit could easily result in
- > severe overallocation and lowering of instream flows threatening

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- > senior water rights and endangered fish in low flow months of August
- > and September.
- >
- > The attention you give to ground water reserves described by the
- > recent
- USGS
- > Study is notable. The USGS study appears to indicate that fish can
- > benefit from late-season groundwater charged by leaky ditches. The
- > proposal from
- the
- > WPU should explicitly indicate whether and how ground water recharge
- > will
- be
- > accounted for in the overall water budget. The study indicated that
- > the benefits of ground water recharge are highly local. Any proposal
- > to use
- that
- > storage capacity needs to be explicit about the length and duration.
- >
- > The advantage of late flows to fish is an important aspect of the
- recharging
- > system that should be addressed, yet the intent of the WPU appears to
- > be concerned in using this water for the benefit of development
- > instead. The WPU should not allow favoritism to override the needs and
- > rights of Washington state.
- >
- > (10) The Plan needs to be coordinated with other county regulations.
- > Existing zoning protects the economy by attracting higher income
- > developments. This Plan would alter existing development resulting in
- > poor planning lowered standard of income, and loss of economic
- > viability.
- >
- > (11) The proposed rule should protect and enhance the availability of
- water
- > for existing municipalities. The town of Twisp is currently in need of
- > additional water, yet this plan does not seem to address availability
- > of municipal water. Water for existing municipalities, not future
- > planned developments, is the only change in priority that would also
- > protect the economic and agricultural viability of the valley. The
- > proposed change
- would
- > result in an increase of new developments at the expense of
- municipalities.
- > It would spread development out across the valley, rather than
- concentrating
- > it in certain areas, which is the antithesis of water conservation.
- >
- > (12) The proposed rule should address where water for fire protection
- > will come from.
- >
- > (13) The Plan needs to address the protection of shorelines from

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- > development, rip-rapping, vegetation removal, herbicide applications
- > any other riparian modification that can accelerate spring runoff.
- >
- > (14) The plan needs to address water quality. The proposal to change
- > water allocation priority would result in greater amounts of
- > development within floodplains and changes to the existing ground and
- > surface water
- quantities
- > and quality. If well withdrawals are utilized to their fullest extent,
- then
- > the resulting drawdown can concentrate minerals and coliforms for
- > existing wells and lower water quality.
- >
- > (15) Another matter of concern is the lack of public input in this
- process.
- > The answers to the following questions may indicate that the WPU was
- > operating outside of its charter. The whole planning process seems to
- > have questionable validity.
- >
- > # Why is the comment period so short?
- > # Why wasn't an address given in the local paper to submit written
- comments
- > to?
- > # Was notification of the comment period extended to a wide audience?
- > # Will the proposal set a precedent to change water rights beyond the
- Methow
- > Valley and if so, should the comments include more opportunity for
- > public involvement? # Why were no names listed on the Water Plan?
- > # Why was the composition of the water planning committee changed to not
- > reflect the diversity of the community?
- > # Why did some members have many votes and other members have no votes?
- > # Why hasn't the Plan been endorsed by the Planning Unit?
- > # Which of the original members representing what constituencies dropped
- out
- > and who replaced them?
- > # Did replacement members represent the same constituencies and if
- > not,
- what
- > interests did they serve?
- >
- > Sincerely yours,
- >
- >
- >
- > George Wooten
- > Field Representative
- >
- > cc:
- > DOE
- > Representative Linda Evans-Parlette
- > Okanogan County Commissioners



Comments on Methow Basin  
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## Isabelle Spohn

Dick: Here are comments which I have not seen addressed so far by someone else:

- 1) One of the most important parts of this plan should be to assure
  - > that each household has enough legal water to irrigate a garden
  - > sufficient to feed a family. We do not want to be dependent here in
  - > the Methow upon petroleum to get food into the valley. We need to be
  - > sure that we can be self-sustaining in the event that unforeseen
  - > situations would arise which would interfere with transporting food
  - > from outside the valley.
- >
- > 2) If zoning indeed allows "only" 13,000 households in the valley, why
  - > not be realistic and use that figure for calculations rather than
  - > allowing for
  - a
  - > fictitious figure of 15,000 households? A difference in 2,000
  - > households
  - is
  - > a lot of water. A note should be made here that perhaps that zoning
  - ought
  - > to be looked at, since that number (either 13,000 or 15,000) of
  - > dwellings would destroy the essence of the Methow as we know it.
  - > Perhaps the
  - planning
  - > unit people ought to lead the way in recognizing the unrealistic
  - > nature of this number.
- >
- > Sincerely yours,
- > Isabelle Spohn
- > PO Box 25
- > Twisp, Wa. 98856
- > 509-997-4425
- > coldmtn@methow.com

Methow Valley Citizens' Council  
> Vicky Welch, President

## Vicky Welch – Methow Valley Citizen's Council

From: Methow Valley Citizens' Council  
> PO Box 774  
> Twisp, WA 98856  
>  
>  
> October 23, 2003  
>  
>

Comments on Methow Basin  
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- >
- > To: Methow Basin Watershed Planning Unit
- > PO Box 247
- > Twisp, WA 98856
- > fawn@mymethow.com
- >
- > Dear Members,
- >
- > We wish to acknowledge and thank the individuals who have donated
- > hundreds of hours to the watershed planning process. It is our hope
- > the outcome of your efforts will result in the preservation of the
- > rural character of the Methow Valley. We feel the current plan fails
- > to meet this expectation and offer the following comments for your
- > consideration.
- >
- > 1) The proposed method of calculating water use, based on the amount
- > used by municipal lots, is inadequate to determine average use and is
- > illegal under current regulations.
- >
- > Water use figures should come from hard data, not wishful thinking.
- > Rural acreage and dwellings use far more water than households in town
- > do. To continue to allocate water rights on the basis of 5,000
- > gal/day, and track water availability based on 600-1200 gal/day, seems
- > a strange and inappropriate accounting practice.
- >
- > Use must be based on maximum instantaneous usage, not averages. Many
- > water allocations were not taken into account when water availability
- > was determined. According to the best figures currently available
- > from the state, the Methow Basin has been overallocated since the late
- > seventies. If the Planning Unit wishes to make more water available,
- > data needs to be collected prior to making new allocations, insuring
- > that such unallocated water resources exist within the basin during
- > August and September. Until verifiable data exists, new uses should be
- > interruptible-tied to base flows recorded at Pateros. Allowing
- > uninterruptible water rights for over 9,000 new dwellings before you
- > know how much water you really have could short-change senior
- > water-right holders.
- >
- > 2) The 1976 Methow Basin Rule should remain as it is. If changed,
- > municipalities alone should receive equal priority with single family
- > domestic use.
- >
- > New water uses other than single family domestic and municipalities
- > should come from water storage or from existing water rights, as was
- > recommended by the Pilot Project. We think the changes in WAC 173-548
- > recommended by the Planning Unit could easily result in severe
- > overallocations evidenced by the lowering of instream flows to a level
- > threatening to senior water rights and endangering to protected fish
- > species during the low flow months of August and September.
- >
- > The change would also severely compromise the rural character of the

## Comments on Methow Basin Final Draft Watershed Comments

- > valley by the higher prioritization of commercial and industrial uses.
- > Single family domestic should not have to compete with
- > commercial/industrial uses for water.
- >
- > 3) To improve basin water storage, the Plan needs more emphasis on
- > shoreline protection, i.e., prevention of rip-rapping and any other
- > riparian modification measures that accelerate spring runoff.
- >
- > 4) The Plan is commendable for its emphasis on water storage and
- > preservation of agriculture for habitat, open space, and water
- > storage.
- >
- > 5) The Plan should incorporate useful data and recommendations from
- > other previous water studies such as the 1977 DOE study, the GWAC
- > documents, the Pilot Project, etc., and address the water planning
- > data that is missing from those documents.
- >
- > 6) The Plan needs to be coordinated with other county and state
- > regulations.
- >
- > Although the comment period was surprising short and we feel the plan
- > was not devised in a manner inclusive of the spectrum of community
- > attitudes existing about this controversial subject, we appreciate the
- > opportunity to contribute our thoughts to the planning process.
- >
- > Sincerely,
- >
- > Methow Valley Citizens' Council
- > Vicky Welch, President
- >

## John Morgan - Lost River Winery

Thank you for the opportunity to comment on the new watershed plan.

I am very encouraged that at least one element of this plan, the 2 cubic foot per second (cfs) reservation, has a realistic chance of being implemented. This element has the potential to solve some intractable existing problems in the Methow basin. These are:

- 1) Solving the City of Twisp shortfall,
- 2) Solving the Shortfall in approved rights within existing class A group water systems such as the Lost River Airstrip Tracts
- 3) Allowing approval of new group water systems (as opposed to exempt wells), and thereby gaining the potential to reduce overall water use, to monitor that use, and to encourage conservation.
- 4) Raising the possibility of removing new small water system approvals from the massive logjam of water rights review and adjudication in the Methow basin.
- 5) Allowing the implementation of land uses consistent with current zoning rules (e.g.. bed and breakfast inns) presently stymied by lack of water system source approvals by DOE.

## Comments on Methow Basin Final Draft Watershed Comments

The last situation is one that I have faced personally as the owner of the Lost River Winery. While manufacturing of wine is an exempt (if interruptible) use, in order to offer wine tasting, or rather in order to wash wine tasting glasses, a health department food handling permit is required. This is not in itself a problem except that such a permit requires a formal group water system, approval for which is virtually impossible under the current system. I therefore face the undesirable options of using a caterer, pouring wine in disposable plastic, or pouring in "disposable" glasses. I have selected the latter option as an expensive stop gap until I can relocate my tasting room to within a city limit. I am certain that this "Catch 22" is faced by other people struggling in similar circumstances with small scale rural economic development.

I am sure there are those who oppose growth and development of any kind and oppose this provision of the plan for that reason. To say that using water planning as a growth control tool is disingenuous is being kind. It is cruel and unreasonable to leave those who otherwise fall within all existing land use guidelines and zoning codes to wander the wilderness by doing nothing with water planning. I applaud you for finding a way to solve many of the least controversial and most pressing problems in the valley by what appears to be a modest enough reservation to attain the blessing of DOE and WDFW. I strongly support this element of the plan.

Finally I wish to thank the volunteers in the planning process for their great expenditure of time in developing a plan which is sure to face a battle from many sides regardless of content. I wouldn't have volunteered for this task for anything. I sincerely hope that much of your plan survives to bring positive change to a difficult and longstanding problem.

Very truly yours,

John E. Morgan  
699 Lost River Road  
Mazama, 98833  
(509)996-2767

## Jason Smith

Oct 23, 2003

### **OCT. 14 DRAFT METHOW BASIN PLAN COMMENTS**

Though I was a member of the previous water planning committee, the Pilot Project, I did not manage to pay very much attention to the present process. My comments are based only upon the draft plan version I received from Dick and the Okanogan county web site; both copies seem to have portions missing.

Generally, the plan is highly optimistic and could qualify as wishful thinking. Every possible strategy is used to come up with supposedly so much extra water that any and all uses both in and out of stream can be satisfied.

**2 cfs:** The plan proposes a surprising (I wonder why the present committee didn't just propose doing away with the 2 cfs limit altogether) but possibly devious tactic regarding the amounts of water available from the 2 cfs reservations. By counting only consumed water, adjusting for occupancy rates, and subtracting "paper water", magically the 2cfs

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reserved per reach becomes enough water for any and all growth from now until build out. Enough not only for single domestic but group domestic, A & B (whatever those are), municipalities, and industrial!

And in addition the draft plan envisions it to be possible to ship any unused portions of the 2 cfs's downstream. What happens when the upstream reach wants the water back?

Obviously, the 2 cfs will end up over-allocated in the future. We all know what happens then, the humans will whine and in stream resources will take it in the shorts.

**Changes to existing laws:** Much of the plan depends upon changes to present water law. The plan should contain a detailed listing of all the sections of water law the planners wish to alter.

**Definitions:** There are some terms I don't even know. What are group A & B for instance? The plan should contain a definition section with all the words a regular person reading the plan might not know the meaning of.

**The 1234 acre feet:** Why 1234?

**The Methow Watershed Committee:** More details about the new committee would be appropriate. Obviously, much of the future action will directed by it. The committee should operate on a consensus basis, not majority rule. A group of local folks working on water should be able to act in a civilized, even handed fashion and reach agreement on issues. The plan should be more specific about the interest composition and duties of the original members and the additional members they appoint. How big of a committee are we talking about?

**Storage:** It takes a lot of storage to make a significant amount of water supply. The plan needs to elaborate a whole lot more about where the storage would be, how much water would actually be stored, and what the costs would be for the infrastructure. A couple of the suggestions (Dead Horse for example) are uphill from any water source and so pumping costs need to be explored. Where the heck is "Uphill reservoir"? How far would the levels of Patterson and Pearrygin be raised? Until there's only 6 inches of water in Sun Mountain's Patterson lake cabins? And to suggest storage in the Wilderness area is really humorous! The committee must have some idea of what public reaction would be to propose a dam on Lost River or Black Lake.

**Forest management:** Advocating certain forest practices for the sole purpose of increasing water supply is not appropriate. Public forestlands should be managed so to produce forests that are more ecologically sustainable over the long term. More thinning would increase snow pack, a positive side benefit of good forest practices.

**Instream flows:** The present instream flow levels were set in the 1970's. A re-evaluation of levels should be conducted to determine if those levels are indeed sufficient given what we know today.

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**Ditch recharge:** Aquifer recharge via unlined irrigation canals makes sense as long as in stream flow levels are satisfied. When flows fall below in stream flow levels the supply to the canal(s) should be shut off no matter when during the irrigation season. Obviously, during some of the extreme drought years ditch flow could cease in July rather than October. Farmers should have contingency plans to deal with such an extreme scenario.

**Positive benefit?** Line 23, page 11, states agriculture provides a positive benefit to riparian areas. This is not the case if there are too many horses or cows on the same riparian stretch for a given period of time. The plan should provide more discussion about positive benefits.

**Preserving agriculture?** (page. 14) Providing water for agriculture will not preserve agriculture. Land trust conservancy actions (purchasing development rights) and enlightened land use zoning strategies (large lot sizes and established agricultural zones) would prove way more successful in the long run.

**Beavers:** Without human interference beavers would have a very positive effect on fish habitat, riparian vegetation and aquifer recharge. However, from the human point of view beavers are very damaging. The plan should discuss this factor in greater detail and perhaps offer some solutions. Maybe a compensation program like is employed in other areas (with wolves for example) would help.

Thank you for this opportunity to comment.

Jason E. Smith  
POB 153  
Twisp, WA 98856  
E-mail: [lockman@mymethow.com](mailto:lockman@mymethow.com)

## Amy Sweet

My name is Amy Sweet, I live at 52 Harris Rd. in the Lost River Airport Association in Mazama. You can reach me at my e-mail address: [amycollemer@hotmail.com](mailto:amycollemer@hotmail.com)

We had a meeting at Bob Freeman's house in Lost River to discuss the watershed plan. I am in support of the new plan that gives water to the residents who need it. I am in support of slow, controlled growth to the valley, and it seems like this new plan will make water available to people who need it. It does not sound like it will start a frenzy of uncontrolled commercial growth like some people think it will.

Thank you for making the information available to the public that it will affect, and thank you for taking the time to receive our comments.

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Again, I support the new watershed plan, distributing available water to those who need it.

Sincerely,  
Amy Sweet  
52 Lost River Rd.  
Mazama, WA 98833

## Ed Welch

Dear Methow Basin Planning Unit,

Oct 23, 2003

This plan is a development plan and does not provide adequate protection for the environment. The 1976 Methow Rule is the only official regulation that provides some safeguards for endangered salmon, steelhead and bull trout. Before this rule is discarded or amended there needs to much more detailed study on exactly where water for new developments will come from. We have friends living near Winthrop who had a very productive well for their domestic use that ceased to produce any water immediately after their new neighbors drilled a deeper well near their well site. They have to shower in town and haul water to wash dishes and flush the toilet until they can save up enough money to drill a deeper well. The idea that 9000 new exempt wells will cause no significant environmental impacts is preposterous. There is a wide range of water use for gardens and lawns in the rural Methow, and this can totally change with new owners, social and economic realities and generations. Has the committee considered how long relatively cheap oil will be available for the mobile American lifestyle to continue as it has. In the future, maybe all 9000 new home sites permitted in the proposed rule change will use 5000+ gals per day so they can have some affordable food to eat. Regardless of what the future may bring, to calculate water use on a municipal water use study where folks on small lots are metered and charged for water use is not good science. As was stated at the meeting, if you calculate water use in the Methow on 5000 gallons per day then the water basin is over allocated with the current level of exempt wells. Water for any new development must come from water storage and enhanced watershed management of upland forests. To do other than this would be a disservice to current water users and the environment.

The USGS water study makes it clear that unlined ditches do provide some ground water recharge, but it is not totally clear to me if the benefits are more or less than the detriments. August and September seem to be problem months where stream flows are adversely affected by ditch withdrawals. Maybe this could be offset by opening these unlined ditches earlier in the spring to provide more and earlier ground water recharge that would possibly enhance stream flows during late August and September low flows. I think storing a small portion of spring run off could help solve part of this impact created by ditches. The study shows that the ditches enhance late fall and early winter stream flows. The studies to date have illuminated benefits and problems of open ditches. I

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recommend that we make additional studies to find possible ways to enhance late summer stream flows.

Thank you for all the work and the opportunity to comment.

Sincerely,

Ed Welch  
932A Twisp River Rd  
Twisp, WA 98856

## Maggie Coon

Friends of the Methow  
c/o Maggie Coon  
335 Twisp River Road, Twisp, WA 98856  
Mailing address: 7616 44<sup>th</sup> Ave., S.W.  
Seattle, WA 98136  
(206) 937-5300

October 23, 2003

TO: Methow Basin Planning Unit  
P.O. Box 247  
Twisp, WA 98856  
Fawn@mymethow.com

Dear Sir:

I am writing on behalf of Friends of the Methow (FOM) in reference to proposed changes in the Methow Basin Planning Unit. FOM was founded in the early 1990's to protect the natural heritage of the Methow Valley. Board members and members of FOM own residential and commercial property within the Methow Valley. They and their property interests would be directly and adversely impacted by the proposed actions.

Among other issues, we would like to highlight the following flaws in the proposal:

- **The proposed change to WAC 173-548 strongly favors out of stream uses to instream uses and would foster substantially more residential and commercial development in the Methow Valley.** The change would also severely compromise the rural character of the valley by the higher prioritization of commercial/industrial uses.



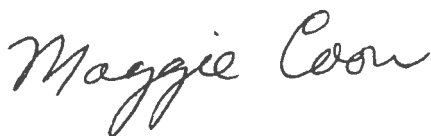
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- **The proposed change to WAC 173-548 is premised on faulty calculations of the remaining available water resource.** These calculations ignore substantial evidence that water in the Basin is already over appropriated and has been since the late seventies. Water use figures should come from accurate data. Rural acreages use far more water than city lots. We note, however, that the Planning Unit calculates average residential use at (600-1200gallons/day out of the 5,000 gallons/day water right). It makes no sense to continue to allocate water on the basis of 5,000 gal/day, and to track water availability based on 600-1200 gal/day. In addition, the calculations on which this plan is based simply ignore the water demand of many permits issued since 1977. Also, use calculations should be based on maximum instantaneous usage not averages as this proposal does. As a whole, the methodology used to calculate water availability in the proposed plan flies in the face of logic, given recent listings of fish species in the valley.
  
- **If the Planning Unit wishes to make more water available, data must be collected to document its availability.** Until verifying data exists, new uses should be interruptible. They should be tied to base flows recorded at Pateros. Allowing uninterruptible water rights for thousands of new dwellings absent such verification will likely short-change senior water right holders. We recommend that the 1976 Methow Rule remain as it is. If it must be changed, municipalities alone should receive equal priority with single family domestic use.
  
- **The local entity proposed to oversee implementation of the plan would be given a number of responsibilities which are of questionable legality.** As described, this group would have the ability to override important state authorities which have been put in place to protect the larger public interest.

In conclusion, I would also like to emphasize that the current proposal does not represent a reasonable consensus of views about how precious water resources of the Methow Valley should be managed. Instead, a handful of narrow interests crafted this plan and divergent viewpoints have not been welcomed.

Friends of the Methow respectfully requests that you refrain from adopting this proposed plan and that you seek to build a broader consensus on future allocation of the Methow Valley's most precious resource.

Sincerely,



Maggie B. Coon  
Friends of the Methow Board of Directors

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## Rudy and Lorna Peterson

Endorse watershed plan.

Rudy & Lorna Peterson  
11 Susan Road  
Mazama, WA 98833

## Gary Erickson – Review of Highland Associates Data

Dick, I was reviewing the data provided by Highlands & Assoc's. and  
> the layout looks good. However what is missing (I hope it shows up in  
> our  
plan  
> somewhere but I don't remember it) is a KEY figure and that is the  
> total number of parcels that could be served (per reach) by 2 CFS. I  
> provided this figure at one of the meetings and Bob Freeman had come  
> up with a  
nearly  
> identical number but arrived at it in a different method than I did.  
> He used acre feet and I changed it to Gallons. Highlands chart (Table  
> 1,  
page  
> 5) summarizes the reaches, pre-77, etc but total buildout numbers be  
> they based on high or low estimates don't really mean anything to the  
> average  
guy  
> unless we add the number of parcels that 2 CFS can serve at 600 GPD.  
> If this is already in there and I missed it you can dismiss this. If  
> however, it is not clearly stated then please count this as an  
> official "Public Comment" Thank you,  
> Gary Erickson  
> GWAC  
> 86 Poorman Cr. Rd.  
> Twisp, Wa.  
>