



Monthly Meeting Minutes

June 21, 2018

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

Council Members Present: Dick Ewing, Mike Fort, Andy Hover, Bill Tackman, Travis Thornton, and Ashley Thrasher (left at 6:02). Jackie Moriarty acted as alternate representative for the Town of Twisp. Greg Knott and Bill McAdow were unable to attend.

Others in Attendance: Lee Bernheisel, Jean Bodeau, Vanessa Brinkhuis, Michael Devany, Dick Evans, Logan Johnson, John Kirk, Natalie Kuehler, Mary McCrea, Phil Millam, Chris Riggio, Melanie Rowland, George Schneider, and Jay Wells.

Minutes recorded by: Sali Kilmer, Administrative Assistant

Non-Procedural Motions

Motion #	Short Title	Yeas	Nays	Abstain
	NO FORMAL MOTIONS ADOPTED			

1. Call to order

The meeting was called to order by Vice Chairman Mike Fort at 5:04 p.m.

2. Introductions

3. Approval of Agenda

Andy Hover moved to adopt the Agenda of June 21, 2018, as presented. Dick Ewing seconded, and the motion carried.

4. Minutes – Review and Approval

The following amendment to the Minutes of the May 17, 2018, MWC meeting was proposed:

- Andy Hover – In the Okanogan County report, strike “which have interruptible rights” from the second to the last sentence of the first paragraph.

Ashley Thrasher moved to approve the Minutes of May 17, 2018, as amended. Andy Hover seconded, and the motion carried.

5. Report from the Chair: Mike Fort

In Greg Knott's absence, Mike Fort did not have a Chair report, other than to mention that this is Sali Kilmer's last meeting as Administrative Assistant. He graciously thanked her for her work on behalf of the MWC.

6. Grant Administrator Report: George Schneider

Before George began his update on the Wolf Creek Twin Lakes Pilot Project, Andy Hover stated that he is recusing himself from all decisions regarding the project due to a potential conflict of interest.

George began his report by updating the Council on the budget for the project. As scoped, he is projecting that approximately \$10,600 will be unspent at the conclusion of the project. Regarding tasks and deliverables, there are three items left to complete:

- Task 6 – Grant administration is ongoing, and will continue until the end of the project.
- Task 7 – Pilot project agreement and stakeholder outreach is essentially complete, until final project configuration is developed. There were two outreach meetings held in May including one for key stakeholders and another for the general public, with about 45 participants all together. George reported that the information presented was generally well received by community members and stakeholders, with some uncertainty expressed about how much of the water being saved could be used for mitigation purposes if the project becomes permanent. Concern has also been expressed over the potential impairment of water rights of a land owner. The pilot project agreement between WCRD and TLAC is close to final, with insurance being the main sticking point.
- Task 8 – Installation of the automation that was originally scheduled for June has been delayed to July but is still within budget. The monitoring plan will be developed by Aspect in the next month or so.

Regarding the project schedule, George reported that the grant expires October 31, 2018, and all deliverables will be completed by then. MWF will most likely be proposing some revisions to the grant, which have not been formally submitted to Ecology. These include requesting a project extension to September 2019, in order to allow for MWF/MWC involvement through the pilot project start-up in the 2019 irrigation season, as well as the addition of one task – the application to Ecology for a temporary donation to the Trust Water Right Program.

George then stated that there is still a lot of work that needs to be done before the pilot project is up and running. He briefly touched on activities and tasks that are needed to implement the pilot project, including activities using existing TLAC funds from Office of Columbia River, activities under the MWF grant from Ecology in the current scope, activities under the MWF grant from Ecology not in the current scope, and activities using a new TLAC grant from OCR.

Lee Bernheisel commented that the MWC needs to be aware of some areas of public concern that were expressed at the outreach meetings regarding this project, including concerns about the hydrogeology of the area and questions about whether the project would qualify for the Trust Water Rights program donation. He stated that WDFW seemed to express a negative viewpoint about this project. Phil Millam stated that he

noted a fair amount of skepticism expressed at the meeting he attended, which called for further clarification.

George affirmed that the hydrogeology of the area was questioned, and in answer he forwarded some hydrogeology reports authored by Aspect. Lee countered that the reports were old and did not really answer the questions asked.

Additionally, George stated that in the pre-application meetings with Ecology, he did not hear it expressed that the project would potentially not be eligible for the Trust Water Rights program. Rather, the question raised by Ecology is what water if any could be used down the road for mitigation if this becomes a permanent project. The data collected from the pilot project should answer this question. Vanessa Brinkhuis of Ecology confirmed that she is working closely with OCR on this project to make sure all concerns are addressed.

Mike Fort clarified that once MWF/MWC is finished with their work on this project, TLAC will be responsible for picking up the ball and running with it once the project is handed over. At that point, TLAC and Aspect Consulting will be responsible for providing the information needed to answer the remaining questions about the project. Dick Ewing confirmed that this is indeed the case.

7. Methow Watershed Foundation Report: Mary McCrea

Mary made the Council and interested parties aware that there is a legal advertisement in the Methow Valley News by Crown Columbia Water Resources proposing to put into trust a large portion of Methow Valley water rights. Investigation has revealed that the company intends to basically purchase the water rights from Valley landowners and sell them downstream. Mary advised all present to put their ears to the ground regarding such proposals and help in spreading the word that though these projects sound benign, once the water rights are out of the Valley they will never come back. Public comments are due by July 19, and all were encouraged to make their voices heard. John Kirk stated his belief that Conservation boards have the option not to process applications for any reason and it is not too late for them to decide that they don't want to approve the application.

Mary reported that the MWF is actively searching for funding options for the seed money to start a water bank to compete with these offers, with the intention of keeping the water in the Valley. With regard to the metering grant, the first round of advertising yielded only one applicant, so the RFQ will be re-published. The advertisement for the Administrative Assistant position was published this week, with resume's due by June 29.

8. Initiating Government Reports

Town of Twisp: Jackie Moriarty stated that she has no update on the washed out trail situation that was mentioned by Mayor Moody at the last meeting. However, she did report that a project involving new water lines and paving is scheduled to begin in July. The project area includes Second, Lincoln, and Methow Streets. This is the first phase in three-phase improvement project.

Town of Winthrop: No report. Bill McAdow absent.

Okanogan County: Commissioner Andy Hover reported that Okanogan County was awarded a \$60,000 grant from Ecology which will enable the County to tidy up well log locations with cross references to the 2 cfs in their database. The grant will fund a person to work exclusively on this project for thirteen months.

Additionally, Andy reported that Ecology gave the County a map, which depicts the location of the confluence of the Wells Pool with the Methow River. This will enable the County to remove all of the parcels downstream from that line, which would be in continuity with the Columbia River and not the Methow River.

Finally, Andy informed the Council that Ecology's report about Thompson Creek is in draft form, and will probably be final in about two weeks. John Kirk agreed to forward the final report to Dick Ewing to share with TLAC members. Ecology will focus on Gold Creek next.

Bill Tackman asked Andy for clarification about the short plat approval process, as there seems to be some discrepancy between what the County says and what the Department of Health says. Andy stated that he will research the question and contact Bill with an answer. The goal is to get consistent information from both agencies out to the public.

Phil Millam asked for an update on the Water Availability Ordinance 17A.400. Andy stated that the land use attorney looked at the draft and has sent in a recommendation, which will be discussed by the County Commissioners on Monday. This ordinance would be a process for the County to create an overlay to stop subdivisions if water availability is in question.

9. Ecology Report: Vanessa Brinkhuis

Vanessa reported that Ecology has issued several grants benefiting the Methow Watershed, including the PIFA metering grant to update Aspect's database and the Water 2066 Community Coordinator grant. Ecology is also in the process of drafting Okanogan County's grant, mentioned by Andy earlier.

Mike Fort asked about potential overlap between the County's database grant and the MWF database grant. Andy clarified that the goal is for the information from the County database to be easily sent to the MWC database to enable the MWC to compile the required annual report. Vanessa affirmed that Ecology will compare the grant draft proposals to ensure that they are not funding two different projects doing exactly the same thing.

10. Sub-Committee Reports

Technical Review Committee: Bill Tackman reported that Vanessa Brinkhuis and John Kirk met with the Technical Review Committee to report on Ecology's findings about the question of gaging by reach.

John Kirk affirmed that Ecology is looking at the question of whether it is adequate to use the gage at Pateros to regulate instream flows for the entire Methow Watershed. They looked at a twenty-five year period from 1991 to 2005 and compared the number of occurrences of seven day periods below minimum flows between the gages at Pateros (Methow River), Goat Creek (Methow River), Twisp (Methow River), Twisp (Twisp River) and Winthrop (Chewuch River). Findings indicate that there were

significantly more instances below minimum flow at Goat Creek; conversely there were significantly less instances below minimum flow on the Twisp River at Twisp. Results from the study indicate that the gage at Pateros may not be adequate to regulate instream flows on the various reaches of the Methow system. John stated that he is hoping to have a conversation with Trevor Hutton regarding options about these findings.

Political Action Committee: Bill Tackman had nothing new to report.

Outreach and Education Committee: Bill Tackman reported that a tentative schedule has been set for the community outreach meetings: Methow on July 15, Twisp on July 16, and Mazama on July 17. Andy Hover and Mary McCrea will be the key presenters. Andy will speak about the County's metering approach and Mary will talk about recent activity related to outside entities offering to buy water rights and how this relates to the Trust Water Rights program and water banking.

Additionally, Bill reported that Mary Sharma has agreed to design a poster to advertise the water banking idea, as brought up by Mary in the MWF report. He also thanked Mary for the My Turn article in the Methow Valley News, which made the public aware of outside entities offering to buy local water rights which could be sold downstream.

Bylaws Amendment Committee: Ashley Thrasher asked Council members to sign the Amended and Restated Bylaws of the Methow Watershed Council, which were approved at the May 17, 2018, MWC meeting.

Water 2066 Committee: Ashley Thrasher thanked Ecology for the \$35,000 grant to fund the Water 2066 facilitator position. She is currently working on drafting the RFP as well as finishing up the grant application. She will be in touch with Vanessa for help with completing the online application.

11. Agenda Items

06-18-01 – Action: Readdress 710 gpd Consumptive Use Number: Andy Hover stated that the County has instructed Perry Huston to use 710 gpd for now, as recommended in the Aspect report. The County is not up against a wall, timewise, for a revision to this figure. If updated information becomes available in the future (perhaps via the MWC metering grant), the new number can be plugged into the database. Andy stated his opinion that the 710 figure is a generous number, especially since it assumes mid-July conditions, stock watering, irrigating, and year-round residency. Chelan County uses 380 gpd when debiting against their reserve. Mike stated that since the MWC is charged with issuing an annual report, they want to make sure that they are disseminating accurate information to the public. Andy countered that the reports should stipulate that the 710 figure is based on the best science to date, subject to change if new science warrants it.

06-18-02 – Report: Instream Flow Rule Clarification Task Force: Travis Thornton briefly reviewed the history of the Task Force. Initially, the work group was formed because opening up the Instream Flow Rule for revision might result in unintended consequences, such as loss of the 2 cfs per reach reserve. Therefore, it was decided that the group would work on a list of questions along with suggested interpretations for

submittal to Ecology for clarification. The group initially met on March 20, and came up with a list of four questions and suggested interpretations. However, based on comments submitted via a dedicated email address along with notes from prior meetings with major stakeholders, it was discovered that the original idea of submitting questions and suggestions to Ecology for clarification would cause more harm than good and would more than likely alienate the voice of the community. Therefore, at the last meeting of the task force, on June 4, the group decided to abandon the “rule clarification” approach and instead to adopt the “Chelan Model” for rule modernization. This would include a longer, more comprehensive, consensus based approach similar to the one use by Chelan County when their instream flow rule was updated. To that end, the task force met with Mike Kaputa from Chelan County Department of Natural Resources for advice and pointers on the process they used. The Technical Committee is now in the very early stages of deciding what the next steps in the process should be. Jean Bodeau asked where more information could be found about the work of the task force. Mike Fort responded that the minutes from the two meetings will be uploaded to the MWC website. Phil Millam thanked Travis Thornton and the entire task force for their hard work on this issue. George Schneider asked whether there is a link between Water 2066 and the new “Chelan Model” approach to rule modernization. Travis responded that it is a possibility that the paid Water 2066 facilitator may also take the lead in the rule modernization process.

Public Comments: No public comments, aside from the comments included in the discussions above.

Discussion: Agenda Items – Next Meeting: The next meeting agenda may include the action of disbanding the Bylaws Amendment Committee.

12. Meeting Adjournment

At 6:16 p.m. the meeting was adjourned by Vice Chairman Mike Fort.

Greg Knott, Council Chairman

Approved at the July 19, 2018 Council Meeting.