

Methow Watershed Council February 19 Meeting Notes

Meeting was called to order at 5:06 PM by Greg Knott. Penelope Kern volunteered to take minutes since Lee Hatcher was absent.

Attending were Knott, Kern, Hans Smith, Rick Karro, Dick Ewing, Char Schumaker from Okanogan County, Perry Huston from Okanogan County, Okanogan County Commissioner Ray Campbell, Bill Tackman, Mike Fort, and Dave Holland from the Department of Ecology. Brian Fisher came in seven minutes after the meeting started, during Perry Huston's initiating gov't report.

Changes to the agenda: Greg Knott suggested we add time for Dave Holland of Ecology, and that we also add Perry Huston. Knott made the motion to approve the agenda and Hans Smith seconded. Approved by unanimous vote.

Knott presented Coordinator's report. Knott remarked that he doesn't believe there has been any further action on the Methow Watershed Foundation on the part of the coordinator since the last MWC meeting.

Okanogan County Initiating Government Report by Huston: Commission has adopted the new comprehensive plan. Next Monday, the plan will be back before the Commission, where it may or may not be ratified. In this comprehensive plan, Huston remarked, is a rewrite of the zoning code. Huston said he will be preparing an EIS on the comprehensive plan, "operating under an interim zone code." Huston added that the Shoreline Master Program is out for review and is moving forward, and that developing "critical areas ordinances" are the major activities at the commission at this time.

Knott asked Huston and Campbell about the hotel/motel tax fund being available for the golf course project. Huston and Campbell replied that there is "no harm in applying" and Campbell gave examples of projects that had gotten funding through that tax, such as the Methow Trails Association.

Knott made a motion to approve the minutes. Karro proposed a change to the minutes correcting the description of lands served by Winthrop's water system. Fort made a motion to approve the minutes as amended, and it was adopted unanimously with two abstentions - Brian Fisher and Hans Smith, because they did not attend the last meeting.

BACK TO AGENDA:

Hans Smith presented Twisp Initiating Government Report. Smith reported that at the last town council meeting, Greg Osborn presented the town water plan. Since the last MWC meeting, Smith said there had been no change in the MVID issue. He remarked that he understands that the Town's the sale of MVID water to the Town is being held up until the PCHB rules on the OWL appeal of MVID's changes to their water rights.

Rick Karro presented the Town of Winthrop's Initiating Government Report. Karro remarked that the DIP is new to his council so they are still learning about it.

COMMITTEE REPORTS:

Brian Fisher, Technical Review Committee: Nothing to report. May set up a meeting at the end of March.

Knott remarked that "we need to bump the Davis Lake project along." Said the Courts are talking to golf course consultants about how much water the golf course would need, and remarked that the grants need to be extended.

Mike Fort expressed concerns about "putting the cart before the horse," in regard to the water rights. Said he would recommend not doing anything further with Aspect until we know we have the water rights and the landowners on board. He doesn't want Aspect turned loose before we have another meeting. Knott retorted that funding isn't secured yet, so Aspect can't move ahead anyway, and noted that we are awaiting approval from Ecology to extend our grant. Fort asked if we know whether the grant can be extended, and Dave Holland of Ecology answered that capital grants CAN be extended.

Fisher set a date for the next tech review committee meeting for 4 PM next Wednesday (March 25.)

Perry made a motion to revoke any authorization to spend money on additional contracted work until the technical committee has met and reported back to the MWC. Fisher asked if that motion would mean, "can we still collect data before the freshet?" Fort said yes, because those are volunteers collecting that data.

Perry clarified that his motion just means any additional contracts and doesn't affect ongoing expenses. Fort seconded the motion, and the motion carried unanimously.

Instream Rule Revision Committee report by Hans Smith: Smith said nothing had taken place in the committee since the last MWC meeting. He said he had been diligently trying to get

a meeting arranged between the commissioners and Mayor Moody, but schedules were not cooperating.

Organization Development Committee report by Dick Ewing: Discussion deferred to the because it is on the main body of the agenda.

Political Action Committee report by Bill Tackman: Just the few bills he has been following. A discussion of the Skagit water bill that was emailed around before the meeting followed.

Huston volunteered to send out his water legislation report to MWC members, and remarked that right now, there were a plethora of exempt well bills.

Ecology Report by Dave Holland: Ecology's Dave Holland reported to the MWC that there are two funding sources that could meet MWC needs: The Terry Hussman grant – to qualify applicants must apply through public/semi-public entity. Ecology administers it and usually cities, counties, and maybe an irrigation district are the entities that qualify for it, usually public benefit projects. Not a big grant.

Holland said the other funding source – capital grants/watershed funding – ask for apps to be submitted by the end of April – for watershed planning unit groups. It is not operational, it is a capital grant and will be competitive.

Holland noted that there is a new processing mechanism for grant applications. He said he would help the MWC with it. Knott asked if it is biennial. Holland said yes. Said watershed planning is still in the governor's budget, as well. Knott asked him to send that info to him. Holland said he would help us.

Knott then asked the council for suggestions for the MWF members. Kern suggested Mary McCrea and assured Knott that she has moved back to town. Dick Ewing suggested John Kerner,

Smith asked about the status of the MWF. Knott answered that it "is soon to be a foundation." Fort added that it is now with the IRS. Smith said maybe an MOA should be created because of potential fiduciary conflicts. Ewing said, "what I hear is the MOA and bylaws need to be accepted by the county and towns before we can move ahead."

Karro said that it needs to be acceptable to us and then everyone else on the council. Huston said he has not had a chance to review the MOA with the commissioners or to take to the prosecutor's office for review. Huston said he would ask the MWC to wait until the next meeting to give him time to run it by his people.

Fort replied that the MOA has been around for a year and that towns have had time to review it. Huston retorted that a draft documents with strikeouts isn't a finished document. Fort replied that the bylaws have been accepted and are already with the IRS. Perry countered by saying that the MOA has NOT been floating around for a year.

Smith remarked that it is of utmost importance to get the MOA right and that in its current form is not ready for legal review, in his opinion.

Ewing asked if we have a plan to move that forward. Fort said the council had approved the bylaws and that Smith could have taken it to his city attorney six months ago. Smith said the bylaws would not have had the context without the MOA, and it is still in draft form, so he did not expect we would have voted on it tonight.

A lengthy discussion attempting to wordsmith the draft MOA ensued.

Knott closed the discussion by stating the MOA obviously needs more work, so no decision tonight. How do we move forward? He asked. He said it is better to get things right than just get them done. He asked which initiating government would like to help with the redraft. Huston then asked Smith to send him his revisions so he could run it by his legal counsel, then Huston could send out review drafts to the Council. Smith was to send his edits to Huston by Monday.

Smith said that the town councils need to approve this MOA for it to hold water.

Perry Huston took the floor and gave a presentation of the County's findings during their GIS-based analysis of available water and water use. He also presented the idea that water placed in trust by agencies when they purchased land with water rights could possibly be made available for development as part of the overall water budget for the Methow.

In his presentation, Huston remarked that the requirement that groundwater withdrawals must be shown to "measurably effect" surface water puts the onus on DOE to demonstrate. Huston argued that exempt wells have not had an impact on surface flows, and that we should consider that the data doesn't support the assertion that the 2 CFS has been exhausted.

Bill Tackman asked Huston to send MWC his data, and Huston said he would.

The meeting adjourned at 7:12 PM.

