

Board Members Present:

Zena Hartung, Secretary Tye Menser, Treasurer Jerry Louthain, Chair

Jon Hare, Commissioner Josh Cummings, Commissioner Bourtai Hargrove, Alternate Commissioner

Meeting Time, Place and Attendees

The meeting was called to order at 7:05 by Commissioner Louthain at the Board's regular meeting place: Percival Plaza Conference Room, 626 Columbia St NW, Suite 1-IF, Olympia, Washington 98501. Jill Van Hulle, Paul Robischon and Jerry Petersen representing Washington Water Services, were present.

1. Approval of Agenda: Meeting agenda was reviewed. Motion: the agenda be approved without change, seconded. The motion was adopted without dissent.

2. Approval of Minutes: Motion: the minutes from January be approved, with no change, seconded. The motion was adopted without dissent.

Correspondence – Comm. Jerry Louthain's request for C.E. credit was confirmed by post from Janet Rajala, Feb 22. His inservice status extended until 2013.

Financial – Key Bank statement February balance \$16151.46, Feb 28 with one check written for \$234.90 see minutes, January.

3. **WA Water Services (THUR 11-02) Update**– Discussion of draft Report of Examination (ROE) with all present. Included were email comments from Phil Crane, DOE, who highlighted issues of impairment potential. Discussion among the commissioners, Comm. Hartung voiced her concerns about impairment in a watershed where exists two closed water systems and the water right is downstream and at a distance from the proposed change, Comm. Menser expressed concern regarding the lack of clear guidelines regarding the amount of proof necessary for an applicant to prove no impairment to closed surface water sources, especially in light of case law indicating that even a 'de minimus' amount of impairment would be prohibited. Voting by the qualified Commissioners was mixed, with three voting for the change, namely Comm. Hare, Comm. Menser and Comm. Louthain and one voting against the change, Comm. Hartung. The Record of Decision (ROD) was signed by three commissioners for approval and signed by one commissioner for denial which was passed with a majority of 3 to 1. The two commissioners signing the ROE were Comm. Louthain and Comm. Menser. Anna Geisman will be instructed to get a copy of the ROE and ROD to Dept of Ecology. Based on WAC 173-153-150, Ecology has 45 days for review and reaching a decision on the ROE and ROD, with a possible 30-day extension of time. Ecology will also post the WCB decision on its internet site.

4. Administrative: Discussion with new commissioners postponed until end of meeting, at which time Comm. Cummings and Comm. Hargrove indicated they both intend to complete their training in Spokane, are driving together and will report at the Board meeting in March.

5. Reports- Jill Van Hulle gave a quick review of a spirited and informative session of the WRAC for March, mostly reporting on the legislative session.

6. Board Expenditures/Reimbursements: 122.95 administrative/web charges for 1 month. Motion to pay, second, passed.

The meeting adjourned at 8:30 PM

Minutes Approved: _____