

Minutes
Show Low Creek Watershed Enhancement Partnership and Rainbow Lake
Coalition Meeting
Tuesday, 10 August 2010, 1 PM
Pinetop-Lakeside Town Hall

Interim Chair David Newlin Called the Meeting to order at 1:00 PM.

A large attendance was in the room. Four people joined us via teleconference (Courtesy of Byron James of ADEQ). Please see scanned sign-in sheet attached.

Introductions of all parties were made.

Minutes of the 8 June meeting (mis-labeled 11 May) in the Agenda) were approved. **Al Crawford moved, Kathy Campbell seconded. Voting was unanimous.**

No revisions in the Agenda were made.

A review of the Town Hall Meeting, Al Crawford's Recap and the financial situation was conducted. Joe Hills reported that there was \$13,470 in donations at The Shores, leaving a modest deficit to cover to meet the \$15,000 goal.

No representatives from the Irrigation Company were at the meeting. The concerns about the last date for irrigation versus the need to apply Sonar before weather became cold as a concern. The suggestion was made that, if necessary, water be trucked to the few people who needed water from Woodland and Rainbow Lakes in order to allow the treatment to proceed.

A discussion of what to do as additional funds were raised was had. Treatment of the lake will require more algaecides in the future. David Newlin assured the group that their funds would remain protected and separated from the regular RC&D funds.

Some discussion was had about the comments made by Water Attorney David Brown at the Rainbow Lake Town Hall about abandonment of Woodland and Rainbow Lakes water rights and/or property. Proposals such as ownership of the lake by the Town of Pinetop-Lakeside or other entity and a guarantee of a certain amount of water discharge to the water users in Wagon Wheel and nearby be guaranteed. Much work would have to be done to have any of these things done. The irrigation company is planning to use Show Low Lake for more of their water storage.

Tom Whitmer, Rural Water Office of ADWR, led a lengthy discussion about storage, water rights and other potential issues regarding the Irrigation Company's rights. The decision was made to seek an appointment with David Brown, who might be able to work more closely with the Irrigation Company, make quicker decisions and clarify many of the issue. David Newlin will get an appointment; he and Al Crawford will see David Brown.

Before the discussion on the Incorporation status, Tom Whitmer was invited to comment on the many and varied issues facing the State, ADWR and our area.

Tom discussed the Tribal (Navajo and Hopi) Water Settlement at length. Much of what is happening should lead to a resolution of the first parts of this issue soon. However, Congressional action and a large number of other water rights issues (de minimus wells, cones of depression, subflow, etc.) remain to be determined. Things were on a positive track but not quite resolved.

The group moved on to a discussion of the facets of incorporation of the Group. The forms for the Arizona Corporation Commission and discussion items previously submitted by Paul Horton were provided.

Service Area:

Much discussion was had about the previously adopted Service Area. The major concern was narrowing the focus of the new corporation. After reviewing a number of alternatives, **Ken Wilcock moved and Tom Thomas seconded to reduce the scope of the service area to the areas *above* (or *upstream*) from Fools Hollow Dam. This motion for change passed unanimously.**

Membership:

Much discussion was had about membership. This topic had been only slightly discussed at previous meetings. The consensus appears to be as follows:

1. There will be an ex officio class of membership, non-dues paying, which will consist of governmental stakeholders in the area. Among these would be:
 - a. Town of Pinetop-Lakeside
 - b. City of Show Low
 - c. US Forest Service
 - d. Bureau of Land Management
 - e. Navajo County
 - f. Arizona Game and Fish
 - g. US Fish and Wildlife Service
 - h. Show Low Irrigation Company
 - i. Arizona State Land Department
 - j. ADEQ
 - k. ADWR
 - l. Bureau of reclamation
 - m. LCRP RC&D

In addition, others who fall into this category.

2. The other category of membership will be dues-paying (dues structure not yet established). This will include:
 - a. Property owners
 - b. NGO – non –Government organizations – corporations, Not for Profits, etc.
 - c. Anyone else (need some suggestions here please)
3. A Special Membership status was discussed but not defined.

Al Crawford moved and Jim Peterson seconded to move forward with these recommendations. The vote was unanimous.

Yearly memberships were discussed. In addition, a large number of items were discussed that would normally fit into the Bylaws and not necessarily be part of the application for Corporate Status.

Tom Whitmer gave some excellent thoughts on this from his experience with the Coconino Plateau Watershed Advisory Council. They were TOO big and TOO inclusive to begin with and the membership qualifications have now been cut back somewhat to make the Group more manageable. The CPWAC does NOT operate from a Board of Directors standpoint; but from an open membership standpoint. There are pros and cons to both approaches that may be addressed by the Bylaws.

Tom Whitmer discussed the first meeting of the ADWR Water Resource Development Commission this Friday, August 13. David Brown is the Northeastern Arizona rep on this Council.

Mike Lopez took some time to discuss the weed harvester and other AZGF topics. He said that he would, with the blessing of his bosses, prepare a paper that would list all of the concerns of the Rainbow Lake group and AZGF official positions on each item – including dredging. This should be ready in a couple of months. In addition, the small harvester was planned for weed cutting in Rainbow Lake soon if water levels were high enough.

Al Crawford mentioned the dredge that Winslow has purchased. Looking into costs of moving it and then what to do with residue. SRP has also offered the use of their portable dredge for Rainbow Lake. Again, how to pay for it and where to put the sludge. (NOTE: ADEQ has previously said that this sludge is NOT considered toxic).

Tom Whitmer mentioned the differences between a 501(c) 3 and 501(c) 4 corporation – that is, the first cannot lobby; the second can. He suggested that a 510 (c) 4 be seriously considered.

Lowering the water levels in the winter has two other distinct benefits – the first is that the heads of the Eurasian Milfoil are killed by very cold temperatures. The second is killing of the non-native pike species in the lake. Mike Lopez said that he would just not be able to get a program going to kill and remove the non-native species this year, even if the water levels in the lake were lowered.

Creating Legislation for a Weed Management Agency for the State was also discussed. After the Election, a small sub-group needs to organize itself, go the Legislative Staff and start work on this project.

The meeting was adjourned at 2:35 PM.

Respectfully Submitted;

David M. Newlin
Acting Chair