

Since 1964, we have supported the Columbia Basin Project and its future development. We protect its water rights and educate the public on the renewable resource and multiple-purpose benefits of the project.

### Lind Coulee Siphon Project, On Time and Under Budget

Mike Schwisow, Director of Government Relations



Mike Schwisow

The Lind Coulee Siphon project is expected to be completed by the end of this month if weather conditions allow placement of the final concrete sections. This is the largest single element of the current \$26,000,000 Department of Ecology-Office of the Columbia River grant. The project is on budget and ahead of schedule.

Also, the remaining excavation of East Low Canal (ELC) is expected to be completed by the end of the current construction period. To that end, the East

Columbia Basin Irrigation District (ECBID) Board authorized renting additional earth moving equipment. The other ELC job in progress is the widening of the canal under Calloway Road in Adams County. Rather than replacing a relatively new bridge, ECBID chose to expand the prism of the canal beneath the bridge. Major work is underway at this time.

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### A Look at the 2016 State Legislative Session

Mike Schwisow, Director of Government Relations

On January 11, legislators gathered once again in Olympia for the start of the annual session.

Budget discussions always play a major role in the proceeding, but this year we do not anticipate significant changes in the biennial budget adopted in 2015. Revenue forecasts continue to be positive but are not outpacing the inflationary cost of services which limits available funding for new programs. The chance of major tax votes in a short session is unlikely.

Funding for K-12 education continues to be a top priority with the Legislature being found in contempt of Supreme Court rulings in the McCleary case. Over the past few years, several billion in additional funding has been directed to schools. Another major issue will be the inequitable use of local levies for basic education expenses. The fix is a high price tag item and it is expected that this session will yield a plan to address the issue with the solution enacted in 2017.

The 2015 Capital Budget left little room for 2016 adjustments. The Governor's Supplemental Request was very slim reflecting a Capital Budget up against the debt ceiling. The bar for getting a program funded is set very high.

The Ag Committees in the House and Senate have modest agendas and will focus on issues related to wildfires and dairy water quality. All in all, most expect the session to conclude on time. With little money to

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## From the Chair

*Orman Johnson*

Welcome to 2016! Thank you for your continued support of the work of the League. Your membership and sponsorship plays a vital role in supporting the Columbia Basin Project and its future development. As we celebrate the New Year, we are excited about the potential for significant progress. This year, the League continues focus on connecting with state and national policy makers and influencers to share the stories of Project stakeholders, starting with a trip to Olympia in the coming month to visit legislators.

Become a 2016 member today online at [www.cbdl.org](http://www.cbdl.org). Let's work together to ensure the League's mission is supported throughout 2016!

## A Look at the 2016 State Legislative Session *Continued from page 1*

spend, major issues pushed ahead to 2017, and the desire to hit the campaign trail in this election year, many legislators started the session eager to go home. One legislator characterized the session as "we just need to pay the bills, like the excess costs of last years' wildfires, and go home."

The "Big Water" issue, introduced last year, is expected to see continued consideration. The bill would have provided \$3 billion for water supply, flood control, and stormwater infrastructure. Legislators agreed on the needs in those areas, but could not agree on a method to pay the bill. It is not uncommon for initiatives of this scope to take several sessions to get to a point where they can generate enough votes to pass. Throughout 2016, CBDL will continue to engage in the discussion about infrastructure needs of the Columbia Basin Project. Other major water policy legislation seems unlikely this session as it is usually contentious and requires time to find compromise.

CBDL is planning our annual visit to Olympia on February 23 and 24. We are currently setting appointments with key legislators. These meetings provide the opportunity to tell our story, the story of Project stakeholders. By that time, each house will have completed work on their bills and will be taking up bills sent over from the opposite body. What is still in play will be significantly winnowed down. Meeting legislators in their Olympia offices demonstrates our level of interest in the process and complements the League's work with them in the district during the interim.

## CBDL Signs Ag Letter to Legislators

This month, the League co-signed a letter with many other Washington Ag groups to Washington House of Representatives Speaker Frank Chopp that emphasized the resilient and stabilizing force of Washington agriculture and called for a state regulatory and tax structure that allows the Ag industry to stay competitive.

The letter highlights the important issues to our state and the ag industry. To ensure agricultural production and food processing remains economically strong, the letter calls for the following:

- Funding for infrastructure needed to improve water storage and flood control, and improvements in stormwater management.
- Recognition of the carbon sequestration created by growers.
- Retaining a competitive wage for state agricultural workers.
- Ensure environmental policies are necessary, reasonable and based on sound science.

## **CBDL Signs Ag Letter to Legislators** *Continued from page 2*

- Protect growers from over-regulation so they can continue to provide healthy, local food and other products.
- Develop fiscal policy that maximizes our ability to create jobs and compete in world markets.

In 2016, CBDL will continue public outreach efforts to both the public and government representatives and officials. Farm tours and events offer legislators the opportunity to visit the Columbia Basin in person and get a firsthand perspective on current issues and the importance of the Project.

## **WOTUS in 2016 and Beyond**

*Ian Lyle, Water Strategies LLC*

While Washington State grappled with drought in 2015, in Washington DC the regulatory spigot flowed. According to the Competitive Enterprise Institute, in 2015 the federal government issued approximately 3,778 final rules and regulations and more than 2,000 proposed rules. The one that could most directly affect water users defines what constitutes “waters of the United States” (WOTUS) under the Clean Water Act.

The U.S. Army Corps of Engineers (Army Corps) and the Environmental Protection Agency (EPA) published the final WOTUS rule on June 29, 2015. This rule failed to address a number of concerns expressed by the water supply and agriculture communities. The rule was set to begin nationwide implementation on August 29, 2015. However, on August 27, the U.S. District Court for North Dakota issued a preliminary injunction preventing the implementation of the rule in 13 states. Then, on October 9, the Sixth Circuit Court of Appeals in Cincinnati issued an order staying implementation of the rule throughout the entire country. A total of 32 states and many other groups have filed suit against the U.S. over the WOTUS rule.

The Sixth Circuit heard oral arguments on procedural issues (if challenges to the rule should be heard at the circuit court or district court level) on December 9, 2015. The Sixth Circuit could issue their decision any day. If the Sixth Circuit decides to retain jurisdiction then the nationwide stay will remain in place while the case is considered. In addition to the activities in the Sixth Circuit, the Eleventh Circuit court in Atlanta is scheduled to hear arguments on similar issues on February 23rd. If these two courts reach different conclusions, it will increase the likelihood of the rule eventually ending up in front of the Supreme Court.

Issues surrounding the substance of the WOTUS rule have also percolated in the United States Congress. Legislation directing the EPA and Army Corps to redraft the rule has been introduced in both the House and the Senate. In May of 2015 the House of Representatives passed H.R. 1732 the Regulatory Integrity Protection Act. The Senate is also consider-

ing legislation that would require the agencies to withdraw the rule. In June, the Senate Environment and Public Works Committee (EPW) passed S.1140, the Federal Water Quality Protection Act, by a vote of 11-9. There is a good deal of support for a legislative fix to concerns about the WOTUS rule, however this support is not great enough in the Senate to capture sixty votes, the number of votes needed to end debate on a topic.

Concerns about the WOTUS rule are not limited to its substance. The EPA has also been criticized for how it handled the roll out and publicity surrounding the rule. On December 14, 2015 the Government Accountability Office issued a report finding that the EPA violated federal law when promoting the proposed rule. The report specifically noted that the EPA utilized covert propaganda in some of its efforts to promote the rule.

The contentious nature of this rule and the ongoing litigation surrounding it mean that water users will need to continue tracking this issue in 2016 and beyond.



# COLUMBIA BASIN

DEVELOPMENT LEAGUE

## **UPCOMING EVENTS**

**CBDL Board Meeting**

**Wednesday, March 16, 2016**

**2:00 PM – 4:00 PM**

**Simplot, Moses Lake**

**April 11-13, 2016**

**National Water Resources Association**

**Federal Water Issues Conference**

**Washington DC**

## **QUOTE OF THE MONTH**

*“If you want to go fast, go alone. If you want to go far, go together.”*

*African Proverb*



## Irrigation District Boards from a Water Guy's Perspective



*Charlie Lyall*

In December, Charlie Lyall was re-elected to the South Columbia Basin Irrigation District (SCBID) Board of Directors and began his 11th year of service. Lyall grew up on a farm in Grandview then went on to college in Wenatchee. In 1980 he bought a farm in Mattawa where he farms cherries, apples, and concord grapes. Lyall was elected to the South Columbia Basin Irrigation District Board (SCBID) in 2005.

Lyall understands the complexity of water issues; there is always more to learn, always something new to understand. A self-described water guy, he remembers irrigating the farm with his dad as a young boy, going through great periods of drought, and learning about the vital importance of water. Those early experiences instilled in him a deep respect for water. He said, "Water is the most essential commodity, without it, nothing can function." Familiar with the challenges of life without water, he is passionate about working to make sure water is available in the Columbia Basin and protected. This passion motivates his service to the SCBID Board. His way of life and the way of life for all Columbia Basin farmers is directly tied to water access.

### **One Water Source, Three Irrigation Districts**

The Columbia Basin Project, sourced by the Columbia River, includes three irrigation districts:

- East Columbia Basin Irrigation District
- Quincy Columbia Basin Irrigation District
- South Columbia Basin Irrigation District

Lyall commented that each district has a unique board and district manager. While district board members are also managing their farms, district managers are at the job full time, devoting significant time and energy to the work. Lyall had high praise for the quality of Project district managers who have many years of vital experience in the irrigation business to pull from as they manage their district's day to day operations. He said, "Hiring managers is one of the most important jobs of the board. There are not many qualified managers out there who are up to the task. Trying to find a good one is hard. Each district has been very lucky."

### **The Role of the Irrigation District Board Members**

Lyall described the role of an SCBID board member as requiring a significant commitment of time and energy. The SCBID board meets twice

a month plus additional special meetings totaling 35+ days a year spent on board work. Members of the executive committee devote even more time to the irrigation district. Lyall loves the regular contact with landowners, district staff, and others related to SCBID. He enjoys connecting landowners with irrigation information and sharing the complexity of all that goes into water access in the Columbia Basin.

The SCBID board has five members. Lyall said, "Each member brings a unique perspective, experience, expertise, and a lot of common sense. The experience and dedication of the SCBID board is second to none." He is the youngest member of the board and has served the least amount of time. Lyall highlighted that board members need to be able to communicate effectively and network with landowners, the community, government officials, lawmakers, Bureau of Reclamation representatives, and more. He loves to talk and connect with people but also values the quieter board members whose fewer words are always impactful.

### **SCBID Board Responsibilities**

Lyall said one of the biggest responsibilities of the SCBID board is the budget. The board is continually thinking through water costs and how to keep them as low as possible. It is a struggle to balance keeping water costs down with maintaining maximum efficiency, all while prioritizing infrastructure improvements. Lyall said, "It is challenging to draw the line between efficiency and quality. You have to spend more to improve more which is an investment in the future."

Other annual responsibilities include handling union and personnel negotiations encompassing insurance, wages, and everything else that goes into managing a district staff of over 100. Determining when water will come on and be shut off while keeping in mind the issues of flow, delivery, summer heat, and much more is a huge annual undertaking. Lyall commented that it is easy for the district's work to go unrecognized.

*"Access to water is increasingly taken for granted."*

Many assume that water will always be available at a reasonable price, without developing a deeper understanding of the complexity of the issues and a respect for all that goes into water accessibility. Unless there is a problem, the public often doesn't know what is going on. Lyall hopes that in the future, the public will be more informed. He said, "SCBID is very, very lucky, I go to conferences and meet irrigation district representatives from around the state and country who don't have water, access to water is not a given for them like it is for us."

### **Challenges Facing Irrigation District Boards**

A challenge Lyall emphasized is how easy it is for water accessibility to be taken for granted. Water issues are extremely complicated. It is difficult for the general public to understand the intricacies of each issue and to

## Irrigation District Boards from a Water

### Guy's Perspective *Continued from page 4*

gain a comprehensive understanding would require significant time and effort. There are so many issues connected to irrigation, from water and farming to hydro power and beyond. Trying to understand it all is overwhelming, making it hard to keep the public's attention.

Lyll believes it might be helpful to focus efforts on helping the public gain an understanding of the complexity of food production. Food doesn't simply originate on the shelves of the local grocery store. There is a need to better inform the public about the complexity of producing food at a low price and the effort, complexity, sacrifice, and infrastructure involved. From the individual voter, to Washington State Legislators, the SCBID Board is working hard to provide good information that will inform decisions and votes.

As a member of the SCBID strategic planning committee, Lyll knows that modernization is important. New technology and efficiency of labor and water use are key factors looking to the future. Aging infrastructure is a huge issue and needs to be addressed which will require significant funding. Lyll said, "The whole food industry is in flux. There are a lot more wine grapes, cherries, and fruit being grown but we still have potatoes. The whole dynamic of what is being farmed is changing. How we handle the demands of irrigation stemming from those changes will be important."

## Potholes Supplemental Feed Route Project Nears Completion

*Bureau of Reclamation*

The Bureau of Reclamation (Reclamation) design for the Columbia Basin Project (CBP), included the ability to collect return flows from irrigation of land in the north half of the CBP for delivery to the south half. This return flow is stored in Potholes Reservoir. The CBP diverts approximately 2.65 million acre-feet from the Columbia River at Grand Coulee Dam and delivers approximately 3.4 million acre-feet to project farmers. Since the CBP is proportionally more developed in the southern half, return flows must be supplemented with direct feed to ensure an adequate supply in Potholes Reservoir. Historically, Reclamation fed water to the reservoir mainly through the East Low Canal. Expanded operation of the CBP has placed more demand on the East Low and Potholes canal systems. To relieve this demand, a supplemental route to Potholes Reservoir has been established in the natural channel of Crab Creek. To allow for operational flexibility at Crab Creek, the Frenchman Hills Wasteway was also modified to convey flows to Potholes Reservoir.

The Potholes Supplemental Feed Route project (PSFR) consisted of modifying existing facilities to allow water to be routed from Pinto Dam to Potholes Reservoir. In April 2009, the PSFR was named an American

Recovery and Reinvestment Act of 2009 project (ARRA) and received \$5 million in funding. These funds have been used to complete portions of the project's construction phase. The ARRA funding was used to construct four features:

- Road 16 crossing of Crab Creek (completed 2010)
- Energy dissipater on Pinto Dam Outlet (completed 2011)
- Outlet weir on Brook Lake (completed 2010)
- Modify the 4X4 gate on Pinto Dam (completed 2011)

Negotiations for the acquisition of rights of way along Crab Creek are complete (128 parcels from 63 landowners), final paperwork should be signed on the remaining two parcels in February and relocation of six remaining parcels should occur later in 2016. Future minor land and easement work may be needed as final operational flows are reached and any further impacts are evaluated.



*Road 16 crossing of Crab Creek.*

Additional rights of way along the Frenchman Hills Wasteway have been acquired (14 parcels from 6 landowners), and the Road C crossing was reconstructed in 2008-2009 increasing the culvert size to allow for the higher flows.

PSFR is currently being operated with a test diversion of approximately 100 cfs from Billy Clapp Reservoir into Upper Crab Creek. This water is flowing both into Crab Creek and via groundwater into the nearby Rocky Ford Creek. While water was predicted to flow into Rocky Ford Creek, the volume was uncertain. When the additional water reached Rock Ford in the summer of 2015, water levels rose more than expected and caused flooding at both the headwaters near the Troutlodge Fish Hatchery (privately owned and operated) and privately owned land downstream. Washington Department of Fish and Wildlife (WDFW) constructed emergency relief measures at the hatchery which is located on WDFW property, but other mitigation measures may still be needed downstream. Recla-



## Potholes Supplemental Feed Route Project Nears Completion *Continued from page 5*

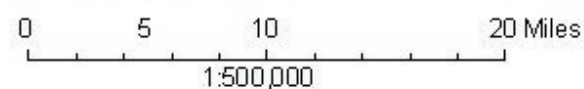
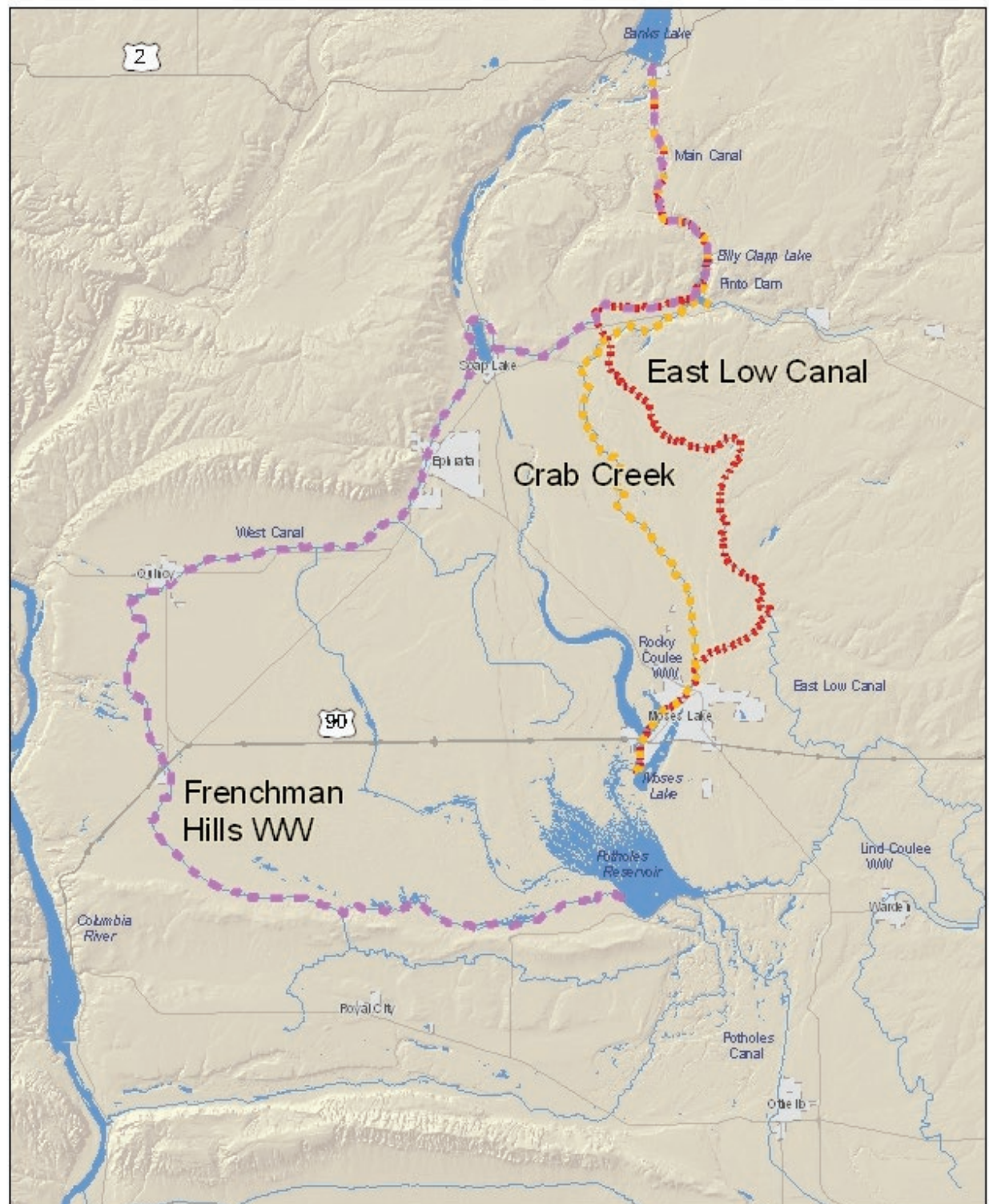
mation is in the process of collecting data for hydraulic modeling to identify the reaches of the channel that may need to be modified to reduce the flooding impact if additional PSFR water releases lead to increased flows in Rocky Ford Creek in the future.

Before beginning fulltime operation of the PSFR, Reclamation is addressing both current channel and structural capacity as well as any other needs along the feed route in both Crab Creek and Rocky Ford Creek. The Ephrata Field Office is also working with the Grant County Public Works Department on a new Stratford road alignment which needs to be completed before full operational flows. Diversions will be temporarily halted during the planned construction of the new road crossing and the removal of the existing road which is scheduled for the summer of 2016. Reclamation plans to increase releases down Crab Creek this year to approximately 200-300 cfs as a further test, before releasing the full flow of 500 cfs. It is important that Reclamation continue to make progress on this project so that additional capacity is available in East Low Canal for Odessa Ground water Replacement Program flows without impacting deliveries to South Columbia Basin Irrigation District.

### *Potholes Reservoir Feed Routes.*

For more information contact:  
Dawn Wiedmeier, Columbia Cascades  
Area Office, (509) 575-5848 x202

## Proposed Potholes Reservoir Supplemental Feed Routes Columbia Basin Project, Grant County, Washington



### Feed Routes

- Crab Creek
- East Low Canal / Rocky Coulee WW
- Frenchman Hills WW

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DEVELOPMENT LEAGUE

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