

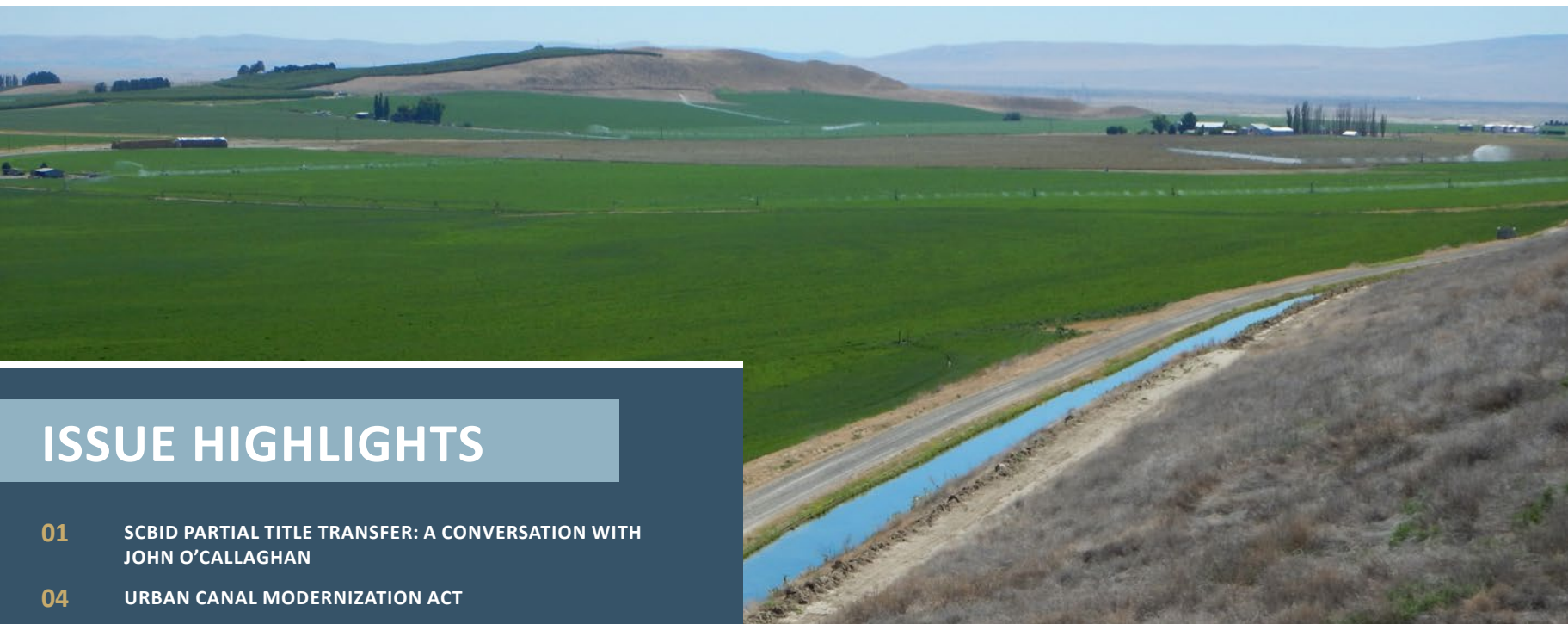
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SCBID PARTIAL TITLE TRANSFER: A CONVERSATION WITH JOHN O'CALLAGHAN

The Columbia Basin Development League interviewed John O'Callaghan, Secretary-Manager of the South Columbia Basin Irrigation District (SCBID) for this article to better understand the complexities surrounding the title transfer process from Reclamation to irrigation districts and what it means for the people, groups, and lands within an irrigation district's service area.

What is a title transfer/partial title transfer?

Title transfer: The 2019 John D. Dingell Jr. Conservation, Management and Recreation Act allows the Bureau of Reclamation to transfer ownership of its facilities to qualifying state entities, such as irrigation districts. Facilities are only eligible for title transfer after they have been paid off to the amount agreed upon under the 1902 Reclamation Act that formed the Bureau of Reclamation and specified provisions of that program. Crucially, water rights associated with transferred facilities are

Continued on Page 2

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not transferred as part of the process.

Partial title transfer: Recognizes the desire to transfer only some, rather than all, of the assets and facilities within an irrigation district.

What does that mean in the context of the SCBID and why do they want to do it?

The SCBID is in the process of a partial title transfer of facilities in Irrigation Blocks 1, 2, and 3. Block 1 encompasses an area northwest of Pasco, Block 2 is in the Burbank area, and Block 3 comprises areas to the west of Walla Walla along the Columbia River.

Currently, all of the irrigation system facilities, district housing, and material sites, like rock pits and quarries, in the district are owned by the U.S. Bureau of Reclamation (Reclamation) but are operated and maintained by the SCBID. A partial title transfer within these irrigation Blocks would give SCBID full ownership in order to more efficiently manage the facilities and provide for better opportunities to work closely with landowners and developers.

Agricultural lands are generally privately owned, so when a landowner decides to sell their land and a developer purchases it, the resulting urbanization has a direct impact on an irrigation district’s ability to maintain its facilities to adequately serve its landowners.

Prior to the Dingell Act, transferring ownership of federal facilities required a much more cumbersome process and an act of Congress, but the title transfer process under the Act allows for a smoother transition.

Warehouses, subdivision developments, and schools built on properties once used for agriculture are driving the move, according to SCBID Secretary/Manager John O’Callaghan. As population increases and land use shifts, irrigation facilities used for Columbia Basin Project purposes must be accounted for and

accommodated.

How does this affect landowners and stakeholders?

“The work necessary to effectively develop lands in areas with Project facilities will not be easier or cheaper if it has to be put off due to lengthy bureaucratic processes,” O’Callaghan said.

By transferring ownership of these facilities, the District hopes to not only expedite the processes involved in development, but also relieve Reclamation of some of its workload, ultimately allowing both entities to better serve the region.

Example: Block 1 in Pasco

Within Irrigation Block 1 in Pasco lays the terminus of the Columbia Basin Project: the furthest point from the Grand Coulee Dam that still receives Grand Coulee Dam water. However, the development of subdivisions between that parcel of land and the nearest irrigation lateral threatens its access.

One community was built directly over the pipeline bringing water to that parcel, meaning any maintenance on the line will require disrupting the yards of a couple dozen homeowners. A similar situation is brewing further along that same pipeline, for which the developer was able to obtain an easement from Reclamation in order to subvert the exact circumstances of the first subdivision, but future developers may not be as lucky.

In the same area, farmland was purchased by the Pasco School District, intended for development. The land lies on a Project pipeline, potentially creating another problematic situation where the District is unable to access its facilities in order to serve water users further downstream.

Under Reclamation ownership, the process of



Victory is won not in miles but in inches.
Win a little now, hold your ground, and later,
win a little more.

- Louis L’Amour



QUOTE OF THE QUARTER



SCBID Irrigation Block 1 in Pasco.



SCBID Irrigation Blocks 2 and 3 west of Walla Walla.

preventative measures, such as acquiring easements and rerouting the water, can push back any attempt to build a new school on this land. However, a title transfer of this Block would allow SCBID to facilitate development on this land much more efficiently.

What’s next in the title transfer process?



The District has already undergone the process of requesting title transfer and identifying the assets associated with the request. Reclamation’s Commissioner approved the request and SCBID is now responsible for making the title transfer official through documentation with Reclamation, which includes NEPA (National Environmental Policy Act) and NHPA (National Historic Preservation Act) processes to assess the impact of the title transfer on the lands and assets with which it is concerned.

NEPA and NHPA focus on the environment and cultural and historical significance, respectively. The District has already hired a contractor to conduct the required cultural resource survey in the relevant blocks. As the collective NEPA and NHPA process can take years, the timeline of the transfer past this point is somewhat unknown. O’Callaghan must await the outcomes of the NEPA and NHPA process for next steps.

Another crucial aspect of the title transfer process is holding public forums for comments and stakeholder questions. Though transferring title ownership of these facilities requires little to no increase in responsibility for the District itself and the Dingell Act contains provisions ensuring that facilities maintain their current uses, constituents of the SCBID may have questions, comments, or concerns to be accounted for when the public comment phase is initiated.

Though the District is focusing on facilities in these initial three Blocks for now, O’Callaghan says the district will likely continue title transferring throughout the district in manageable chunks according to priority.

About John: In his 33rd water season on the Columbia Basin Project, John started on the Project in 1991. He spent 24 years working for the Bureau of Reclamation in the Ephrata Field Office, in Ephrata, Washington. His work for Reclamation was in irrigation operations and related O&M activities, working with numerous irrigation districts in addition to the Columbia Basin Project districts. When John left Reclamation in the spring of 2015, he was the Supervisory Engineer and Manager for Irrigation Operations and Technical Services at the EFO. He transitioned to the South Columbia Basin Irrigation District as the Assistant Manager, under then-Manager Dave Solem, and upon Dave’s retirement at the end of June 2021, John was appointed to his current position. John received his BS in Agricultural Engineering from Washington State University in 1987, is a third-generation Cougar, and a graduate of Washington AgForestry Class 28.



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URBAN CANAL MODERNIZATION ACT

The Vision Behind S.2160

Introduced in the 118th Congress, and co-sponsored by Representative Dan Newhouse, S.2160, the Urban Canal Modernization Act, seeks to address critical issues related to the modernization and improvement of canals in urbanized areas. This legislation embodies a shared vision among stakeholders to enhance water delivery efficiency, reduce maintenance costs, and ensure the long-term sustainability of our vital water resources.

Why S.2160 Matters

The Urban Canal Modernization Act directly impacts the Columbia Basin Project.


The West Canal within the Quincy Columbia Basin Irrigation District (QCBID) is designated an urban canal of concern by Reclamation where it passes through Soap Lake, Ephrata, and Quincy. The West Canal has ongoing maintenance issues on the west side of Ephrata caused by winter groundwater intrusion. Because of the safety concerns from the urban setting, this two-mile section of the canal has seen extra repairs with concrete repair, replacement, sealing, and grouting which have cost QCBID \$6 million dollars over the last 15 years.

Even with these repairs, this area poses an extraordinary maintenance problem, needing a complete rebuild of the canal liner with an underdrain to handle offseason groundwater. QCBID has been awarded \$4.125 million dollars from Reclamation’s extraordinary loan program to fix 500 feet of an area extending 3000 feet. The Urban Canal Modernization Act would allow for urban canals of



West Canal in South Ephrata where repairs are needed.

concern to be eligible for the emergency provisions of Reclamation’s extraordinary loan program, which allows for 35% of a loan to be non-reimbursable.

Under current legislation, a canal must fail before being declared eligible for emergency provisions of the loan program. QCBID is being proactive in solving this issue up front, averting an emergency that would impact homes, roads, and railroads in Ephrata if it were to occur. S.2160 would allow QCBID to address additional extraordinary repairs in the urban setting that cost significantly more than the types of repairs needed in the rural setting. 



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Thank You



RENEGOTIATION OF COLUMBIA RIVER TREATY: STATUS REPORT

The Columbia River Treaty, an agreement between the U.S. and Canada on the development and operation of dams in the upper Columbia River basin that has been in place since 1961, is set to expire in September of 2024. Negotiations on an updated treaty commenced in 2018 and are ongoing.

Progress on Key Issues

Considerable progress has been made in various critical areas, including:

- **Flood Risk Management**
- **Hydropower Coordination**
- **Ecosystem Cooperation**
- **Canadian Operational Flexibility**
- **Indigenous Inclusion**

Remaining Challenges

Despite the progress, several key issues are yet to be resolved:

- **Operational Flexibility:** One of the primary points of contention revolves around Canada’s desire for increased operational flexibility. Canada seeks to store more water in its reservoirs during dry periods.
- **Cost of the Treaty:** Canada is seeking a greater share of revenue from hydropower generation.

Priorities for the United States

Jill Smail, the Columbia River negotiator, has highlighted the following priorities:

- **Flood Risk Management:** Ensuring preplanned flood risk management space in Canadian reservoirs is essential to enhance operational predictability for both nations, mitigate flooding, and reduce unplanned operational disruptions.
- **Rebalancing the Canadian Entitlement:** Addressing the power benefit discrepancy in the current treaty is crucial. Rebalancing the Canadian Entitlement ensures equitable sharing of power benefits through coordination.
- **Ecosystem Coordination:** Improved coordination on ecosystem issues, particularly salmon migration, is a priority. The aim is to provide greater certainty regarding flows for salmon and explore opportunities for transboundary collaboration in salmon reintroduction.

Current Negotiations

The United States and Canada have embarked on the 19th round of negotiations

Roland Springer, deputy regional director for the U.S. Bureau of Reclamation (Reclamation), has emphasized the need for contingency planning in the face of potential changes upon the treaty’s expiration next year.


Post-September 2024 Implications

If an updated treaty is not reached, the U.S. will lose access to flood risk management space in Canadian reservoirs. Canada’s obligation to guarantee flood control space in the U.S. will transition to a “called-upon” basis. The U.S. will incur additional costs to receive flood control benefits from Canada.


Contingency Planning

Springer has noted that adjustments to the treaty could impact water elevations at the first U.S. reservoir on the Columbia River, Lake Roosevelt, situated behind the Grand Coulee Dam. However, Reclamation assures that the John Keys pumping plant at the dam is prepared to operate at these potential new elevations. This readiness is crucial in ensuring uninterrupted irrigation water delivery to the federal Columbia Basin Project. While there may be potential fluctuations in the reservoir, the ability to supply water to the project remains secure.

Uncertainties Persist

The ongoing negotiations remain characterized by significant uncertainties, primarily due to the complexity of the issues at hand. Springer acknowledges that the discussions are somewhat “generic” as the outcomes are not yet known. However, the focus is on understanding the worst-case scenarios while maintaining optimism for a favorable resolution. 

We’re with you.




HEALTHY WATERSHEDS HEALTHY COMMUNITIES ACT

Introduced by Senators Michael Bennet (D-CO) and Jeff Merkley (D-OR), the Healthy Watersheds, Healthy Communities Act (S.2636) is bipartisan legislation marking a significant step forward in modernizing the Natural Resources Conservation Service’s (NRCS) Watershed and Flood Prevention Operations Program (PL-566) to benefit local communities.

The proposed bill, currently awaiting a companion in the House, includes provisions that would specifically benefit the Odessa Ground Water Replacement Program and other similar initiatives. These provisions encompass several key aspects, such as:

- Prioritizing projects with multiple conservation and public benefits.
- Including irrigation districts as a Local Organization, making them clearly eligible for assistance under the law.
- Encouraging interagency coordination by allowing non-USDA federal funding to go toward local/state match requirements.
- Shifting assistance and oversight away from the overburdened national office and giving state conservationists more discretion to oversee watershed plan review.
- Defining irrigation efficiency and water conservation, ensuring other benefits can be realized through projects, similar to flood control benefits under the Act.
- Recognizing increased material and labor costs by raising the statutory cap for required Congressional approval of projects from \$25 million to \$50 million.
- Granting more authority to the Sec. of Agriculture to streamline project approval.

Senators Bennet, Fischer, and Merkley’s collective efforts have garnered praise from various agricultural and conservation organizations, recognizing the bill’s potential to streamline planning processes and enhance local control over watershed management.

Collaborating with the Family Farm Alliance, the CBDL has advocated for the bill, emphasizing the positive effects it could have on the Columbia Basin’s agricultural community. While the Senate has shown support for S. 2636, some House Republicans, traditionally backing single-purpose flood control dams, have expressed concerns. They worry about potential hindrances to conventional flood control projects due to the bill’s emphasis on multi-benefit initiatives. 


REGIONAL COMMUNITY CONVENINGS RECAP

In October, with a grant from the Simplot Foundation, CBDL presented a public meeting series exploring what the process of Columbia Basin Project completion might look like. These thought-provoking meetings brought together a diverse and engaged audience of key stakeholders.

Event Highlights:

- **Meeting 1—What Does CBP Completion Look Like?** During the first meetings, participants delved into the historical significance of the Columbia Basin Project, explored its present benefits, examined the comprehensive implications of its completion, and clarified what “completion” entails geographically.
- **Meeting 2—How Would Columbia Basin Project Completion Happen?** The second meeting guided attendees through a comprehensive breakdown of the step-by-step process essential for completing the Columbia Basin Project. The meeting explored the intricacies of the requirements, key stakeholders and their roles, and the financial mechanisms necessary for realization.

We are pleased with the outcomes of these events and anticipate more such gatherings in the future.

The meeting audio recordings, slides, and documents are available at www.cbdl.org/community-convenings 





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AGREEMENT SIGNED FOR USE OF \$32.8 MILLION IN STATE FUNDS FOR OGWRP AND OTHER MILESTONES

By Jon Erickson, Development Coordinator, East Columbia Basin Irrigation District



Grant signing for the state's \$32.8M investment in OGWRP.

Standing from left to right: ECBID Board member Don Osborne, ECBID Board member Reid Baker, ECBID Development Coordinator Jon Erickson, Washington State Representative Tom Dent, Washington State Senator Mark Schoesler, Washington State Department of Ecology Financial and Projects Section Manager Melissa Downes, ECBID Board member Dennis Swinger, ECBID Board member Kevin Lyle.


Seated from left to right: ECBID Secretary-Manager Craig Simpson, Washington State Department of Ecology's Office of Columbia River Director Tom Tebb, ECBID Board President Duaine Anderson.

The ECBID and the State of WA Department of Ecology Office of the Columbia River officially signed a \$32.8 million grant for the Odessa Groundwater Replacement Program Program at the ECBID Board meeting on Nov. 1, 2023. They were joined by Senator Schoesler and Representative Dent, as well as Director Tom Tebb and Melissa Downes from Office of the Columbia River. The November event marked an agreement for how the funds, secured during the legislative session earlier this year, will be used.

OGWRP is moving forward steadily. The designs on the East Low (EL) 11.8, 22.1, 80.6, 84.7, and 86.4 are progressing.

The East Columbia Basin Irrigation District (ECBID) intends to start construction on EL 86.4 in 2024 and move on to the EL 80.6 / 84.7 as designs are completed and ready for construction.

The grant signing was a momentous day, as it was also learned that the State's investment had helped secure another \$39.9 million for the OGWRP from USDA NRCS. With this new access to funding, the ECBID will be moving forward to construction as quickly as possible.

Additionally, development of the OGWRP Watershed Plan, which will be necessary for access to compete for future NRCS PL-566 funding, is moving forward. An NOI (Notice of Intent) has been sent out for public comment. This is a very important milestone as it includes the adoption of the US Bureau of Reclamation's FEIS (Federal Environmental Impact Statement) for OGWRP by the NRCS (National Resource Conservation Service). The adoption of the FEIS expedites Watershed Plan development. When this activity is completed, the Watershed Plan itself will be developed and submitted for approval. These activities are crucial for giving the ECBID access to apply for funding through the NRCS PL-566 program. 

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\$39,966,600 SECURED FOR OGWRP THROUGH NRCS RCPP


Nearly \$40 million for the Odessa Groundwater Replacement Program (OGWRP) was recently announced as the result of grant applications submitted by the Columbia Basin Conservation District in partnership with the East Columbia Basin Irrigation District. The funding stems from the Natural Resources Conservation Service's Regional Conservation Partnership Program (RCPP), a partner-driven approach to conservation.

Funded OGWRP projects include:

- **EL 84.7 Landowner Extension Mainline (\$19,666,666):** This project will replace groundwater irrigation with Columbia River surface water for a total of 7,138 acres, thereby helping to prevent source water depletion and ensure a stable and reliable water supply for the local communities.
- **EL 80.6 Landowner Extension Mainline (\$13,100,000):** This project will replace groundwater irrigation with Columbia River surface water for

5,222 acres of farmland, conserving water in the aquifer and preventing source water depletion.

- **EL 86.4 On-Farm Project (\$7,200,000):** This project aims to replace groundwater irrigation with Columbia River surface water for 5,426 acres of irrigated farmland, preserving the aquifer and safeguarding the drinking water supply for 25 communities.

Combined with a recent agreement on the use of record state funds for OGWRP, construction on additional OGWRP lateral will commence in 2024. 



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COLLABORATION IN ACTION: YOUR CONTRIBUTION MATTERS

As we reflect on a uniquely productive year for the Columbia Basin Project and its stakeholders, we turn our collective attention to the power of collaboration. Not only collaboration between the League and its many national, state, local, and private partners but also between the League and its members and partners.

Member and partner contributions are what keeps the League working to bring water to the Columbia Basin and drive our mission; to serve as a voice for the Columbia Basin Project.

Given how integral League members and sponsors are to the mission, the next few pages of this newsletter are dedicated to fully recognizing many who have helped accomplish incredible things this year.

We recognize the commitment of our 2023 members and partners as well as those who have generously renewed their support for 2024. Thank you. 

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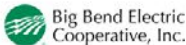
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REMEMBERING ORMAN JOHNSON



The League’s condolences go out to the family of Orman Johnson after his passing in early November. Orman was a steadfast supporter, past chair, and most recently treasurer of the League. He championed the Columbia Basin Project with the same unwavering dedication that he showed his beloved WSU Cougars and his passion was an inspiration to us all. Orman’s presence, advocacy, and kindness touched many lives, and his absence will be deeply felt by all those fortunate enough to have known him. He is and will be missed. 

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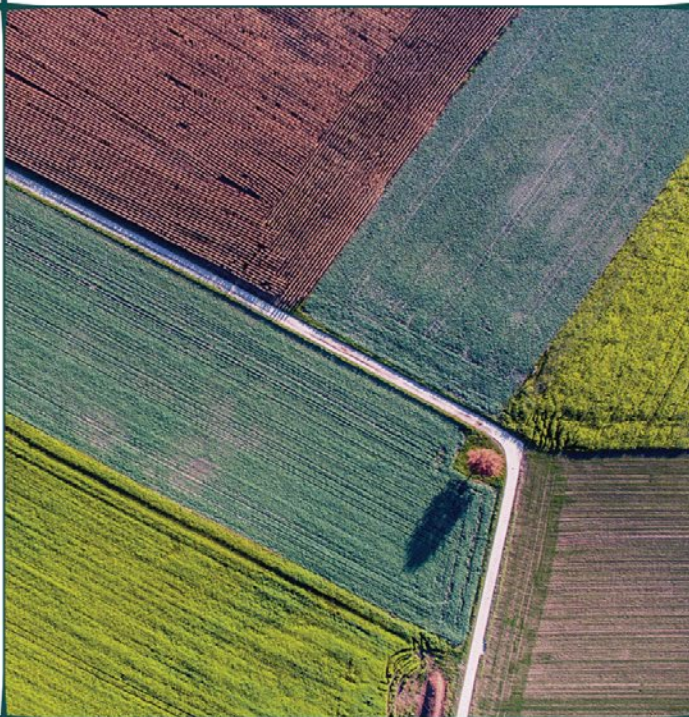
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Fruit Association
Zirkle Fruit Company

CORPORATE

Ag World Support
Systems
Avista Corp

Canyon Crest Farms
Carnosi LLC
Cecelia Quirk
Cegnar Company
Central Bean Co
Chelan Douglas Regional
Port Authority
City of Ritzville
City of Warden
Claasen Farms
Cochrane Sons
Columbia Bank
Connell 76 LLC
Craig Janett Farms
D&D Gilbert Farms
Dan Peper Farm
Della Kiesz
Donald Stucky
Earthbourne Resources Inc
EL & JH Farms LLC
Franklin County
Commissioners
Franz Lund LLC
Fresno Valves & Castings Inc
GeoEngineers, Inc
Glen Bair
Golden West
Grange Supply Company
of Odessa
Grant County
Conservation District
Grant County Economic
Development Council
Grant County PUD
Grigg Farms
GTM Transformations LLC
Halverson Northwest
Henry Field
Horrigan Farms, Inc.
Isaak Brothers
J&E Schafer Farms

Jack L Gilbert & Sons Inc
James Brodie
Jeffers Danielson Sonn
& Aylward, P.S.
Johnston Property
Management LLC
Jones Produce
Kagele Acres Inc.
Kagele Family Farms LLC
Keith Schafer—Seed-Rite
Inc
Kelly Shinn
Kenison Franz
Knep Ag, Inc
L&L Ag Production LLC
Landau Associates
Leffel Otis & Warwick PS
Lenwood Farms Inc
Lincoln County
Conservation District
Lindcrest Ranch
Lyle Family Land LLC
Mark Booker
Marvin and Neil Joint
Venture
Mary Shinn
Max Webb
McGuire, DeWulf, Kragt,
& Johnson
McKay Seed Company
MCL Farms
MSG AG Inc
Middleton Family Farm
Mona Freriks
Moody Family
Moses Lake Irrigation
& Rehabilitation District
Nancy Franz
Northwest Ag
Owl Lake LLC
Para Ranchland Inc.

Parsons Behle & Latimer
Patty Kagele Farms
Petrus Partners, Ltd.
Phillips Windy Hill LLC
Piper Farms
Pomeroy Farms
Port of Moses Lake
Port of Pasco
Port of Quincy
Port of Royal Slope
Port of Warden
Prior Farms LLC
RJ Circle Farms
R & J Family Farms, Inc
R & J Lyle LLC
Richard Erickson
Richard Quirk
Robert J Phillips Farms, LLC
Rod Rottinghaus Farms
Rosebud Vineyards, Inc.
RP Stucky Properties LLC
Rubicon Water
SAC Enterprises Inc
Sackmann Law Office
Schibel Farms Inc
Schneider Farms—Pasco LLC
Skone Irrigation Warden/
Pasco
Soiltest Farm Consultants Inc
Stahl Hutterian Brethren
Sunset Farms Inc
Susie Larson
Ted Tschirky
Thomas Guderian
Tippet Company of
Washington LLC
TRReapers Inc
Tom Downs Farms
Treat Farms
Wager Farms Inc

Washington Association
of Wheat Growers
Washington Fruit
& Produce Co
Washington Winegrowers
Association
Wilbur Security Company
Windy Prairie Inc

RECIPROCAL

Cashmere Chamber of
Commerce
Davenport Chamber of
Commerce
Ephrata Chamber of
Commerce
Grand Coulee Dam Area
Chamber of Commerce
Greater Connell Area
Chamber of Commerce
Greater Spokane
Incorporated Chamber
of Commerce
Lind Chamber of
Commerce
Moses Lake Chamber of
Commerce
North Central Washington
Hispanic Chamber
of Commerce
Othello Chamber of
Commerce
Pasco Chamber of
Commerce
Quincy Valley Chamber of
Commerce
Ritzville Area Chamber of
Commerce
Royal City Chamber of
Commerce
Soap Lake Chamber of
Commerce
Wenatchee Valley
Chamber of Commerce