

SPECIAL MEETING
BOARD OF DIRECTORS

August 26, 2014

10:00 a.m.

A special meeting of the Board of Directors was called to order at 10:00 a.m. by Board President Bob Christopher. Those in attendance were:

BOARD

Bob Christopher
Dave Clark
Paul Mogan

STAFF

Rodney L. Anderson
Mary Lou Brooks

GUESTS

Bob Siderius
Raymond Silva
Bryan Fillier
Randy Gleasman
Christina Davis-Kernan
Rick Cornett

MANAGER'S REPORT

Secretary-Manager Anderson informed the Board that Dawn Wiedmeier, of the Yakima USBR office, will be coming to our regularly scheduled September Board meeting to discuss federal water use and our state's marijuana laws.

The 'G' pumping plant communications was knocked out from the last lightning storm. The field crew have been manually turning on and off the pumps, as well as working very long hours through the weekend to get the plant running again.

EXECUTIVE SESSION

At 10:10 a.m. Board President Bob Christopher recessed the meeting until 10:25 a.m. as allowed under RCW 42.30.110 to discuss litigation proceedings. The regular meeting was reconvened at 10:25 a.m.

OLD BUSINESS

Christi Davis-Kernan of the U.S. Bureau of Reclamation was introduced. Christi was here to discuss the options LCRD has in attempting to obtain additional irrigation water rights from the USBR, as well as answer any questions. She began by explaining how impressed USBR is with all the work already done by LCRD to correct the unauthorized use issues.

Christi outlined two options the District has for increasing acreage:

1. If LCRD were to increase acreage by only that amount that is unauthorized use above the threshold of our repayment contract, USBR would be able to increase the 6,336 acres in the contract by letter, with conditions similar to what was done in 1983. This acreage increase would be considered 'not substantial'.

2. If LCRD wishes to increase the acreage by an additional 264 acres (the remaining acres per our water rights), then it would be considered a ‘substantial’ change in our acreage and would require an amendment to the repayment contract. An amendment would require NEPA compliance, Ability to Pay Study, Costs for developing the contracts, additional land classifications, System Capacity Engineering Study. This would take approximately four years to complete and the Ability to Pay Study would be reconsidered every five years at the District’s cost. A rough estimate of costs for the contract amendment would be \$75,000 to \$125,000. The USBR would have input in determining the amount new users would have to pay to buy their water rights.

Manager Anderson indicated that if we go the ‘letter’ route, he would like enough water to fulfill the approximately 29 acres of unauthorized use, as well as the waiting list of approximately 40-50 landowners requesting irrigation water. Also, we are in the process of having RH2 Engineers model our entire irrigation system. It is currently at 90% completion and we are waiting for the final report.

Manager Anderson wanted to make it clear that any acreage that the LCRD was able to procure would be equitably made available to both unauthorized users as well as growers currently using water from an alternate source making it very important to increase our contract acres enough to satisfy both groups of customers. This is a key point of negotiating the increased acres.

After significant discussion, Manager Anderson indicated he would like to have a meeting with Ryan Patterson of the Boise USBR office to discuss his determination of the ‘substantial’ acreage issue and see what drives that decision.

PUBLIC COMMENT

Randy Gleasman asked if there was anything further LCRD needed from the landowners requesting the water rights. Manager Anderson stated that he would meet with them individually to make sure we have everything we need from them.

Mr. Gleasman asked if we will need documentation on classifications? Manager Anderson stated that we have the paperwork needed.

Mr. Gleasman asked if existing orchards have priority. Manager Anderson stated that agriculture needs to take priority and that the USBR is in agreement with that tact.

Mr. Gleasman asked if we can’t get the 264 acres, will LCRD will try for a lower number of acres, and why the 264 is too high? Manager Anderson said yes we will attempt obtaining a lower number of acres if we can’t get the 264 requested and Christi stated that she doesn’t know where the threshold is for the acreage to deem it ‘substantial’ or not. There may be requirements to be met to determine the threshold amount of this determination.

ADJOURNMENT

Being no further business to come before the Board, Board President Arnold Baker adjourned the meeting at 11:30 a.m.

Signed: _____
President

Attest: _____
Secretary-Manager

August, 2014