

## **EAST COLUMBIA BASIN IRRIGATION DISTRICT**

### **RESOLUTION 2024 – 02**

#### **REQUIREMENTS FOR THE SUBDIVISION OF IRRIGABLE LANDS**

**WHEREAS**, RCW 58.17.310 provides for the review and approval of plats and short plats which subdivide irrigable lands within the District, and

**WHEREAS**, the Board of Directors of the East Columbia Basin Irrigation District desires to revise the District's requirements related to subdivision of such irrigable lands;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Directors of the East Columbia Basin Irrigation District that the District's policy and requirements for approval of the subdivision of irrigable lands within the District are stated as follows:

#### **I. DISTRICT POLICY**

- A. The Columbia Basin Project's (CBP) irrigation and drainage system was constructed to provide irrigation water for the development of commercial agriculture. The vitality and sustainability of the Columbia Basin's agriculturally based economy are dependent on the continuing availability of irrigable lands and irrigation water. This public irrigation and drainage system was constructed at substantial public expense to develop an agricultural economy. Operation and maintenance and replacement costs of the irrigation and drainage system and the repayment of construction obligations is ongoing at significant expense to Columbia Basin farmers and is dependent on an adequate irrigable land assessment base. Subdivision of irrigable lands can reduce the availability of such lands for commercial agriculture and can increase commercial agriculture's share of system operation, maintenance and replacement costs and construction charge obligations.
- B. The legislative authority of any city, town, county or other public body having jurisdiction over planning, zoning, platting, and other land use activities within the District's boundaries should take no action to approve the subdivision of irrigable lands within the District's boundaries unless the irrigable land is immediately adjacent to a city or town (irrigable land located within a designated urban growth area is to be deemed adjacent); the proportion of irrigable land involved is inappreciable in comparison to the proportion of non-irrigable land involved; or the resulting land use will benefit Columbia Basin commercial agriculture to an extent offsetting any reduction in the irrigable land base needed to support the development of the Columbia Basin Project.

#### **II. PLATTING REQUIREMENTS**

RCW 58.17.310 requires District approval of plats and short plats which subdivide irrigable lands within the District. When the legislative authority of any city, town, county or other public body having jurisdiction over planning, zoning, platting and other land use activities determines that irrigable lands within the District are to be subdivided, all such plats and short plats must comply with the following minimum requirements to receive the District's approval:

- A. Farm unit boundary data and existing USBR/ECBID easements must be shown with sufficient engineering detail to define their relationships to the plat or short plat boundaries and parcels.
- B. Major underground District facilities such as siphons, pipelines or buried pipe drains are to be labeled on the plat or short plat. Plats and short plats that include areas where underground facilities such as siphons, pipelines or buried pipe drains are located shall also bear the following statement:

**Underground Irrigation and Drainage Facilities: Buildings and other permanent structures are not to be erected above underground Columbia Basin Project irrigation and drainage facilities. Any encroachments onto CBP rights-of-way including but not limited to, temporary improvements such as paving, fencing, and landscaping require a District permit.**

- C. Columbia Basin Project irrigation water allotments must be released for lands within the proposed subdivision. See Section IV. RELEASE OF ALLOTMENTS. Contact the District's Main Office at 509-488-9671 for more information.
- D. Each plat or short plat shall bear the following statement:

**Drain Construction**

**Rising ground water tables are common in irrigation projects. Federal drain construction funds are not available for drainage of subdivisions and other areas not in a commercial agriculture land use unless such drainage is incidental to the required drainage of adjacent agricultural land and meets federal technical and economic feasibility requirements.**

- F. Each plat or short plat shall bear the following statement:

**Notice**

**This land is included within the East Columbia Basin Irrigation District, and is subject to laws of the United States and the State of Washington relative to the Columbia Basin Project and is liable for further assessments, if any, levied by said District.**

- J. Each plat or short plat must bear the signature of the District's Secretary-Manager indicating the plat has received District approval. The Secretary-Manager may not approve any plat or short plat not meeting all District requirements without the express approval of the District's Board of Directors.
- K. RCW 58.17.310 also requires the approval of plats or short plats by the U.S. Bureau of Reclamation Project Manager if the irrigable land to be subdivided has been previously platted by the U.S. Bureau of Reclamation as a farm unit within the District.
- L. The District may impose other requirements to protect District facilities.
- M. Subdivisions may request a Municipal and Industrial Water Service Contract (M&I) from the Bureau of Reclamation for delivery of a CBP water supply for

M&I uses within the subdivision. Contact the Ephrata Field Office of the Bureau of Reclamation for more information (509-754-0200).

- N. The Bureau of Reclamation may have requirements in addition to those of the District as a prerequisite to its review and approval of the plat or short plat.

### **III. OTHER REQUIREMENTS**

Other requirements relating to subdividing irrigable land within the District's boundaries are set forth in the District's general policies, bylaws, rules and regulations and contract provisions pertaining to Municipal and Industrial Water Service Contract billings, payments, water records and water delivery.

### **IV. RELEASE OF ALLOTMENTS**

Articles 10(d)(1) and 50 of the 1968 Amendatory, Supplemental and Replacement Contract between the United States of America and the East Columbia Basin Irrigation District (Contract No. 14-06-100-65419) and ECBID Resolution 2007-13 adopted on February 14, 2007 provide for the permanent transfer of irrigation water allotments from lands that have become non-irrigable to lands that have been reclassified as irrigable. Many subdivision situations and/or zoning designations will qualify subdivided parcels to be defined as non-irrigable. The District has determined that lands proposed for subdivision are eligible for releases of allotments for subdivisions of irrigable lands. Lienholders must consent to the release.

Release of the irrigation water allotment is required for subdivision approvals. The Board of Directors may waive the requirement to release the irrigation water allotment for subdivision lots that maintain irrigated agricultural use through an exemption request. To request an exemption for release of water allotment a proposed parcel must meet the following criteria:

- Parcel must contain over 7.5 irrigable acres.
- Parcel must have a delivery point that serves only that parcel (no common deliveries).
- CBP water supplies shall be used solely for irrigated agricultural use only. No domestic, municipal or industrial use is authorized.
- Plat shall contain suitable easements for conveyance of ag water supplies to the parcel.
- A "Consent to Water Delivery Changes" for the delivery point must be approved and recorded.
- A note must be placed on the plat stating that "Agricultural water deliveries shall not be utilized by unauthorized parcels or for unauthorized uses. Misuse of water deliveries may result in the mandatory relinquishment of the parcel's water supply".
- Payment of the administrative fee, set by the Board, must be paid.

Proponents shall submit an exemption request letter specifying each parcel seeking an exemption from the release of water allotment requirement. The request letter should describe why and how the parcel meets the exemption criteria.

**BE IT FURTHER RESOLVED** that Resolutions 90-14, 98-04, 2000-02, 2022-06 are superseded by this Resolution.

DULY ADOPTED in open Meeting this 7th day of February, 2024.

BOARD OF DIRECTORS



*Dina Andon*  
*Dennis Stevens*  
*Karin Tyle*  
*Scott Baker*  
*Wm W. Osborn*

Attest:

*[Signature]*  
Secretary

**58.17.310 Approval of plat within irrigation district without provision for irrigation prohibited.**

In addition to any other requirements imposed by the provisions of this chapter, the legislative authority of any city, town, or county shall not approve a short plat or final plat, as defined in RCW 58.17.020, for any subdivision, short subdivision, lot, tract, parcel, or site which lies in whole or in part in an irrigation district organized pursuant to chapter 87.03 RCW unless there has been provided an irrigation water right of way for each parcel of land in such district. In addition, if the subdivision, short subdivision, lot, tract, parcel, or site lies within land within the district classified as irrigable, completed irrigation water distribution facilities for such land may be required by the irrigation district by resolution, bylaw, or rule of general applicability as a condition for approval of the short plat or final plat by the legislative authority of the city, town, or county. Rights of way shall be evidenced by the respective plats submitted for final approval to the appropriate legislative authority. In addition, if the subdivision, short subdivision, lot, tract, parcel, or site to be platted is wholly or partially within an irrigation district of two hundred thousand acres or more and has been previously platted by the United States bureau of reclamation as a farm unit in the district, the legislative authority shall not approve for such land a short plat or final plat as defined in RCW 58.17.020 without the approval of the irrigation district and the administrator or manager of the project of the bureau of reclamation, or its successor agency, within which that district lies. Compliance with the requirements of this section together with all other applicable provisions of this chapter shall be a prerequisite, within the expressed purpose of this chapter, to any sale, lease, or development of land in this state.