

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
EAST COLUMBIA BASIN IRRIGATION DISTRICT

March 2, 2022

The regular meeting of the Board of Directors of the East Columbia Basin Irrigation District was called to order at 10:00 a.m. by President Duaine Anderson.

Present were:

Directors

Duaine Anderson
Kevin Lyle
Reid Baker
Don Osborne
Dennis Swinger, Jr.

Staff

Craig Simpson
Rosa Dekker
John McCourtie
Nate Andreini
Jed Crowther
Wendy Lange
Anna Franz

Visitors present: Darwin Fales and Larry Thomas, CBHP; Paul Wollman, Gavin Johnson, Orman Johnson, Bernie Erikson, Mike LaPlant, Michele Kiesz, Derek Friehe and Jennifer Korfiatis.

Visitors

Visitors via teleconference: Marc Maynard and Amy Rodman, USBR; Melissa Downes, Ecology; Mike Schwisow, Government Relations Consultant; Jake Wollman, Jr., Brian Kuest, Randall Fox, Ron Krug, Jacob Taylor, Fred Ziari, and Lloyd Reed.

Minutes of the regular meeting of February 2, 2022, had been mailed to the Directors. Following discussion, Director Swinger moved to approve the regular meeting minutes of February 2, 2022, as written. Director Lyle seconded and the motion carried.

Minutes
Approved

Mr. Paul Wollman requested combinations be allowed on the EL47.5 turnout clusters.

Public Comment
Period

Manager Simpson reported he will lift the District's mask requirement on March 12, 2022.

COVID-19
Update

Manager Simpson presented the follow contract a., for board consideration:

District
Improvements

Contracts

- a. Amendment to Interruptible First Phase Continuation Water Service Contract, 390-022-809, Marlin HB Trust, 300 acres

Following discussion, Director Osborne moved to approve contract a., as presented. Director Baker seconded and the motion carried.

Manager Simpson reported staff approved and issued the following permits a. and b., consistent with Resolution 2018-12:

Approved & Issued Permits Report

- | | | |
|----------------|-----------------|----------|
| a. Treat Farms | New Turnout | Block 43 |
| b. WHB Trust | New M&I Turnout | Block 46 |

Manager Simpson presented the following agreements a. through j., for board consideration:

Agreements

- a. Permanent Release of Water Allotment, Kenneth & Mary Falconer, Block 40, Lot 8, Crab Creek Estates, Farm Unit 152, 4.9 acres
- b. Permanent Release of Water Allotment, Grant PUD, Block 41, Farm Unit 78-3, 1.3 acres
- c. Permanent Release of Water Allotment, Romana Investments, LLC, Block 45, Farm Unit 78-3, 2.0 acres
- d. Permanent Release of Water Allotment, Donald & Jacqueline Miller, Block 46, Farm Unit 166-1, 3.5 acres
- e. Consent to Water Delivery Changes, Bates Farms, Inc. ETAL, Block 44, Farm Unit 185
- f. Seasonal Change in Place of Use, SM West, 048-802-803
- g. Seasonal Change in Place of Use, WHB Trust, 390-101-810
- h. Seasonal Change in Place of Use, WHB Trust, 390-106-810
- i. Seasonal Change in Place of Use, WHB Trust, 390-112-810
- j. Seasonal Change in Place of Use, WHB Trust, 390-120-810

Following discussion, Director Lyle moved to approve agreements a. through d., as presented. Director Osborne seconded and the motion carried.

Director Lyle moved to approve agreements e. through j., as presented. Director Swinger seconded and the motion carried.

Vouchers audited and certified by the Auditing Officer as required by RCW 42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090 have been recorded on a listing, which has been made available to the Board. After reviewing the vouchers submitted for payment approval, Director Osborne moved to approve for payment check nos. 320725 through 320903 in the amount of \$372,729.14 and electronic Payroll and AP transfer in the amount of \$396,242.86 for a total of \$768,972.00 from the O&M Fund. Director Baker seconded and the motion carried.

Vouchers

Manager Simpson presented Resolution 2022-08, Authorization to Sign Checks. Following discussion, Director Osborne moved to adopt Resolution 2022-08, as presented and discussed. Director Baker seconded and the motion carried.

Resolution 2022-08

Manager Simpson presented Resolution 2022-09, Use of District Credit Cards. Following discussion, Director Osborne moved to adopt Resolution 2022-09, as presented. Director Baker seconded and the motion carried.

Resolution 2022-09

Development Coordinator Crowther reported Reclamation will need written notice that the District will pursue title acceptance of the EL22.1 Delivery System. Manager Simpson reported the letter will include the intent to pursue title acceptance of all OGWRP delivery systems.

OGWRP:
Development
Office Report

Development Coordinator Crowther reported on a meeting with IRZ and Reclamation regarding EL22.1 Delivery system easement acquisition. Reclamation provided a clear outline of the federal easement process.

Development Coordinator Crowther reported the District has begun receiving comments from landowners regarding Director Lyle's tabled motion. At this time, the District is still awaiting input from OCR regarding the proviso language and Reclamation. Director Swinger asked about a landowner meeting. Manager Simpson replied the District will schedule the meeting when OCR and Reclamation provide their responses. Director Swinger suggested narrowing down the different scenarios discussed last month in more layman's terms. Director Swinger reported comments from landowners who felt that all the different scenarios and information provided were confusing and showed that District staff doesn't want to make any changes to the program.

Development Coordinator Crowther reported the draft 30% design report has been received and will be reviewed by TSC and the District. The draft included a high estimated cost of the system. Development Coordinator Crowther reminded everyone that this system is a landowner driven effort and 100% funded by the landowner at this time.

EL11.8 Delivery
System

Development Coordinator Crowther presented a Grant PUD Electrical Facilities Study Update by Task Authorization No. 3 for the EL11.8 Delivery System, in the amount of \$45,000.00. Up to this point, MHB has solely taken on the burden and cost of advancing toward 30% design. Due to the District's efficiency in construction of siphons and performing canal widening, which resulted in cost savings compared to initial estimates, there are some leftover funds available for OGWRP purposes via the legacy grant by a new OCR EAGL application. At this time, the legacy grant isn't available but will be developed in the next few months, and could potentially be used to reimburse the EL11.8 Facilities Impact Study. Manager Simpson reported the District has submitted a list of projects that could use the remaining funds available from the OCR legacy grant. Following further discussion, Director Lyle moved to approve moving forward with the Grant PUD Task Authorization No. 3, in the amount of \$45,000.00, to be paid from the Development Fund, pending determination that the funds are reimbursable by an OCR "legacy grant". The grant funding would then reimburse the Development Fund. Director Baker seconded and the motion carried.

Development Coordinator Crowther reported IRZ is advancing to 60% design of the EL22.1 Delivery System and is currently working with Reclamation on federal easement acquisition. He reported Grant PUD has informed the District of new supply chain issues and long-lead time to order transformers and components. The expected lead time is 82 weeks for a transformer and could push the electrical availability to 2025. Grant PUD's Task Authorization No. 2, to order the transformers, is in the amount of \$3M. Discussions continued on time constraints, payment of the \$3M, readiness of pump station for delivery of transformers, ability to cancel the order if necessary, use of

EL22.1 Delivery
System

available funds from the EL22.1 grant, long storage time, and warranty expiration. Following further discussion, it was the consensus of the board to verify with OCR that grant funds will be available to pay Grant PUD for the transformers.

Development Coordinator Crowther reported RH2 has prepared the District's EL80.6 and EL84.7 Delivery System Design Feasibility Study Report. Upon final review by District engineering staff, it will be shared with the participating landowners.

EL80.6 & EL84.7
Delivery System
Update

Assistant Manager Andreini presented RH2 Engineering Task Authorization No. 5 for overflow analysis of the EL80.6 and EL84.7 Delivery Systems in the amount of \$38,856.00. Following discussion, Director Baker moved to approve RH2 Engineering Task Authorization No. 5, as presented and discussed. Director Lyle seconded and the motion carried.

Development Coordinator Crowther reported the EL86.4 Delivery System design is on schedule and under budget. He reported on the potential of an easement issue crossing the Fox Family property. The District has responded to the Fox Family regarding their changes to the previously agreed upon actions for obtaining an easement for the EL86.4 Delivery System. District Engineer Adolphsen reported staff is moving forward with design and will be using the MRSC Consultant Roster to find entities for upcoming studies. Those studies being cultural resources, phase one environmental and possibly survey preparation.

EL86.4 Delivery
System Update

Director Osborne asked whether if the design will need to change if the District doesn't get the easement through the Fox Family's land. Manager Simpson responded yes it could and the District may have to request that Reclamation secures the easement.

Manager Simpson reported the three District managers met with Reclamation Deputy Commissioners regarding CWA 404 permitting and Trail Lake. He reported the three Districts have received a short letter from Reclamation stating they will hold off on 404 permitting and will do a risk analysis of the Main Canal section at Trail Lake.

Trail Lake

Manager Simpson reported the rates have been set and a contract is in place for wheeling Reserved Power between Reclamation and GPUD. He requested time in executive session to discuss potential litigation.

GPUD Wheeling

CBHP Manager Fales reported the 40 year power purchase contracts are expiring. Negotiations have begun with potential power purchasers and requested time in executive session to discuss this further.

Columbia Basin
Hydropower

Project Manager Erickson reported on the logo survey from District staff. Jennifer Korfiatis presented the District's new logo and the draft website. She requested input on the general direction the board would like the website to go. Following discussion, it was the consensus of the board to keep moving forward with the website as presented. Project Manager Erickson reported staff is reviewing two quotes received for website hosting.

Public Relations
Update

District Engineer Adolphsen reported staff has done an evaluation of all the sites, looking at which ones that will help the most with upcoming pump plants, and has sent those comments back to Anchor QEA. A final report is expected this month.

Re-regulation
Reservoir
Update

Assistant Manager McCourtie requested authorization to call for used welding truck quotes. Following discussion, Director Osborne moved to authorize a call for used welding truck quotes. Director Baker seconded and the motion carried.

Quotes & Bids

Assistant Manager McCourtie requested authorization to call for Dicamba 40% (Vision) quotes. Following discussion, Director Osborne moved to authorize a call for Dicamba 40% (Vision) quotes. Director Baker seconded and the motion carried.

Assistant Manager Andreini reported on the Family Farm Alliance conference he and Manager Simpson attended last month. Some topics were a Reclamation roundtable with all regional directors, deputy commissioners and a recorded message from Commissioner Touton, a panel on a climate forum and Endangered Species Act. Assistant Manager Andreini reported he attended a tour of the Truckee River Fish Screen.

Family Farm Alliance Conference Report

Assistant Manager McCourtie reported on the NWIO Conference he attended with Othello Watermaster Bischoff and Pump Supervisor Fleshman. Some topics of discussion were new chemicals, canal and drain maintenance, Rubicon and cleaning tile drains.

NWIO Conference Report

Manager Simpson reported on a good initial meeting with WDFW, OCR and the three District managers.

Reintroduction of Fish above GCD

Manager Simpson reported mediation is scheduled for March 8th and requested time in executive session to continue discussion.

Collective Bargaining Unit

Manager Simpson reported a grievance has been filed by the union regarding compensatory time. He reported Jed Crowther will be leaving the District in a few weeks, Gary Whitaker is the new Moses Lake Watermaster, Aaron King is the new Assistant Moses Lake Watermaster, Rod Barker is the new Othello Assistant Watermaster, AnneMarie Owensby is a new Water Records Clerk and Kenneth Moffitt will begin as an Engineering Tech in April. Manager Simpson requested time in executive session.

Personnel

EFO Manger Maynard reported there is a draft scope of work for the risk analysis at Trail Lake and will schedule a meeting with the three District managers. He reported the draft Pasco Basin MOU will be sent to the managers for fatal flaw review. The MOU is similar to the Quincy Basin Program.

USBR Report

Safety Supervisor Walraf gave the monthly safety report.

Safety Report

The meeting recessed for lunch at 12:15 p.m., and reconvened at 1:15 p.m.

District Engineer Adolphsen gave the monthly Engineering Department report. She reported a landowner on the EL55D Pump Plant has requested taking over the pumping plant. The landowner has been informed of the no return flow policy and staff recommends allowing the landowner to take over the pump plant, and reimbursing the \$4,059.00 for remaining equity in the plant.. Following discussion, Director Osborne moved to allow for the landowner to take over the EL55D Pump Plant and reimburse

Engineer Report

the District \$4,059.00, and to direct staff to prepare the permit and contract. Director Baker seconded and the motion carried.

Assistant Manager Andreini reported the total cost of the EL47.5 Delivery System was \$20,965,277.95. He reported radial gates were being installed at the Warden check and the KP No. 1 & No.2 siphon inlets. Technical Services Report

Treasurer Dekker reported she has been training the new positions and working on the 2021 financial statement. There were no new investments or maturities. Treasurer Report

Assistant Manager McCourtie reported on both Watermaster sections, Rocky Coulee Wasteway repairs, inspection of panels at mile 26 of the ELC, 10 mile broken rock review and radial gate installations. Assistant Manager O&M

Manager Simpson reported on past and upcoming meetings. Manager Report

Director Swinger moved to approve appropriate District staff to attend the 2022 SNUG User Conference, April 4-6, 2022, Portland Marriott Downtown Waterfront, Portland, OR and the GFOA's 116th Annual Conference, June 5-8, 2022, Austin Convention Center, Austin, TX. Director Baker seconded and the motion carried. Travel Authorization

Development Coordinator Crowther expressed a thank you for being able to serve the District and was proud of the accomplishments during his time here. Other

President Anderson declared an executive session at 1:45 p.m., for a total of 60 minutes, to discuss potential litigation, personnel matters, sale of District property, and CBA mediation. At 2:45 p.m., executive session was extended for 45 minutes. At 3:30 p.m., executive session was extended for 10 minutes. At 3:40 p.m., executive session was extended for 20 minutes. The meeting came out of executive session at 4:00 p.m. Executive Session

At 4:00 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting. Meeting Adjourned



President



Secretary