

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

June 1, 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
Wendy Lange
Anna Franz

Visitors present: Jennifer Hickenbottom, USBR; Paul Wollman, Gavin Johnson, Orman Johnson, Lynn Olsen, Jacob Heinen, Kirk Rathbun and Frank Baxter.

Visitors

Visitors via teleconference: Marc Maynard and Amy Rodman, USBR; Mike Schwisow, Government Relations Consultant; Brian Kuest, Michele Kiesz, Greg Rathdrum, Ron Krug, Jennifer Korfiatis and Representative Mary Dye.

Minutes of the regular meeting of May 4, 2022, and the special meeting of May 23, 2022, had been mailed to the Directors. Following discussion, Director Swinger moved to approve the regular meeting minutes of May 4, 2022, and the special meeting of May 23, 2022, as written. Director Osborne seconded and the motion carried.

Minutes
Approved

Mr. Jake Wollman, Jr. stated the April minutes are incorrect in his public comment statement. The April minutes read, "Mr. Jake Wollman commented the lateral costs per acre is incorrect and shouldn't include grant funding in the District's calculations." Mr. Wollman stated his comment should read as, "Mr. Jake Wollman commented the lateral costs per acre is incorrect and shouldn't include interest on grant funding in the District's calculations."

Public Comment
Period

Representative Mary Dye commented she is grateful she can listen to the meeting remotely.

Manager Simpson presented the following variances a. and b., for board consideration:

District
Improvements

Variance

- a. Friehe Farms Common Delivery Combination Variance Request
- b. Wheeler Trust Common Delivery Combination Variance Request

Manager Simpson reported both combinations exceed the 500 acre maximum of the District's combination policy. He reported historically the board has approved the variance to the combination policy and waived the variance fees. Director Baker commented he believes the board should continue with the past decision of approving the variances and waiving the fees. Director Osborne suggested approving the variance and charging \$100 per 500/ac over the 500/ac limit. Following discussion, Director Osborne moved to approve variances a. and b., and charge \$100 per 500/ac over the 500/ac limit. Director Swinger seconded and the motion failed with Director Osborne and Director Swinger voting aye, and Director Baker, Director Lyle and President Anderson voting nay. Director Baker moved to approve variances a. and b., and waive the variance fees. Director Lyle seconded and the motion failed with Director Baker voting aye, and Director Lyle, Director Osborne and Director Swinger voting nay. Following further discussion, Director Swinger moved to approve variances a. and b. and charge the variance fees. Director Osborne seconded and the motion carried with Director Baker voting nay.

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 Lyle moved to approve for payment check nos. 321255 through 321482 in the amount of \$672,321.60 and electronic Payroll and AP transfer in the amount of \$528,314.79 for a total of \$1,200,636.39 from the O&M Fund. Director Baker seconded and the motion carried.

Vouchers

Manager Simpson reported Round Lake Farms request for a temporary water service contract has been approved by Reclamation. The District received Reclamation's authorization with conditions, on being that temporary water will no longer be available when the Supplemental Feed Route is complete. Manager Simpson reported the board authorized execution of the temporary water service contract last month and he will draft the contract reflecting Reclamation's conditions.

Round Lake Farms Temporary WSC Request Update

Manager Simpson reported Stahl HB Trust is waiting for Reclamation to finalize their M&I contract. He reported they have requested a temporary water service contract if the M&I contract is delayed. EFO Manager Maynard reported he expects to have the final M&I contract in the next day or two. Following discussion, it was the consensus of the board to call a special meeting to approve a temporary water service contract if necessary.

Stahl HB Trust Temporary Water Request

Development Coordinator Erickson reported written acceptance of the 30% designs for the EL11.8 Delivery System from Reclamation is expected soon.

OGWRP: EL11.8 Delivery System

Development Coordinator Erickson reported designs for the EL22.1 Delivery System keep moving forward.

EL22.1 Delivery System

Development Coordinator Erickson reported Development Office staff has reached out to landowners of the EL40.2, EL54, and EL73.3 and have begun scheduling meetings to discuss potential MOUs for those delivery systems.

EL40.2, EL54 & EL73.3 Discussions

Development Coordinator Erickson reported updated design agreements and MOUs have been provided to the EL80.6 and EL84.7 landowners for review and signature. The 30% design of each system is expected in July.

EL80.6 & EL84.7 Delivery System Update

Development Coordinator Erickson reported the EL86.4 Delivery System design is moving forward to 30% design. He reported he has continued to discuss the Fox Family's intentions of granting an easement for the EL86.4 Delivery System. Manager Simpson commented the Fox Family had previously agreed to an easement exchange for the District piping a portion of the EL85E. He also commented OCR has grant funding available to assist with the piping.

EL86.4 Delivery System Update

Director Lyle moved to table indefinitely his tabled motion of "to apply grant money to extend systems to use most amount of acres economically that can be served by public systems to take wells offline" made at the December 8, 2021, board meeting. Director Swinger seconded and the motion carried.

1) Director Lyle's Tabled Motion

Development Coordinator Erickson commented there was nothing new to report except that the meeting on May 23rd was a success. He reported a MOU is expected after NCRS completes the Statement of Work for the Watershed Plan.

2) PL-566 Watershed Plan

District Engineer Adolphsen reported staff reviewed SOQs for cultural resource services from two firms and recommended Anderson Perry. She requested authorization to enter into contract negotiations with Anderson Perry for cultural resource services on the EL86.4 pipeline and automated headgates. Following discussion, Director Swinger moved to enter into contract negotiations with Anderson Perry for cultural resource services, as requested and discussed. Director Osborne seconded and the motion carried.

EL86.4 Delivery System Continued
1) Cultural Resources RFQ

President Anderson opened up the meeting for Mr. Randall Fox to address the board regarding the easement across their land for the EL86.4 Delivery System. Mr. Fox read from his prepared statement. Mr. Fox began by thanking the board, District staff, and new Development Coordinator Erickson. He stated the Fox Family would like 3-8 cfs of water for their Section 30 and requested an amendment or new policy to allow for this as an exchange for an easement across their land. A memo written in January 2020 was referenced along with the ARMWSC because both documents include language stating the possible use of non-State funded conserved water to be used as a water source for lands that wouldn't otherwise be eligible for groundwater replacement water supplies. Manager Simpson reported the ARMWSC does allow for that possibility but is conditioned upon DOE giving the authority to use that water supply to deliver. Currently the District does not have a water supply to deliver to lands that don't have a groundwater right to put into superceding status. Manager Simpson also reported there is no guarantee on the availability of the additional conserved water supply. The District is actively working with DOE regarding the authority to deliver the water. Attorney Franz stated the authority to deliver that water will require State legislation. Once legislation is secured, and conservation has occurred, then a request could be considered. She also

Fox Family Farm Easement Presentation

stated it isn't known if the District could get the legislation as it depends on approval by the Legislature.

Discussions continued on water supplies, pending outcome of Reclamation's drain study, EL85E seepage on Fox land, and the easement for the EL86.4 pipeline. Director Swinger asked what the timeline is for acquiring the easement. Assistant Manager Andreini reported the design is at a point where the exact pipeline route is needed. Manager Simpson reported DOE is still willing to contribute funding to pipe a portion of the EL85E in exchange for an easement as previously agreed upon by the Fox family. Following further discussion, Mr. Fox agreed to speak with Development Coordinator Erickson so he could present something to the EL86.4 landowner group.

Jennifer Korfiatis reported the website has been live now (www.ecbid.org) for a month. She reported there were 76 unique users in May and the most visited page was "Meet the Team". Ms. Korfiatis reported she will provide an analytics report soon and two newsletters were sent out in May. She requested authorization to send out an newsletter regarding the outcome of Director Lyle's tabled motion. It was the consensus of the board to send out an newsletter.

Public Relations Update

The meeting recessed for lunch at 12:05 p.m., and the meeting reconvened at 1:05 p.m.

Assistant Manager McCourtie presented the following quotes for janitorial services, for board consideration:

Quotes & Bids

Supplier	Amount
Dura-Shine Clean, LLC	\$1,500.00/month
Sealx, LLC	\$1,573.07/month
A&E Janitorial Detailing, LLC	\$2,107.00/month

Following discussion, Director Osborne moved to accept the quote for janitorial services from Dura-Shine Clean, LLC, in the amount of \$1,500.00 per month, as the lowest responsive quote. Director Baker seconded and the motion carried.

District Engineer Adolphsen presented the following bid for automated gates, procured under a previous sole source resolution, for board consideration:

Supplier	Amount
Engineer Estimate	\$135,000.00
Rubicon	\$135,708.00

Following discussion, Director Swinger moved to accept the bid for automated gates from Rubicon, in the amount of \$135,708.00, plus sales tax. Director Osborne seconded and the motion carried.

Manager Simpson reported the 2nd Half Reserved Works payment is due at the end of the month and is in the amount of \$1,641,867.46.

2nd Half Reserved Works Payment

Manager Simpson reported the final report of the CBP Economic Impact Study has been received and reviewed by the other two Districts. He reported he will share the final copy when it becomes available.	<u>CBP Economic Impact Study</u>
Manager Simpson reported the three Districts remain engaged in discussions and are awaiting a meeting with project members from the Upper Columbia United Tribes (UCUT). He also reported the State has pledged \$3M for the program.	<u>Reintroduction of Fish above GCD</u>
Manager Simpson briefly reported on the NWRA Federal Water Issues Conference he attended in Washington, D.C.	<u>NWRA FWIC Report</u>
Manager Simpson reported he would like to resume discussion with Reclamation regarding title transfer of the District's yards and houses. It would be beneficial to the District to own the property. He reported KID recently took over ownership of its facilities from Reclamation.	<u>Partial Title Transfer</u>
Manager Simpson reported this year's NWRA Annual Conference is scheduled during the District's November board meeting and suggested changing the date of the board meeting. Following discussion, Director Lyle moved to change the November board meeting date to Wednesday, November 9, 2022. Director Osborne seconded and the motion carried.	<u>November Board Meeting Date</u>
EFO Manger Maynard reported approval letter for Round Lake Farm's emergency water request was mailed yesterday. He also reported a letter along with the Reserved Works supplemental bill for the risk analysis of Trail Lake has also been sent.	<u>USBR Report</u>
Safety Supervisor Walraf gave the monthly safety report. She also reported Moses Lake Watermaster Nick Albrandt and Pump Supervisor Mark Fleshman are both retiring this month.	<u>Safety Report</u>
District Engineer Adolphsen gave the monthly Engineering Department report. She reported Engineering staff has been busy with EL 86.4 designs and various activities.	<u>Engineer Report</u>
Assistant Manager Andreini reported a meeting has been scheduled with USBR and BBEC regarding power lines to feed the EL80.6 & EL84.7 Delivery System power plants. He also met with EL86.4 landowners on pipeline routes and delivery points.	<u>Technical Services Report</u>
Treasurer Dekker gave the monthly Treasurer report. She reported she submitted the District's financials and there were no investments and no maturities last month.	<u>Treasurer Report</u>
Assistant Manager McCourtie reported on both Watermaster sections. He reported on an issue with a District pickup, the driver's side airbag deployed for no reason, the Relief Rider was not injured.	<u>Assistant Manager O&M</u>
Manager Simpson reported on past and upcoming meetings. He commented that he was looking for feedback regarding the May Special Meeting's value to the board. President Anderson commented it was a great venue and Director Swinger commented the meeting was worth doing.	<u>Manager Report</u>

Treasurer Dekker reported a landowner has requested to forego getting signatures on his combination form. The two other owners live out of state. The landowner is able to get water, but isn't able to add the other units to his combination. Following discussion, Director Baker recommending sending the other landowners a letter and wait for a response.

Other

Ms. Michele Kiesz thanked the board for the special meeting on May 23rd and requested that more meetings be held.

Public Comment
Period

President Anderson declared an executive session at 2:10 p.m., for a total of 25 minutes, to discuss potential litigation and personnel matters. At 2:35 p.m., executive session was continued for 15 minutes. The meeting came out of executive session at 2:50 p.m.

Executive
Session

At 2:50 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting.

Meeting
Adjourned



President



Secretary