

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

July 6, 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: Marc Maynard, Amy Rodman, Chris Dodds and Jennifer Hickenbottom, USBR; Christina Wyatt, BBEC; Jake Wollman, Jr., Darwin Fales, Kristina Ribellia and Jennifer Korfiatis.

Visitors

Visitors via teleconference: Mike Schwisow, Government Relations Consultant; Michele Kiesz, Ron Krug, Randall Fox and Craig Lyle.

Minutes of the regular meeting of June 1, 2022, had been mailed to the Directors. Following discussion, Director Swinger moved to approve the regular meeting minutes of June 1, 2022, as written. Director Osborne seconded and the motion carried.

Minutes
Approved

Manager Simpson reported the April minutes should be amended to reflect a correction mentioned by Mr. Jake Wollman, Jr. at the June Board Meeting. The April minutes regarding his comment should be recorded 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". Following discussion, Director Lyle moved to amend the April 6, 2022, minutes to reflect the corrected comment as follows: "Mr. Jake Wollman commented the lateral costs per acre is incorrect and shouldn't include interest on grant funding in the District's calculations". Director Swinger seconded and the motion carried.

Ms. Michele Kiesz commented the OGWRP Funding Steering Committee would like to provide changes to the 2015 OGWRP policy to reflect NRCS funding projects.

Public Comment
Period

Mr. Titus Bowser requested the board keep in mind OGWRP is to take deep wells offline at an affordable cost to landowners.

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 Baker moved to approve for payment check nos. 321483 through 321697 in the amount of \$651,337.78 and electronic Payroll and AP transfer in the amount of \$3,798,132.75 for a total of \$2,998,557.75 from the O&M Fund, \$160,150.28 from the Construction Fund, and \$1,290,762.50 from the 2016 Debt Service Fund. Director Swinger seconded and the motion carried.

Vouchers

Treasurer Dekker reported staff has discovered an M&I contract that hasn't been billed since 2015 and therefore has an outstanding balance of \$13,422.88. She requested board direction. Attorney Franz advised continuing discussion in executive session.

M&I Contract
Billing

Manager Simpson presented the following Orders for Hearing of Petition for Inclusion of Land, a. and b., for board approval:

Order for Hearing
of Petition for
Inclusion of Land

- a. Triple C Land Co., No. 230
- b. PCEC, LLC, No. 233

Following discussion, Director Lyle moved to approve the Order for Hearing of Petition for Inclusion of Land for Triple C Land Co., No. 230, as presented. Director Osborne seconded and the motion carried. Director Osborne moved to approve the Order for Hearing of Petition for Inclusion of Land for PCEC, LLC, No. 233, as presented. Director Lyle seconded and the motion carried.

Manager Simpson presented Resolution 2022-14, Surplus Office Equipment, for board consideration. Following discussion, Director Osborne moved to adopt Resolution 2022-14, as presented. Director Baker seconded and the motion carried.

Resolution 2022-
14

Development Coordinator Erickson reported on landowner meetings held on June 13th with EL40.2, EL54, and EL73.3 landowner groups. The groups discussed how they want to move forward, voiced concerns and asked questions. He also reported a template MOU was provided to the landowners for their review.

OGWRP:
Development
Report

Development Coordinator Erickson reported MHB has directed IRZ to move forward with the 60-90% design. The District has received notice of Reclamation's acceptance of the 30% design. Manager Simpson reported MHB has not asked for financial assistance in the past but is now requesting help with design costs. The District is hopeful part of the DOE legacy grant being pursued could be used towards MHB design costs.

EL11.8 Delivery
System

Development Coordinator Erickson reported that the 60% design from IRZ is expected in the next 45 days.

EL22.1 Delivery
System

Development Coordinator Erickson reported landowners have turned in their updated design agreements and MOUs for the EL80.6 and EL84.7 Delivery Systems. Engineering staff continue with the 30% design of each system. He also reported

EL80.6 & EL84.7
Delivery System
Update

Assistant Manager Andreini has done site visits with the company providing power to the pumping plants.

District Engineer Adolphsen presented the Erlandsen & Associates contract for surveying services for execution and Task Order No. 1 in the amount of \$25,272.00, for board approval. Following discussion, Director Swinger moved to authorize execution of the contract with Erlandsen & Assoc. for survey services and to approve Task Order No. 1 in the amount of \$25,272.00, as discussed. Director Lyle seconded and the motion carried.

EL86.4 Delivery System Update
2)Erlandsen & Associates Contract

District Engineer Adolphsen reported five SOQs were received from the call for Environmental Services RFQs. District staff has reviewed the SOQs and recommend entering into contract negotiations with Budinger & Associates for environmental services. Following discussion, Director Lyle moved to approve entering into contract negotiations with Budinger & Associates, as recommended. Director Baker seconded and the motion carried.

3) Environmental Services RFQ

District Engineer Adolphsen requested authorization to entering into contract negotiations with Western Pacific Engineering (WPE) for geotechnical services. WPE was the only firm to submit an SOQ and staff has reviewed their proposal and recommends their service. Following discussion, Director Osborne moved to approve entering into contract negotiations with Western Pacific Engineering for geotechnical services. Director Baker seconded and the motion carried.

4) Geotechnical Services RFQ

Development Coordinator Erickson reported after months of negotiations for an easement with the Fox Family they responded yesterday with six additional requests on the agreement. Those requests being clarification on Page 2, Paragraph 1.2; liability for any casualty during the construction and maintenance of the pipeline; liability for any damage to the pipeline in the event of fire or adverse weather; restricting third party from easement usage; the potential abandonment of the EL86.4 pipeline once the East High Canal is constructed; and adding the wording "single pipeline easement" even though the MOA 'implies' the easement is only for the EL86.4 pipeline. Development Coordinator Erickson reported they did express willingness to sign pending clarification of the requests. Attorney Franz stated further discussion will be held in executive session.

1)Section 30 Easement Acquisition

Development Coordinator Erickson reported on the continuing efforts and weekly meetings. He reported a statement of work has been received and will be reviewed by staff before sending back to NRCS.

g. Watershed Plan Project Update

Development Coordinator Erickson reported the new USBR PNW Regional Director Carrington recently visited the CBP and toured OGWRP with East District staff. He also reported a first draft of the legacy grant is expected soon.

Assistant Manager Andreini reported on the memo sent to the board regarding landowner-requested changes on the EL80.6 & EL84.7 delivery systems. The memo addressed design cost estimates; landowner changes to designs; moving turnouts; extending pipelines out another 2 miles; and the advancement of 30% designs. Assistant Manager Andreini stated the landowners need an answer as to how the District

Continued EL80.6 & EL84.7 Discussion

is going to handle their requested changes. The baseline design is based on criteria that are applied to all landowners uniformly. If the requested changes are incorporated, the whole project is affected. The District will need assurance that the landowners won't change their mind at a later date. Assistant Manager Andreini suggested the District require the landowners commit to a water service contract and an additional design agreement for their requested changes making them responsible for the additional costs associated with their request. Discussions continued on impacts of scheduling delays to grant funding availability, actual costs, individual costs, \$190 cap and the individual landowner requests. Following further discussion, Director Osborne moved to utilize individual design agreements for the individual landowner requests to be accompanied with an executed water service contract for the guarantee of commitment of the additional individual costs incurred for Category No. 1 & No. 2 changes, as defined in Assistant Manager Andreini's memo to the board. Director Swinger seconded and the motion carried with Director Lyle voting nay.

The meeting recessed for lunch at 12:20 p.m., and the meeting reconvened at 1:20 p.m.

Manager Simpson presented a Reserved Works supplemental bill in the amount of \$42,731.00, for the District's share of the cost of the risk assessment for Trail Lake. Manager Simpson recommended approval of the billing and stated it doesn't preclude a design deficiency claim. Following discussion, Director Baker moved to authorize payment of the Reserved Works supplement bill in the amount of \$42,731.00. Director Swinger seconded and the motion carried.

Trail Lake

CBHP Manager Fales presented the CBHP Revised 2022 Budget for Project Reserved Works Activities. He reported the contract for the Smith Plant expires at the end of August and will be the three District's responsibility beginning September through March. Manager Fales recommended approval of the budget and approve holding back \$200,000.00 from incentives paid. Following discussion, Director Lyle moved to approve the revised budget and to approve holding back \$200,000.00 from incentives paid, as presented and discussed. Director Osborne seconded and the motion carried.

Columbia Basin
Hydropower

Manager Simpson reported the CBP SCADA system has to be upgraded to comply with FISMA standards. Due to the lack of SCADA staffing at EFO the three District have discussed taking over the SCADA system design. Manager Simpson requested authorization to call for RFQs for a CBP SCADA system update with SCBID and QCBIID. SCBID has offered to administer the RFQ for all entities. EFO Manager Maynard stated he would also like to be involved with the RFQ and believes the Districts are in a better position than Reclamation at this time. He would like to ensure that the RFQ meets all federal requirements and stated WEEG grants could be applied for to help with the SCADA system costs. Following discussion, Director Baker moved to authorize a call for CBP SCADA system upgrade RFQs with the other districts, as requested. Director Swinger seconded and the motion carried. CBHP Manager Fales requested CBHP also be involved with the RFQ.

SCADA

Ms. Jennifer Korfiatis gave a brief update on the District's website. She reported bios management are on the website and the next step is to get the Directors up as well.

Public Relations
Update

District Engineer Adolphsen reported staff is working on a report in order to meet with Craig and expect to report back to the board soon.	<u>Re-Reg Reservoir Update</u>
District Engineer Adolphsen reported Engineering staff is currently working up maps of the District's office space and composing a draft RFQ for a space utilization study.	<u>Space Utilization Study RFQ</u>
Manager Simpson reported there are no corrections or changes to the fees. He asked the board to again consider adding a return flow fee. Return flows require additional O&M and expense when landowners turnoff their pumps. Manager Simpson reported emergencyoff requests for convenience are increasing and not wholly due to equipment or operational emergencies. It has become more common that landowners are using the weather as a reason for the emergency off requests. He reported the District will begin enforcing the call-out charge, especially for after hour requests for convenience.	<u>ECBID Fee Schedule Review</u>
Assistant Manager McCourtie requested authorization to call for impeller quotes for the North Warden Pump #3. Following discussion, Director Lyle moved to authorize a call for impeller quotes, as requested. Director Baker seconded and the motion carried.	<u>Quotes & Bids</u>
Manager Simpson reported a final report was received a couple weeks ago and distributed to directors. CBDL will be reporting on the Study.	<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). Another meeting request has been sent.	<u>Reintroduction of Fish above GCD</u>
Assistant Manager Andreini gave a report on the PNWA Summer Conference he attended along with Manager Simpson. He report a lot of the focus was on ports. Some other topics included attracting and retaining employees, regulatory issues, WOTUS, NEPA and a presentation of successful grant applications.	<u>PNWA Summer Conference Report</u>
Manager Simpson stated he would like to rekindle discussions of partial title transfer of the District's three yards and to research what other facilities to consider for title transfer also. Following discussion, no board action was taken at this time.	<u>Partial Title Transfer</u>
Manager Simpson requested time in executive session to discuss non-bargaining unit wages.	<u>Non-Bargaining Unit Wages</u>
EFO Manger Maynard offered space in the Ephrata Field Office for District use if needed. He reported on the O'Sullivan wing wall 60% design review and that South District is intending to do the rock work this year. EFO Manager Maynard introduced Chris Dodds, a Law Enforcement Ranger employed by the BLM and stationed at the EFO. He reported Reclamation will now be able to enforce easement issues and other federal codes.	<u>USBR Report</u>
Safety Supervisor Walraf gave the monthly safety report.	<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, WaterSMART grant applications, permits, short plat review and other various activities.	<u>Engineer Report</u>

Assistant Manager Andreini reported he attended the tour with RD Carrington, and interviewed for the WA Grown tv show. He gave a water quality report. There is still a lot of pond weed; the grass carp are in but we are having more mortality than typical and the fish have been treated for gill disease.

Technical Services Report

Treasurer Dekker gave the monthly Treasurer report. She reported she attended the GFOA in Austin, there were 5 investments and 5 maturities last month, and the 2016 Bond debt service payment has been made. She also reported she was accepted into the next Ag-Forestry class.

Treasurer Report

Assistant Manager McCourtie reported on both Watermaster sections. He reported ELC deliveries are low this year, the MSHA site visit went well and have six pickups ordered.

Assistant Manager O&M

Manager Simpson reported on past and upcoming meetings. He reported NWRRA Executive Director Ian Lyle has taken another job. The new WSWRA Executive Director John Stuhmiller had recently worked with the Farm Bureau and is already familiar with a lot of WSWRA issues.

Manager Report

Manager Simpson reported Nick Albrandt has retired from the District after 41 years of service and Mark Fleshman has also retired after 34 years with the District.

Manager Simpson reported CBDL will help request more appropriations that don't require repayment. In the past USBR used to ask for completion of the CBP in their budget request each year. It would be good to consider starting that request up again.

He reported the 2nd Half Reserved Works payment has been made under protest for outstanding diversion questions.

Ms. Michele Kiesz requested a decision from the board for the OGWRP steering committee to work on District policy for the board. Manager Simpson stated it wasn't a District assigned committee. Ms. Kiesz would like to receive input or recommendations on the policy so she could rewrite it and present it to the board. Mr. Mike Schwisow asked Ms. Kiesz if the steering committee was self-selected or was it by board appointment. President Anderson stated staff will research past minutes regarding the steering committee.

Public Comment Period

President Anderson declared an executive session at 3:30 p.m., for a total of 60 minutes, to discuss potential litigation and personnel matters. At 4:30 p.m., executive session was continued for 15 minutes. The meeting came out of executive session at 4:45 p.m.

Executive Session

With consideration of no signed agreement from the Section 30 Landowners for an EL 86.4 easement, Director Swinger moved to authorize condemnation for the easement crossing Fox Property in Section 30, Township 15 North, Range 31 E.W.B., Adams County, on the August Board meeting agenda and direction to attorney to send notice of final action to all owners of said property. Director Osborne seconded and the motion carried.

Section 30 Easement

Director Lyle moved to authorize a 7% increase to all non-bargaining unit employee wages with the exception of Amos Matson who would receive a total of 15.4% increase, the Watermaster Clerk position would receive a total of 7.5% increase, Dannielle Walraf who would receive a total of 10% increase, Sang Nguyen who would receive a total of 8% increase, Nate Andreini who would receive a total of 8.5% increase, Rosa Dekker who would receive a total of 10.5% increase, John McCourtie who would receive a total of 10% increase, and Bobby Bischoff who could be promoted to Special Projects Administrator with an annual salary of \$103,000.00, all effective July 10, 2022. The Secretary-Manager would not receive any adjustment. Director Baker seconded and the motion carried.

Non-Bargaining
Unit Wages

At 4:50 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting.

Meeting
Adjourned



President



Secretary