

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

December 7, 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: Darvin Fales, CBHP; Paul Wollman, Gavin Johnson, Jake Wollman, Lynn Olsen, and Jennifer Korfiatis.

Visitors

Visitors via teleconference: Clyde Lay, Amy Rodman and Marc Maynard, USBR; Randall Fox, Randy Kiesz, and Brian Kuest.

President Anderson opened the hearing of petition for Inclusions of Lands. The hearing remained open until the end of the meeting.

Open CBP
Inclusion Public
Hearing

Minutes of the regular meeting of November 9, 2022, had been mailed to the Directors. Following discussion, Director Baker moved to approve the regular meeting minutes of November 9, 2022, as written. Director Osborne seconded and the motion carried.

Minutes
Approved

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

District
Improvements

Approved & Issued Permits

- a. Grant PUD Fiber Line Crossings Block 43, FU 108, 109 and
Block 44, FU 51-2, 100, 106, 114-2, 252, 260, 283, & 285-7

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

Agreements

- a. Consent to Water Delivery Changes, Henry M Gross Trust, Etal, Block 41, Farm Unit 3
- b. Consent to Water Delivery Changes, Henry M Gross Trust, Etal, Block 41, Farm Unit 4
- c. Consent to Water Delivery Changes, Stahl HB Trust, Block 41, Farm Unit 12
- d. Permanent Release of Water Allotment, Jose Torres and Arcelia Adame, Block 45, Farm Unit 250-474-001-00, 3.1 acres

Manager Simpson reported agreements a. through c. are a result of a District pipeline project and the District will be paying the recording fees. Following discussion, Director Baker moved to approve agreements a. through c., as presented and discussed. Director Osborne seconded and the motion carried.

Following further discussion, Director Osborne moved to approve agreement d., as presented. Director Baker 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 Baker moved to approve for payment check nos. 322420 through 322583 in the amount of \$601,950.89 and electronic Payroll and AP transfer in the amount of \$425,650.43 for a total of \$1,027,601.32 from the O&M Fund. Director Lyle seconded and the motion carried.

Vouchers

Manager Simpson reported no assents were received from Reclamation nor were any other comments received for the following Petitions for Inclusion of Land:

Petition for
Inclusion of Land

- a. Triple C Land Co., No. 230
- b. PCEC, LLC, No. 233
- c. Triple C Land Co., ETAL, No. 232

Development Coordinator Erickson reported revisions on the OCR Legacy Grant have been submitted for their review.

OGWRP:
Development
Report

Development Coordinator Erickson reported the OCR grant for the partial piping of the EL85E lateral is expected to arrive soon and requested authorization for Manager Simpson to execute the grant once received. He reported this is consistent with the MOU with the Fox Family to grant an easement for the EL86.4 Delivery System. Following discussion, Director Osborne moved to authorize Manager Simpson to execute the OCR grant for the partial piping of the EL85E lateral, as discussed. Director Baker seconded and the motion carried.

Development Coordinator Erickson reported MHB has directed IRZ to move forward with the 60-90% design. He also reported the District continues to work with Reclamation regarding the MOU for review services above the 30% design threshold.

EL11.8 Delivery
System

Development Coordinator Erickson reported IRZ is progressing towards 90% designs and the landowners continue to handle their own easement acquisitions.	<u>EL22.1 Delivery System</u>
Assistant Manager Andreini reported the EL80.6 Delivery System 30% design acceptance letter is expected soon from Reclamation.	<u>EL80.6 & EL84.7 Delivery System Update</u>
Development Coordinator Erickson reported he had met with the landowner groups regarding the board decision to incorporate individual landowner-requested changes as part of the public system rather than individually. He reported 100% of the landowners agreed with the decision and agreed to move forward with the individual landowner-requested changes included in the public system with additional costs being allocated to the landowner group. Following discussion, Director Lyle moved to approve RH2 Engineering moving forward with incorporating landowner-requested changes into the public system design. Director Swinger seconded and the motion carried.	
Development Coordinator Erickson reported District staff continues working toward 30% design, survey work is underway, and easement work has begun with Reclamation begin engaged as well. He reported Harold Crose is trying to get additional funds for the EL86.4 Delivery System through WaterSMART and RCPP grants. Also, OCR has been asked that funds from the Legacy Grant be available for the system as well.	<u>EL86.4 Delivery System Update</u>
Development Coordinator Erickson reported a kick-off meeting with Farmers Conservation Alliance (FCA) is scheduled for December 15 th . Public meetings will be scheduled later in the process. Manager Simpson reported the agreement with FCA stated April 2025 for completion of the plan.	<u>Watershed Plan Project Update</u>
CBHP Manager Fales reported on the Avista Power Purchase Agreement signing ceremony held at the Avista headquarters in Spokane. CBHP Manager Fales requested time in executive session to discuss the Banks Lake Storage Project.	<u>Columbia Basin Hydropower</u>
Manager Simpson reported there is a meeting scheduled for December 14 th with Reclamation cyber security staff in Spokane, regarding the CBP SCADA. He reported South District Manager O'Callaghan has drafted the RFQ. It will be sent out after review by the East and Quincy District managers and Reclamation.	<u>SCADA</u>
Ms. Jennifer Korfiatis presented a slideshow of the public relations year in review.	<u>Public Relations Update</u>
Manager Simpson reported WA DOE has provided a letter stating the proposed treated wastewater the Quincy IUG would discharge into Reclamation facilities could meet ag reuse water standards. He reported the Quincy District is more agreeable to the Quincy IUG discharges but the East and South Districts remain opposed to allowing non-ag discharges into Reclamation facilities. Manager Simpson stated the letter from DOE doesn't protect the Districts from potential legal issues. Reclamation continues to work towards a final decision regarding the discharge permit. Manager Simpson requested time in executive session to continue discussions.	<u>Quincy IUG Wastewater Agreement</u>
Special Project Administrator Bischoff reported Reclamation has provided the partial title transfer process and information sheet that will need to be completed. He reported he will continue the process of partial title transfer of the District yards with Reclamation.	<u>Partial Title Transfer</u>

Assistant Manager McCourtie presented Reed Environmental 2021-01 Polyurea Sealant Contract Change Order No. 1, for board consideration. The change order is a time extension only, from December 16, 2022 to March 15, 2023, due to inclement weather. Following discussion, Director Osborne moved to approve the Reed Environmental 2021-01 Polyurea Sealant Contract Change Order No. 1, as presented. Director Baker seconded and the motion carried.

Quotes & Bids

Assistant Manager McCourtie requested authorization to call for metal quotes (2022-01 Steel) for the Watermaster sections winter work projects. Following discussion, Director Osborne moved to approve the call for metal quotes, as requested. Director Baker seconded and the motion carried.

Assistant Manager McCourtie presented the following Endothall bids for board consideration:

	Supplier	Amount
	Budget	\$90,781.63
1.	UPL	\$81,086.50
2.	Wilbur-Ellis	\$88,137.50

Following discussion, Director Osborne moved to accept the bid from UPL in the amount of \$81,086.50, plus sales tax, as the lowest responsive bid. Director Baker seconded and the motion carried.

Assistant Manager McCourtie presented the following polyurea sealant bids for board consideration:

	Supplier	Amount
	Estimate	\$146,125.46
1.	Columbia Industrial Coatings	\$158,400.00

Following discussion, Director Swinger moved to accept the bid from Columbia Industrial Coatings in the amount of \$158,400.00, plus sales tax, as the lowest responsive bid. Director Lyle seconded and the motion carried.

Deputy Field Office Manager Lay reported on past and upcoming meetings, EL86.4 Delivery System easement work and review of the Odessa MOA.

USBR Report

Safety Supervisor Walraf gave the monthly safety report.

Safety Report

Assistant Manager Andreini reported Reclamation has sent new designs for the EL71.5 radial gate structure repairs, District staff is currently working through that design.

Technical Services Report

Assistant Manager Andreini reported the District has sent a response to RD Carrington regarding the preliminary notice to refuse acceptance of title of the EL47.5 Delivery System. He reported Reclamation has an issue with that they did not provide adequate

project oversight. Assistant Manager Andreini stated it was not the District's responsibility to make sure Reclamation had adequate staffing for project oversight.

Treasurer Dekker reported it was recently discovered that landowner Kerrick Bauman had overlooked putting some units in a combination that have historically been in combination and has requested the District grant him a "late-late" combination. She reported if the combination is allowed Mr. Bauman will be billed the amount of \$9,340.82, equaling 50% of the amount save by the combinations as state bu District policy. Following discussion, Director Baker moved to authorize a "late-late" combination for Mr. Bauman for a fee in the amount of \$9,340.82. Director Swinger seconded and the motion carried.

Treasurer Report

Treasurer Dekker gave the monthly Treasurer report. She reported the financial audit is ongoing, there were no maturities and no investments placed. She also reported the District has received an exclusion of land from Reclamation and a meeting is set in January with Reclamation to learn their process.

Assistant Manager McCourtie reported on both Watermaster sections.

Assistant Manager O&M

Manager Simpson reported briefly on the WSWRA Annual Conference held last week and gave a staffing update. He also reported on the meeting with Reclamation in January regarding the exclusion of land from the CBP process. Staff is hoping to work is Reclamation to streamline the process. As of now, the exclusion process includes the same lengthy environmental review as the inclusion process.

Manager Report

Director Swinger moved to approve the board and appropriate staff to travel to the 10th Annual Irrigation Leaders Workshop, January 10-12, 2023, Phoenix, AZ; the Utility Technology Council Forum, January 29-February 1, 2023, Reno, NV; and the Family Farm Alliance Annual Conference, February 23-24, 2023, Reno, NV. Director Osborne seconded and the motion carried.

Travel Authorization

Assistant Manager Andreini presented a slideshow of the corbel replacement drawings.

Other

Manager Simpson mentioned proposed changes to the O&M rates associated with water service contracts. It is suggested that next year the 75% O&M rate increase by 5% each year until it reaches 100%. There are no proposed changes for 2023.

Close Board of Equalization – Resolution 2022-20

President Anderson called for any further comments or objections to the assessment roll, seeing none he requested the Board of Equalization be closed. Director Lyle moved to close the Board of Equalization and to adopt Resolution 2022-20, equalizing the assessment roll and setting the 2023 assessments. Director Swinger seconded and the motion carried.

President Anderson declared an executive session at 2:00 p.m., for a total of 60 minutes, to discuss potential litigation and contract negotiations. The meeting came out of executive session at 3:00 p.m.

Executive Session

Director Osborne moved to authorize the District attorney to file the complaint in the court of federal claims against the United States subject to the approval of the manager. Director Baker seconded and the motion carried.

At 3:05 p.m., there being no further business to come before the Board at that time, President Anderson continued the Hearing for Petition for Inclusion of Lands to the next regular board meeting and adjourned the meeting. Meeting Adjourned



Secretary



President