

-2024-11-

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

February 7, 2024

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
John McCourtie
Nate Andreini
Jon Erickson
Julio Gonzalez

Staff

Anna Franz
Wendy Lange
Bobby Bischoff
Maria Garza
Odelia Linden

Visitors present: Marc Maynard, Amy Rodman, and Jennifer Hickenbottom, USBR; Kevin Brown, Dept. of Ecology; Kristina Ribellia, Paul Wollman, Randy Reber, Vic Conrad, Rebecca Voss, Jennifer Korfiatis, Mark Booker, Matt Hampton, and Lynn Olsen.

Visitors

Visitors via teleconference: Mike Schwisow, Government Relations Consultant; Randall Fox, Jake Wollman, Michele 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 January 3, 2024, had been mailed to the Directors. Following discussion, Director Baker moved to approve the regular meeting minutes of January 4, 2024, as written. Director Osborne seconded, and the motion carried.

Minutes
Approved

Manager Simpson reported staff has contacted Mr. Hampton regarding the expired temporary permit in Block 45, Farm Unit 97. He requested authorization to issue a temporary permit for the 2024 irrigation season to allow staff time to work with the landowner to remedy the temporary bridge crossings. Following discussion, Director Swinger moved to authorize a temporary permit for the 2024 irrigation season for bridge crossings in Block 45, Farm Unit 97. Director Lyle seconded, and the motion carried.

Expired
Temporary Permit
in Block 45, FU
97

Manager Simpson presented the following contracts a. through c., for board consideration:

District
Improvements

Contracts

- a. Renewal Interruptible First Phase Continuation Water Service Contract, Garth and Katrina Baker, 190-002-805, 287 acres
- b. Renewal Interruptible First Phase Continuation Water Service Contract, Irene A. Rome Living Trust, 190-010-805, 130 acres
- c. Renewal Interruptible Water Service Contract for Temporarily Deferred Lands, Mighty Columbia, LLC, 290-002-806, 292 acres

Following discussion, Director Baker moved to approve contracts a. through c., as presented. Director Swinger seconded, and the motion carried.

Manager Simpson presented the following permits a. and b. for board approval:

Permits for Board Approval

- | | | |
|------------------------|------------------|----------|
| a. Simplot | Utility Crossing | Block 41 |
| b. Multiple Landowners | Frost Control | Block 49 |

Manager Simpson reported permit a. is for Simplot. The permit is associated with a facility constructed over a Reclamation unconstructed drain within a federal easement. The permit for board approval does not involve the encroachment issue, but Manager Simpson desired to discuss the related issue with the Board. District staff are concerned that Reclamation may request transfer of operation and maintenance responsibility for the newly constructed facilities on the District. Ephrata Field Office Manager Maynard stated that he would not try to force the District to accept responsibility for any newly constructed facilities and any realignment of the easement would require Board approval. A meeting is scheduled with Reclamation this Friday for further discussion of the easement encroachment and potential drainage impacts. Manager Simpson requested approval of the permit conditioned upon District staff's final approval of conditions required in the permit. Following discussion, Director Lyle moved to approve permit a. conditioned upon District staff final approval. Director Swinger seconded, and the motion carried. The Board supported Manager Simpson sending a letter to Reclamation stating the District's concerns with transfer of relocated facilities in this area.

Manager Simpson reported permit b. is the annual frost control permit for some orchard landowners in Block 49. Following discussion, Director Baker moved to approve permit b. as presented. Director Swinger seconded, and the motion carried.

Approved & Issued Permits

- | | | | |
|----|-----------|----------------------|----------------------|
| a. | Grant PUD | Utility Crossing | Block 42 |
| b. | Grant PUD | Utility Crossing | Block 42, FU 157 |
| c. | Grant PUD | Utility Crossing | Block 42, FU 158/159 |
| d. | Grant PUD | Utility Crossing | Block 42, FU 159/160 |
| e. | Grant PUD | Utility Crossing | Block 42, FU 168 |
| f. | Grant PUD | Utility Crossing (2) | Block 42, FU 276/279 |
| g. | Grant PUD | Utility Crossing | Block 42, FU 279 |
| h. | Grant PUD | Utility Crossing | Block 42, FU 297 |
| i. | Grant PUD | Utility Crossing | Block 42, FU 302/318 |

j.	Grant PUD	Utility Crossing (2)	Block 42, FU 316
k.	Grant PUD	Utility Crossing	Block 42, FU 318
l.	Grant PUD	Utility Crossing	Block 42, FU 84
m.	Grant PUD	Utility Crossing	Block 43, FU 17/18
n.	Grant PUD	Utility Crossing	Block 43, FU 189
o.	Grant PUD	Utility Crossing	Block 43, FU 191
p.	Grant PUD	Utility Crossing	Block 43, FU 6
q.	Prior Sisters, LLC	Buried Crossing	Block 44, FU 208/209
r.	Henry Field	Lower Manholes	Block 47, FU 83
s.	WHB Trust	Turnout Encroachment	WSC 390-074-810

Manager Simpson presented the following agreement a. for board approval:

Agreements

- a. Seasonal Change in Place of Use, Marlin HB Trust, 390-065, 40 acres

Following discussion, Director Baker moved to approve agreement a. 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 Lyle moved to approve for payment check nos. 325329 through 325529 in the amount of \$710,760.76 and electronic Payroll and AP transfer in the amount of \$538,782.83 for a total of \$1,249,543.59 from the O&M Fund. Director Baker seconded, and the motion carried.

Vouchers

Manager Simpson presented Resolution 2024-02, Requirements for the Subdivision of Irrigable Land, for board consideration. The notable changes to the policy are related to the requirement for water allotment releases on any subdivision subject to exemption criteria to the release requirement. Following discussion, Director Lyle moved to adopt Resolution 2024-02, as discussed. Director Swinger seconded, and the motion carried with Director Baker voting no.

Resolution 2024-02

Manager Simpson presented Resolution 2024-04, Amending the Form of 390 Water Service Contract, for board consideration. Following discussion, Director Osborne moved to adopt Resolution 2024-04, as discussed. Director Baker seconded, and the motion carried.

Resolution 2024-03

Assistant Manager McCourtie presented Resolution 2024-05, Declaration of Special Market Conditions. He reported on the difficulty acquiring used equipment through the public bidding or vendor list processes while it remained available. The resolution declares the special market condition for the purchase of four (4) used 10-yard tandem axle dump trucks at \$120,000.00 each, plus sales tax. Following discussion, Director Osborne moved to adopt Resolution 2024-05, as discussed. Director Baker seconded, and the motion carried.

Resolution 2024-05

Manager Simpson presented Resolution 2024-06, CBHP 2024 Budget for Project Reserved Works Activities, for board consideration. Following discussion, Director Swinger moved to adopt Resolution 2024-06, as presented. Director Osborne seconded, and the motion carried. [Resolution 2024-06](#)

Manager Simpson presented Resolution 2024-07, CBHP 2023 Budget for Quincy Chute and PEC Headworks Power Plants. Following discussion, Director Osborne moved to adopt Resolution 2024-07, as presented. Director Lyle seconded, and the motion carried. [Resolution 2024-07](#)

Manager Simpson presented Resolution 2024-08, WaterSMART Grant Application Authorization, for board consideration. Following discussion, Director Osborne moved to adopt Resolution 2024-08, as presented. Director Baker seconded, and the motion carried. [Resolution 2024-08](#)

Manager Simpson presented the following Orders for Hearing for Petition for Inclusion of Land: [Order for Hearing for Petition for Inclusion of Land](#)

- a. Mary Jantz, LLC, No. 234
- b. Loewen Farms, Inc. No. 238

Following discussion, Director Swinger moved to approve the Orders for Hearing for Inclusion No. 234 for Mary Jantz, LLC, and No. 238 for Loewen Farms, Inc. as presented. Director Baker seconded, and the motion carried

Manager Simpson reported no assents were received from Reclamation, nor were any other comments received, for the following Petition for Inclusion of Land: [Petition for Inclusion of Land](#)

- c. G&O Johnson, LLC No. 237

Development Coordinator Erickson reported designs are expected to move forward to 90%. He reported the landowner is looking at a private delivery system as an option until a public system is constructed. Staff will explore the coordination needed for a private system being constructed in a similar location, and prior to, the construction of a public system. [OGWRP: EL11.8 Delivery System Update](#)

Development Coordinator Erickson reported designs are expected to be ready when funding is available. He reported CBCD is submitting RCPP applications only for the EL22.1 Delivery System this time. [EL22.1 Delivery System Update](#)

Assistant Manager Andreini presented GPUD Task Authorization No. 5 in the amount of \$3,746,000.00 for board consideration. He reported the task order is to rebuild the substation that will serve the EL22.1 Delivery System and is grant funded. Staff worked with CBCD and Grant PUD to coordinate the authorization of this work to qualify as RCPP matching funds. Following discussion, Director Osborne moved to approve GPUD Task Authorization No. 5 in the amount of \$3,746,000.00 as discussed. Director Baker seconded, and the motion carried. [GPUD Task Authorization No. 5](#)

Development Coordinator Erickson reported the EL40.2 landowner group have decided to meet privately and will contact the District when they are ready to begin further discussions. [EL40.2 Delivery System MOU](#)

Development Coordinator Erickson presented the MOU with the EL54 landowner group for board approval. He reported staff will begin identifying all eligible acres with the landowners that have signed the MOU. Following discussion, Director Baker moved to approve the EL54 Delivery System MOU as discussed. Director Osborne seconded, and the motion carried. [EL54 Delivery System MOU](#)

Assistant Manager Andreini reported the 60% design was sent to Reclamation on January 22nd. He reported the cost has increased significantly due to electrical work, design elements, landowner extensions and pumps. [EL80.6 Delivery System Update](#)

Assistant Manager Andreini reported the District met with Reclamation regarding their 60% design review. The 60% acceptance letter from them is expected soon. Reclamation has identified 1890 Reservations for all the EL84.7 easements, pending peer review. [EL84.7 Delivery System Update](#)

Development Coordinator Erickson reported Reclamation begun the 1890 Reservation easement acquisition process. All but two landowners have responded at this time. One landowner is requesting compensation for their easement and will enter into an MOA with the District for compensation of \$15,000.00. He also reported water service contracts will be sent out to the landowners for signature. [EL86.4 Delivery System Update](#)

Assistant Manager Andreini reported the 90% design package was provided to Reclamation on January 16th. Staff is currently preparing bid documents. He also reported the landowner with the late addition of 70 acres will have to pay in advance for the system additions necessary to deliver to the acres as a condition to approve their water service contract.

Manager Simpson requested authorization to transfer the remaining balance in the Equipment Depreciation Fund earmarked for the 34.5KW powerline replacement (BBEC Powerline Expense) back to the Power Revenue Fund. The 34.5KW powerline project has been completed and the remaining balance, \$318,978.32, can be transferred back to the fund it originated from. Following discussion, Director Osborne moved to authorize a transfer of \$318,978.32 from the Equipment Depreciation Fund to the Power Revenue Fund, as requested. Director Baker seconded, and the motion carried. [BBEC Powerline Expense Transfer to Power Revenue Fund](#)

Ms. Jennifer Korfiatis reported on website traffic and e-newsletter. She is working with the three Districts on a joint advertising campaign on the continued development of the Columbia Basin Project. [Public Relations Update](#)

Special Projects Administrator Bischoff presented the contract with Bernardo Wills Architects, P.C. for board approval. He also presented Task Order No. 1 not to exceed \$43,500.00 for the Space Utilization Study. Following discussion, Director Baker moved to authorize execution of the contract with Bernardo Wills Architects, P.C. and Task Order No. 1 not to exceed \$43,000.00, as discussed. Director Swinger seconded, and the motion carried. [Space Utilization Study](#)

Manager Simpson reported the draft SCADA Masterplan is being reviewed internally. The three Districts met with Reclamation and now have a better understanding of Reclamation's requirements and concerns.

SCADA

Government Relations Consultant Mike Schwisow updated the board on legislative activities, including budget requests, State funding making way for federal funding, and HB1752 which could aid in serving additional acres under CBP water rights.

Government Affairs Update

District Engineer Gonzalez reported the PIPE-2024-01 bid was accepted from Consolidated Supply in the amount of \$89,004.87 plus sales tax, as the lowest responsive bid. HD Fowler was declared non-responsive for missing items in the schedule.

Quotes & Bids

Supplier	Amount
HD Fowler	\$88,006.27
Consolidated Supply	\$89,004.87
Ferguson Waterworks	\$95,511.98

District Engineer Gonzalez reported the VALVE-2024-1 quote was accepted from Unit Process Company in the amount of \$35,574.94 plus sales tax, as the lowest responsive quote.

Supplier	Amount
Engineer's Estimate	\$30,471.88
Unit Process Company	\$35,574.94
Ferguson Waterworks	\$40,059.96

Assistant Manager McCourtie requested authorization to call for 2024-01 Steel quotes. Following discussion, Director Osborne moved to authorize a call for 2024-01 Steel quotes as requested. Director Baker seconded, and the motion carried.

Assistant Manager McCourtie requested authorization to purchase a 5-yard Front End Loader from Sourcewell, not to exceed the budgeted amount. Following discussion, Director Baker moved to authorize the purchase of a 5-yard Front End Loader from Sourcewell, not to exceed the budgeted amount. Director Osborne seconded, and the motion carried.

Manager Simpson reported that the annual agreement the District has with USDA regarding nuisance wildlife control is due for renewal. The quote for 2024 is not to exceed \$11,594.67. The amount includes an increase of \$686.52 to the 2023 contract amount of \$10,908.15. Following discussion, Director Baker moved to approve and authorize execution of the annual agreement with USDA for nuisance wildlife control not to exceed \$11,594.67. Director Swinger seconded, and the motion carried.

USDA 2024 Wildlife Control Contract

Manager Simpson requested ratification for execution of the MOA R19MR13728 Amendment No. 2 with Reclamation. The MOA allows the District to purchase GIS software at federal cost. Following discussion, Director Lyle moved to ratify Manager Simpson's execution of the MOA R19MR13728 Amendment No. 2, as requested. Director Osborne seconded, and the motion carried.	<u>Ratify MOA R19MR13728 Amendment No. 2</u>
Manager Simpson briefly reported on the Reserved Works meeting. The start-up date for the ELC has been set for March 20 th .	<u>Reserved Works Meeting Report</u>
Safety/HR Supervisor Walraf briefly reported on the Irrigation Leader Workshop she attended last month in Phoenix. She reported some topics at the workshop were transitioning new employees and fees for irrigation districts.	<u>Irrigation Leader Workshop Report</u>
Manager Simpson briefly reported on the Tri-State meeting held last Friday in Portland. The meeting consisted of State updates, court cases that could impact irrigation and a meeting with USBR RD Carrington.	<u>Tri-State Meeting Report</u>
EFO Manager Maynard reported the Potholes Supplemental Feed Route will begin operational testing at the end of August or beginning of September. Reclamation staff is finalizing the last realty actions along the feed route. He reported there will be an informative public meeting in Moses Lake before feed begins. EFO Manager Maynard reported peer review comments have been received on the Fox drainage study and are currently being reviewed. He also reported Reclamation staff is ready to accept 10(d)1 transfer requests.	<u>USBR Report</u>
Safety Supervisor Walraf presented the monthly safety report.	<u>Safety Report</u>
District Engineer Gonzalez reported on Engineering department activities. He reported staff has been working on conservation pipelines, surveying, inspections and bid documents.	<u>Engineer Report</u>
Assistant Manager Andreini reported he has been working on design review of the EL86.4 and EL22.1 Delivery Systems.	<u>Technical Services Report</u>
Accounting Assistant Garza reported on the maturities and investments made, landowners can now make payments online and the audit is ongoing.	<u>Treasurer Report</u>
Assistant Manager McCourtie reported on both Watermaster sections winter projects. He reported Grant County will begin to disassemble a portion of the RD W bridge on February 12 th . District crews will begin to widen that portion of the East Low Canal.	<u>O&M Report</u>
Manager Simpson reported there was a name discrepancy in the budget for GL 61058. The mislabeled GL descriptor will be corrected. There are no changes to budget figures. He also requested 10 minutes in executive session to provide an update on personnel.	<u>Manager Report</u>
President Anderson declared an executive session at 12:55 p.m., for a total of 10 minutes, to discuss personnel under RCW 42.30.110(g). The meeting came out of executive session at 1:05 p.m.	<u>Executive Session</u>

At 1:05 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

President

Secretary