

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

October 5, 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: Amy Rodman, and Jennifer Hickenbottom, USBR; Darvin Fales, CBHP; Paul Wollman, Orman Johnson, Lynn Olsen, and Jennifer Korfiatis.

Visitors

Visitors via teleconference: Mike Schwisow, Government Relations Consultant; Jake Wollman, Jr., Randall Fox, Brian Kuest, and Kirk Rathdrum.

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 September 7, 2022, and the special meeting of September 27, 2022, had been mailed to the Directors. Following discussion, Director Baker moved to approve the regular meeting minutes of September 7, 2022, and special meeting of September 27, 2022, as written. Director Osborne seconded and the motion carried.

Minutes  
Approved

Assistant Manager McCourtie introduced Othello Assistant Watermaster Kyle Carlson, Moses Lake Assistant Watermaster Aaron King, Communications Supervisor Shaun Meseberg, Water Records Clerk AnneMarie Owensby, and Special Projects Administrator Bobby Bischoff.

Visitors & Public  
Comment Period

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

District  
Improvements

Contracts

- a. Renewal Interruptible Water Service Contract for Temporarily Deferred Lands, Trackside Holdings, LLC, 049-031-803, 5.0 acres

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

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

Approved & Issued Permits

- a. Grant PUD Overhead Utility Crossing Block 42

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. 322086 through 322242 in the amount of \$606,809.92 and electronic Payroll and AP transfer in the amount of \$460,163.55 for a total of \$1,066,973.47 from the O&M Fund. Director Osborne seconded and the motion carried.

Vouchers

Development Coordinator Erickson presented the letter to transfer operations and maintenance of the second barrels of the East Low Canal Lind Coulee Siphons No. 1 and No. 2, for approval and execution. Following discussion, Director Swinger moved to authorize execution of letter to transfer operations and maintenance as presented and discussed. Director Lyle seconded and the motion carried.

Transfer of Lind Coulee Siphons O&M

Assistant Manager McCourtie presented Resolution 2022-17, Surplus Equipment, for board consideration. Following discussion, Director Osborne moved to adopt Resolution 2022-17, as presented. Director Baker seconded and the motion carried.

Resolution 2022-17

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

Petition for Inclusion of Land

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

Manager Simpson requested ratification for authorizing Jennifer Korfiatis Marketing to continue working with the District until October 5, 2022. The current contract had expired on September 30<sup>th</sup>. Following discussion, Director Baker moved to ratify Manager Simpson authorizing continued work with Jennifer Korfiatis Marketing until October 5, 2022. Director Swinger seconded and the motion carried.

Public Relations Update  
a. Ratify Contract Extention

Assistant Manager Andreini presented the Jennifer Korfiatis Marketing, LLC, contract for continued public relation services. He reported the contract term is one year to expire on September 30, 2023, and is in the amount of \$60,800.00. Tasks include website updates, news releases, social media management, enewsletters, reports to stakeholders and public relations management at an hourly rate. Following discussion, Director Baker moved to approve the contract with Jennifer Korfiatis Marketing, LLC, for a one year term, as presented and discussed. Director Swinger seconded and the motion carried.

b. Contract for Continued Services

Jennifer Korfiatis reported she has been working on getting online water ordering ready for the website. She reported the South District has been very helpful in providing information on the platform they use for online ordering that works with Storm. The cost to build an online ordering platform is \$5,000 and has an annual fee of \$1,000 through the District's current Storm contract. Ms. Korfiatis reported the District will be able to beta test the online ordering system before water turns off this year and has landowners available to help test the system. Following discussion, Director Swinger moved to approve the building of the District's online water ordering platform in the amount of \$5,000 and the annual fee of \$1,000 through the District's Storm contract. Director Baker seconded and the motion carried.

Assistant Manager Andreini reported the District has been awarded a WaterSMART grant for the Rubicon gates. The WaterSMART grant requires a 50% match with non-federal funds. He also reported the District has been awarded BPA incentives for conservation projects which would include the Rubicon gate installation. The District does not receive the incentives from BPA until the projects are completed. BPA has stated they will pay full cost of the gate project if the District cancels the WaterSMART grant, because Reclamation considers BPA incentives to be federal funds. Staff informed the Board that the incentives received are not used as matching funds. Power revenue funds are used as matching funds. Continued discussions are necessary to determine which option would be most beneficial to the District. Assistant Manager Andreini requested the Board delegate authority to Manager Simpson to rescind the WaterSMART grant funding if necessary to receive the full BPA incentive. Following discussion, Director Baker moved to authorize Manager Simpson to rescind the WaterSMART grant funding if necessary, as discussed. Director Swinger seconded and the motion carried.

BPA Incentives  
and  
WaterSMART  
Grants

Development Coordinator Erickson reported MHB has directed IRZ to move forward with the 60-90% design. Mr. Jerry Gross has expressed interest in discussing funding sources with the District. The system has been landowner funded thus far.

OGWRP:

EL11.8 Delivery  
System

Development Coordinator Erickson reported that the 60% design from IRZ is now expected in February of 2023. They are moving forward with an overhead bridge crane as part of the design. He reported the easement site visit event on September 13<sup>th</sup>, at the pump site location was well attended and highlighted the magnitude of the system.

EL22.1 Delivery  
System

Development Coordinator Erickson reported the District has submitted the EL80.6 30% design to Reclamation for their review. The District continues to engage with landowners who have requested individual changes to determine who is going to move forward with their requested changes. It was also reported the District will be asking for landowner commitment soon in order to stay efficient through the design process.

EL80.6 & EL84.7  
Delivery System  
Update

Development Coordinator Erickson reported RCPP has awarded \$6M to the systems. This is not a District grant and will be administered by CBCD. The RCPP is dependent upon District delivery system development. A meeting was held on September 12<sup>th</sup> with CBCD, the District, and landowners for information on the next steps and to answer questions regarding the RCPP funding program and how relates to District development and watershed plan developments.

Assistant Manager Andreini reported there are two task orders that need to be presented and approved. He reported there are not enough landowner contributed funds remaining to cover the cost of the task orders. Assistant Manager Andreini reported another \$100,000 will be needed from additional landowner contributed funds or by using funds from the Development Fund to fund design work through November, 2022. Manager Simpson stated the Development Fund's purpose is to provide the available funds for project development purposes. He reported funds from it had been used to pay debt service for the EL47.5 Delivery System. It can also be used to help reduce the amount of borrowing needed for upcoming delivery systems. Manager Simpson reported staff recommends utilizing the Development Fund to continue the design tasks for the EL86.4 Delivery System. Following discussion, Director Baker moved to authorize \$100,000 from the Development Fund for contracted design tasks for the continued development of the EL86.4 Delivery System. Director Lyle seconded and the motion carried.

EL86.4 Delivery System Update

Assistant Manager Andreini presented Western Pacific Engineering Task Order No. 1 for geotechnical investigation of the EL86.4 Delivery System, in the amount of \$20,686.85. Following discussion, Director Lyle moved to approve the Western Pacific Engineering Task Order No. 1 in the amount of \$20,686.85, as discussed. Director Baker seconded and the motion carried.

a. WPE Task Order No. 1

Assistant Manager Andreini presented RH2 Engineering Task Order No. 1 for electrical engineering, in the \$57,454.00. He reported this includes up to a bid ready package. Following discussion, Director Lyle moved to approve the RH2 Engineering Task Order No. 1, in the amount of \$57,454.00, as discussed. Director Baker seconded and the motion carried.

b. RH2 Engineering Task Order No. 1

Development Coordinator Erickson reported on continuing efforts and the meetings are now bi-monthly, instead of weekly. A meeting is scheduled for October 12<sup>th</sup> to discuss initial review of the RFP for the watershed plan. Manager Simpson reported the estimated proposed cost is higher than the NRCS grant funding, by more than double. He reported NRCS may cover some or all of the additional costs for the project.

Watershed Plan Project Update

Assistant Manager Andreini reported the District received a letter from Reclamation in September stating preliminary notice of refusal to accept title of the EL47.5 Delivery System. The letter states some deficiencies and remedies to correct said deficiencies. He reported the District does not agree with the claimed deficiencies. Assistant Manager Andreini reported District crews had unburied one of the claims for inspection but Reclamation didn't send anyone out to inspect. He reported Reclamation had accepted the designs for the system, water is currently being delivered, and the system is receiving Reserved Power. Assistant Manager Andreini reported he will respond to Reclamation's letter.

EL47.5 Delivery System

Manager Simpson reported the letter gave 30 days to respond, after the District has been waiting for a response from Reclamation for almost a year. He reported the District will be requesting an extension to the 30 days. He also stated this doesn't affect current operations of the EL47.5 or use of Reserved Power. Manager Simpson commented with Reclamation's reluctance to accept responsibility of Odessa facilities, the District may need to consider retaining ownership of the delivery systems. He reported the systems are built to Reclamation standards and designs are reviewed by Reclamation currently.

The EL86.4 Delivery System will be a gravity fed system and will not have a pumping plant. Discussions will continue on whether the District continues without Reclamation on the EL86.4 design, easement acquisition, and construction.

The meeting recessed for lunch at 12:30 p.m., and the meeting reconvened at 1:30 p.m.

Development Coordinator Erickson requested direction in setting a time frame for easement acquisitions from landowners whether through compensation or by donation in order to establish a process so landowners are aware of what is expected. A four month time frame was suggested. Following discussion, Director Swinger moved to establish a four month time frame to complete negotiated acquisition of easements for OGWRP. Director Osborne seconded and the motion carried.

Easements

Manager Simpson presented the 2023 Operation and Maintenance Budget. The budget has been developed by District staff with recommendations from the Assessment Committee and Equipment Committee, and presented to the Board of Directors. The budget estimates the 2023 basic Part 1 O&M expenditures to be \$17,201,000 and the 2023 basic Part 1 O&M income to be \$17,201,000. The budget estimates Part 2 System Improvement expenditures to be \$21,544,000 and the 2022 Part 2 System Improvements income to be \$21,611,000. At this time it is estimated that the 2022 O&M budget will finish the year with basic O&M expenses of \$15,106,100 and income of \$15,537,423. The 2023 O&M Budget proposes an average O&M assessment of \$76.55 per acre, an average increase of \$2.20 per acre over 2022. Following discussion, Director Lyle moved to approve the recommended 2023 budget, as presented and discussed. Director Osborne seconded and the motion carried.

2023 Budget

CBHP Manager Fales reported September was the largest power generation this year. He also reported Avista has signed a short-term power purchase agreement and requested time in executive session.

Columbia Basin  
Hydropower

Assistant Manager Andreini reported that he, Assistant Manager McCourtie, and Communications Supervisor Meseberg traveled to Modesto, CA, to tour two irrigation districts and their total channel control SCADA systems. He reported Rubicon scheduled the tour and was very informative. The South District plans to call for SCADA RFP's in a couple of months.

SCADA

Assistant Manager Andreini reported the re-regulation reservoirs are not cost beneficial to the District at this time. He reported Reclamation offers small storage grant funding but the District's projects are not currently eligible for the funding. The re-regulation reservoir project will be set aside unless a better funding opportunity arises or a more pressing need for additional storage presents itself.

Re-regulation  
Reservoir  
Update

Assistant Manager Andreini reported Project Manager Mendoza has prepared a RFQ based on staff feedback and is ready for review by management.

Space Utilization  
Study RFQ

Manager Simpson reported the District has received a letter from Ecology stating that where agricultural industrial process water is used for irrigation, the return flow would be "composed entirely of return flows from irrigated agriculture" and therefore eligible for the NPDES permit exemption. . Manager Simpson reported he will respond to Ecology

Quincy IUG  
Wastewater  
Agreement

and Reclamation regarding the District's stance against non-ag discharges into Reclamation facilities.

Special Project Administrator Bischoff reported he has been working on the partial title transfer of the District's yards. He commented Amy Rodman at the Ephrata Field Office has been very helpful with the process. Special Project Administrator Bischoff presented Resolution 2022-18, Partial Title Transfer of Reclamation Facilities for board consideration. Following discussion, Director Lyle moved to adopt Resolution 2022-18, as presented and discussed. Director Swinger seconded and the motion carried.

Partial Title Transfer

a. Resolution 2022-18

As called for in statute and by District policy, Secretary Simpson announced that the filing period was now open for the remaining term of Director Division No. 3, Appointee Dennis Swinger, Jr. The Petition for Nomination, signed by at least 10 qualified voters from the division, must be filed in the East District's main office by 4:30 p.m. on Monday, November 7, 2022. The election date is Tuesday, December 13, 2022. A news release will be sent to area news outlets.

Announcement of Director Elections

As called for in statute and by District policy, Secretary Simpson announced that the filing period was now open for Director Division No. 5, Incumbent Kevin Lyle. The Petition for Nomination, signed by at least 10 qualified voters from the division, must be filed in the East District's main office by 4:30 p.m. on Monday, November 7, 2022. The election date is Tuesday, December 13, 2022. A news release will be sent to area news outlets.

EFO Irrigation District Liaison Rodman briefly reported on the inclusion/exclusion process, digitization of maps, and an updated 10(d)1 checklist.

USBR Report

Safety Report

Safety Supervisor Walraf gave the monthly safety report.

Assistant Manager Andreini reported that our previous District Engineer Adolphsen's last day of work was September 23<sup>rd</sup>. The District is currently advertising to fill the position. He reported the last two radial gates will be installed by District crews this winter. Assistant Manager Andreini reported Shawn Meseberg has accepted the position of Communications Supervisor.

Technical Services Report

Treasurer Dekker gave the monthly Treasurer report. She reported the 2017-2022 RRA audit went well, and the financial audit has begun.

Treasurer Report

Assistant Manager McCourtie reported on both Watermaster sections. He reported the crusher has been moved to Road 12 NE in Moses Lake. He also reported GM is not taking responsibility for the side air bag spontaneously deploying in one of the District pickups.

Assistant Manager O&M

Manager Simpson requested time in executive session for personnel performance.

Manager Report

President Anderson declared an executive session at 3:15 p.m., for a total of 60 minutes, to discuss potential litigation, contract negotiations, personnel performance and to review the performance of a public employee. At 4:15 p.m., executive session was

Executive Session

continued for 30 minutes. At 4:45 p.m., executive session was continued for 15 minutes. The meeting came out of executive session at 5:00 p.m.

Director Swinger moved to increase Secretary-Manager Simpson's annual salary by 3% beginning the next pay period of October 16, 2022. Director Osborne seconded and the motion carried. Secretary-  
Manager Salary

Manager Simpson asked whether he will receive the board's direct feedback regarding his performance. He also asked about the reasoning of getting a 3% increase instead of the 7% that most of the other District employees received.

President Anderson declared an executive session at 5:05 p.m. for 5 minutes to discuss their review of performance of a public employee. At 5:10 p.m., executive session was continued for 10 minutes. The meeting came out of executive session at 5:20 p.m.

At 5:20 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