

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

November 9, 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 and Amy Rodman, USBR; Darvin Fales, Larry Thomas and Jacob Taylor, CBHP; Paul Wollman, Gavin Johnson, Jake Wollman, Lynn Olsen, and Jennifer Korfiatis.

Visitors

Visitors via teleconference: Jennifer Hickenbottom, USBR; Mike Schwisow, Government Relations Consultant; Lloyd Reed, CBHP Consultant; Randall Fox, Kirk Rathdrum, Randy Kiesz, and Willy Walter.

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 October 5, 2022, had been mailed to the Directors. Following discussion, Director Baker moved to approve the regular meeting minutes of October 5, 2022, as written. Director Swinger seconded and the motion carried.

Minutes  
Approved

Assistant Manager McCourtie introduced Othello Watermaster Clerk Ruth Sawyer, Purchasing Agent Kristine Robertson and Moses Lake Watermaster Clerk Becky Flint.

Visitors & Public  
Comment Period

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

District  
Improvements

Permits

- |                          |                                |                  |
|--------------------------|--------------------------------|------------------|
| a. National Frozen Foods | Buried Pipe Crossing           | Block 41, FU 6   |
| b. Country Morning Farms | Temp. DE51.6 Undershot Culvert | Block 43, FU 156 |

Manager Simpson reported permit a. is a buried pipe crossing for National Frozen Foods' effluent potato wastewater and staff recommends approval of the permit. Following discussion, Director Swinger moved to approve permit a., as presented and discussed. Director Baker seconded and the motion carried.

Manager Simpson reported permit b. is presented annually for a temporary flexible pipe through an undershot culvert in order to move dairy waste for land application east of the ELC. He reported if a failure of the temporary pipe were to occur it would risk affecting both East and South District landowners CBP water supply. Manager Simpson reported there has not been a problem to date with the permit but suggested we work with the landowner to establish a permanent solution that reduces the risk to the District. Manager Simpson recommended approval of the permit and working with the landowner for a permanent solution before the 2024 irrigation season. Following further discussion, Director Lyle moved to approve permit b. and to direct staff to work with the landowner on a permanent structure. Director Swinger seconded and the motion carried.

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. BBEC | Utility Crossing | Block 49, FU 110 |
|---------|------------------|------------------|

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

Agreements

- a. Seasonal Change in Place of Use, Roger Watkins, 290-025

Following discussion, Director Osborne 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 Baker moved to approve for payment check nos. 322243 through 322419 in the amount of \$627,835.00 and electronic Payroll and AP transfer in the amount of \$472,140.06 for a total of \$1,099,975.06 from the O&M Fund. Director Osborne 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 a. and b.:

Petition for  
Inclusion of Land

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

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

Order for Petition for Inclusion of Land

- a. Triple C Land Co., ETAL, No. 232

Following discussion, Director Baker moved to approve the Order for Hearing of Petition for Inclusion of Land for Triple C Land Co., ETAL, No. 232, as presented. Director Osborne seconded and the motion carried.

Manager Simpson reported, as required by statute, Assistant-Secretary/Treasurer Dekker will display the assessment roll for public viewing until it is equalized by the Board of Equalization.

Set Board of Equalization

Director Osborne moved to set the Board of Equalization meeting for 10:00 a.m. on Wednesday, December 7, 2022, in the Boardroom of the District Office in Othello. Director Baker seconded and the motion carried.

Assistant Manager Andreini presented BPA Incentive Agreement 23ES-11687, for the installation of 6 automated gates. The incentive is in the amount of \$150,000. Following discussion, Director Lyle moved to accept BPA Incentive Agreement 23ES-11687 and authorize execution of the Agreement, as discussed. Director Osborne seconded and the motion carried.

BPA Incentive 23ES-11687

Development Coordinator Erickson presented USBR MOA R19MA13712 Amendment No. 3, Kansas Prairie No. 1 & No. 2 Siphons. He reported this is a time extension only amendment to allow for inspections and warranty work. Following discussion, Director Osborne moved to accept USBR MOA R19MA13712 Amendment No. 3, as presented and discussed. Director Baker seconded and the motion carried.

OGWRP:  
1) MOA  
R19MA13712

Assistant Manager Andreini presented AAR Testing Task Order for the EL71.5 corbel repair work. He reported the task order is in the amount of \$4,117.00. Following discussion, Director Osborne moved to accept the AAR Testing Task Order in the amount of \$4,117.00, as presented and discussed. Director Baker seconded and the motion carried.

2) AAR Testing Task Order

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.

EL11.8 Delivery System

Development Coordinator Erickson reported exhibits have been forwarded to USBR and the EL22.1 landowners will be handling their own easement acquisitions. He also reported on talks of bonding, this would need a formal request from the landowners in order to begin the process with bond counsel.

EL22.1 Delivery System

Assistant Manager Andreini presented Erlandsen & Associates Task Order No. 2, for surveying and title reports for the EL80.6 system in the amount of \$28,100. Following discussion, Director Swinger moved to approve Erlandsen & Associates Task Order No. 2 in the amount of \$28,100, as presented and discussed. Director Lyle seconded and the motion carried.

EL80.6 & EL84.7 Delivery System Update

Assistant Manager Andreini presented Erlandsen & Associates Task Order No. 3, for surveying and title reports for the EL84.7 system in the amount of \$35,500. Following discussion, Director Swinger moved to approve Erlandsen & Associates Task Order No. 3 in the amount of \$35,500, as presented and discussed. Director Baker seconded and the motion carried.

Development Coordinator Erickson reported on the memo provided to the board and sent to new delivPresently the District will accept individual landowner changes with payment up front for the additional costs and with a water service contract in place, which is causing issues for including the landowner requests. The memo addresses putting the decision back to the individual landowner groups to decide whether the system should incorporate the individual landowner requests since additional costs beyond \$5700 per acre may need to be funded by the landowners if other funding isn't sufficient. Individual landowner-requested changes would need to be approved by the entire landowner group and presented to the board as a group design change. Director Baker requested the landowner groups meet to discuss the memo and report back to the board next month for further discussion.

Development Coordinator Erickson presented Anderson Perry & Assoc. Task Order No. 2 in the amount of \$4,600 for cultural resources. Following discussion, Director Baker moved to approve the Anderson Perry & Assoc. Task Order No. 2 in the amount of \$4,600, as presented and discussed. Director Lyle seconded and the motion carried.

EL86.4 Delivery System Update

Development Coordinator Erickson reported the Columbia Basin Conservation District (CBCD) awarded the RFP to Farmers Conservation Alliance (FCA). The cost came in higher than the \$711,000 provided by NRCS, FCA's amount is \$773,000, plus CBCD and District costs. NRCS has given the verbal agreement to increase the Watershed Plan budget to the amount of \$773,000 plus CBCD and District costs to cover the additional cost. Development Coordinator Erickson requested authorization for Manager Simpson to sign the amended NRCS agreement if the only change is to the amount. Following discussion, Director Lyle moved to authorize Manager Simpson to execute the amended NCRS agreement provided the only change being to the amount. Director Swinger seconded and the motion carried.

Watershed Plan Project Update

CBHP Manager Fales requested time in executive session to discuss contract negotiations.

Columbia Basin Hydropower

Assistant Manager Andreini reported the South District continues to work on the RFQ and a meeting is planned between the three Districts and USBR's cyber security staff in Spokane during the WSWRA Annual Convention in Spokane.

SCADA

Ms. Jennifer Korfiatis reported on good momentum of media coverage, the websites three top pages visited, e-newsletters and the development of two social media accounts, Facebook and LinkedIn. The next focus is an annual report and a yearend review of what the District has accomplished. Project Manager Mendoza reported on the trial of online water ordering. He reported ten landowners participated and gave feedback on what the District will work on during the offseason.

Public Relations Update

The meeting recessed for lunch at 12:10 p.m., and the meeting reconvened at 1:10 p.m.

Special Project Administrator Bischoff reported the letter of intent to transfer title and Resolution 2022-18 was provided to USBR for their review and response.

Partial Title Transfer

Assistant Manager Andreini requested authorization to call for conservation pipeline pipe bids (PIPE-2022-02). Following discussion, Director Osborne moved to approve the call for conservation pipeline pipe bids, as requested. Director Lyle seconded and the motion carried.

Quotes & Bids

Assistant Manager McCourtie requested authorization to call for Endothall (Cascade & Teton) bids. Following discussion, Director Osborne moved to authorize a call for Endothall bids, as requested. Director Baker seconded and the motion carried.

Assistant Manager McCourtie requested authorization to call for polyurea sealant bids. Following discussion, Director Osborne moved to authorize a call for polyurea sealant bids, as requested. Director Baker seconded and the motion carried.

Assistant Manager Andreini presented the following PIPE-2022-01 bids for board consideration:

Supplier	Schedule A - PVC	Schedule B - PVC	Schedule C - FRP	Total of Schedules A + B	Total of Schedules A + C
Engineer's Estimate	\$29,815	\$437,649	\$698,541	\$467,464	\$728,357
Thompson Pipe Group	\$40,968		\$332,045		\$373,013
Ferguson Waterworks	\$36,128	\$367,457		\$403,586	
HD Fowler	\$35,191	\$374,920		\$410,111	
RJB Wholesale, Inc.	\$49,619	\$361,967		\$411,586	
Irrigation Specialists	\$29,719	\$406,913		\$436,633	

Following discussion, Director Osborne moved to accept the bid from Thompson Pipe Group in the amount of \$373,013.00, plus sales tax, as the lowest responsive bid. Director Baker seconded and the motion carried.

Manager Simpson presented the KLBehrens & Associates 2023 contract for approval. The contract include the monitoring of 27 wells in the amount of \$6,068.80, this includes an increase of \$100/month change to the 2022 contract amount. Following discussion, Director Osborne moved to authorize execution of the KLBehrens & Associates 2023 contract in the amount of \$6,063.80, as presented. Director Baker seconded and the motion carried.

KLBehrens & Associates Well Monitoring 2023 Contract

Manager Simpson presented the CIAW 2023 insurance renewal estimate which is likely to an increase of 7% from 2022 and reflects hard market conditions. The final renewal amount was not available at the time of the meeting but would be within the budgeted amount. Following discussion, Director Baker moved to approve the CIAW 2023 insurance renewal up to the budgeted amount, as presented and discussed. Director Osborne seconded and the motion carried.

CIAW Insurance Renewal

Manager Simpson presented Resolution 2022-19, Reserved Works Committee January Meeting Date for board consideration. He reported the normal meeting day is the 3<sup>rd</sup> Monday in January which is a holiday for Reclamation and winds up being changed annually to accommodate for that. The resolution presented changes the meeting date to the 4<sup>th</sup> Monday in January. Following discussion, Director Swinger moved to adopt Resolution 2022-19, as presented. Director Lyle seconded and the motion carried.

Resolution 2022-19

Manager Simpson briefly reported on the NWRA Annual Conference and a meeting with the USBR Commissioner. Two focuses of discussion at the conference were the Colorado River Issues and, how ag and municipal entities work together during a drought. President Anderson shared Manager Simpson was presented with the James W. Trull President Award at the conference.

NWRA Annual Conference Report

Manager Simpson reported Dennis Swinger Jr. submitted the only petition for Director Division No. 2 and Kevin Lyle submitted the only petition for Director Division No. 3.

Director Elections

Director Osborne moved to declare Dennis Swinger Jr. elected as Director of Division 3 for a one year term commencing in January 2023. Director Baker seconded and the motion carried.

Director Osborne moved to declare Kevin Lyle elected as Director of Division 5 for a three year term commencing in January 2023. Director Baker seconded and the motion carried.

Manager Simpson reported the District had paid the 2<sup>nd</sup> Half Reserved Works payment under protest due to a question on diversion records. After review by Reclamation, some discrepancies were found and the proper adjustments were made. The District will be receiving a refund from Reclamation and will need to refund some power revenue as a result of changes to the Reserved Works ratio.

Reserved Works Adjustment

EFO Manager Maynard reported refund and credit letters are being sent, staff is reviewing the District's title transfer request, upcoming SCADA cyber security meeting, Trail Lake risk assessment and the Quincy IUG permit.

USBR Report

Safety Supervisor Walraf gave the monthly safety report.

Safety Report

Assistant Manager Andreini reported the Engineering Department continues to work on the water conservation pipelines and the EL71.5 check structures.

Technical Services Report

Treasurer Dekker gave the monthly Treasurer report. She reported the financial audit is ongoing, there were three maturities and no investments placed.

Treasurer Report

Assistant Manager McCourtie reported on both Watermaster sections. He reported the dewatering went well and the Watermaster sections are currently working on winter projects.

Assistant Manager O&M

Manager Simpson requested time in executive session for personnel performance. He reported the Quincy District thanked the East District staff for helping them with late dewatering.

Manager Report

Director Lyle moved to approve the board and appropriate staff to travel to the CBP Canal Operator Training, January 30, 2022-February 3, 2023, TSC, Denver, CO and the Northwest Irrigation Operators 2023 Tour, February 6-10, 2023, Sacramento, CA. Director Swinger seconded and the motion carried.

Travel  
Authorization

Assistant Manager Andrini presented RH2 Engineering Task Authorization No. 6, for the design completion of the EL80.6 Delivery System, in the amount of \$496,541.00. He reported the task order is grant funded. Following discussion, Director Baker moved to approve RH2 Engineering Task Authorization No. 6 in the amount of \$496,541.00, as presented. Director Osborne seconded and the motion carried.

Other

Assistant Manager Andrini presented RH2 Engineering Task Authorization No. 7, for the design completion of the EL84.7 Delivery System, in the amount of \$546,523.00. He reported the task order is grant funded. Following discussion, Director Osborne moved to approve RH2 Engineering Task Authorization No. 7 in the amount of \$546,523.00, as presented. Director Baker seconded and the motion carried.

Mr. Randal Fox asked when the report on the test wells will be expected. EFO Manager Maynard responded Reclamation staff is working on final data collection and assessment, and the report is expected the first part of 2023.

Public Comment  
Period

President Anderson declared an executive session at 2:45 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 3:45 p.m., executive session was continued for 30 minutes. At 4:15 p.m., executive session was continued for 20 minutes. At 4:35 p.m., executive session was continued for 10 minutes. The meeting came out of executive session at 4:45 p.m.

Executive  
Session

Director Lyle moved to authorize President Anderson to execute the PPA with Avista subject to final attorney changes. Director Baker seconded and the motion carried.

Director Osborne moved to increase Secretary-Manager Simpson's annual salary an additional 4% beginning the next pay period of November 13, 2022. Director Lyle seconded and the motion carried.

At 4:51 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