

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

November 4, 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
Don Osborne
Dennis Swinger, Jr.
Reid Baker

Staff

Craig Simpson
Rosa Dekker
John McCourtie
Nate Andreini
Anna Franz

Staff

Julio Gonzalez
Bobby Bischoff
Jon Erickson
Miriam Garcia

Visitors present: Marc Maynard and Amy Rodman, USBR; LJ Olsen, Paul Wollman, Jake Wollman Jr., Steve Gross and Michael Rainis. Visitors

Visitors via teleconference: Jennifer Hickenbottom, USBR; Mike Schwisow, Consultant; and Willy Walter.

President Anderson opened the hearing of petition for Inclusions of Lands. The hearing remained open until the end of the meeting. CBP Open Inclusion Public Hearing

Minutes of the regular meeting of October 2, 2024, had been mailed to the Directors. Following discussion, Director Swinger moved to approve the regular meeting minutes of October 2, 2024, as written. Director Osborne seconded, and the motion carried. Minutes Approved

Mr. Michael Bess expressed concern on learning of the foreclosure for delinquent assessments of his property in the local newspaper. He purchased his home in January of 2018 and learned he was seven years behind on assessment fees. He claims to not have received any documents in the mail. Treasurer Dekker reported assessment invoices have been sent monthly for seven years. Mr. Bess commented that his property has a common delivery with Jensen Family Farm who have made assessment payments. Mr. Bess requested the Board pause the foreclosure proceedings while he sends proper documents and information to the District. President Anderson stated the board would need more information to make a decision. The issue will be discussed in December. Public Comment Period
District Improvements

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

Contracts

- a. Renewal Interruptible Water Service Contract for Temporarily Deferred Lands, William E. & Jessica L. Jachetta, LLC, 43-801-103, 8.7 acres
- b. Renewal Interruptible Water Service Contract for Temporarily Deferred Lands, WHB Trust, 290-011-806, 600 acres

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

Manager Simpson reported staff approved and issued the following permits, consistent with board authorization:

Approved & Issued Permits

- a. Cascade Natural Gas Natural Gas Line Bore Crossing Block 41
- b. Bryan Garret Underground Utility Crossing Block 41, FU 104/105
- c. Andres Munoz Gravel Driveway Road Crossing Block 49, FU 810

Manager Simpson presented the following agreement 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 Lyle 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:

- a. SDB Family Farms, Inclusion No. 239

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

- a. Janice K. Williams Etal Inclusion No. 240

Following discussion, Director Lyle moved to approve Inclusion No. 240 for Janice K. Williams Etal, as presented. Director Osborne 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 Osborne moved to approve payment check nos. 327161 through 327358 in the amount of \$3,095,089.35 and electronic Payroll and AP transfer in the amount of \$1,071,056.82 for a total of \$1,914,157.71 from the O&M Fund. Director Osborne seconded, and the motion carried.

Vouchers

Manager Simpson reported, as required by statute, Assistant-Secretary/Treasurer Dekker will display the assessment roll for public viewing in November 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 Monday, December 2, 2024, in the boardroom of the District Office in Othello. Director Baker seconded, and the motion carried.

District Engineer Gonzalez reported the District received five statements of qualifications to the call for Programming Services RFQs. He requested authorization to begin contract negotiations for programming services with Control System Northwest. Following discussion, Director Swinger moved to authorize District staff to begin contract negotiations with Control System Northwest, as discussed. Director Osborne seconded, and the motion carried. [OGWRP](#)

Development Coordinator Erickson reported the RCPP applications for the financial assistance of the EL11.8 and EL22.1 delivery systems were not awarded. He will be working with Mr. Jerry Gross on his next steps. He reported both the EL11.8 and EL22.1 landowners want to meet with staff to discuss private system construction. Development Coordinator Erickson reported previously awarded grant agreements aren't complete between NRCS and CBCD and states the District needs access to the \$39 million in fund awards. He reported staff expects an interlocal agreement with CBCD in order for NRCS and CBCD to reimburse the District with the grant funds. [EL11.8 Delivery System](#)

Assistant Manager Andreini reported Grant PUD had previously conducted power studies to supply the EL 11.8 system. The next step is to design the system improvements. The estimated cost of the design work is \$698,600.

Development Coordinator Erickson reported he is working with landowners to identify next steps after learning the RCPP applications for the financial assistance of the EL22.1 Delivery System the District applied for were not awarded. [EL22.1 Delivery System Update](#)

Development Coordinator Erickson reported design efforts are moving forward. He reported CBCD continues to work on transitioning funds from the Technical Assistance to the Finance Assistance fund and identified the amount of money that will be available for construction for each system. As mentioned before, landowners had agreed to fund the construction of the delivery system beyond the District's to extend the public system design. Assistant Manager Andreini reported the District is ready to start the construction phase as staff plans to move to 100% design. [EL80.6 Delivery System Update](#)

Assistant Manager Andreini presented RH2 Engineering Task Authorization No. 6 Amendment No. 2 for HVAC design and adjustment of two turnout locations. He reported the task order amendment is in the amount of \$17,526 for the EL80.6 Delivery System. Following discussion, Director Osborne moved to approve RH2 Engineering Task Authorization No. 6, Amendment No. 2, in the amount of \$17,526 as presented. Director Baker seconded, and the motion carried.

Development Coordinator Erickson reported design efforts are moving forward and the 100% design package has been submitted to Reclamation for review. For construction to begin, the District requires signed Water Service Contracts.

[EL84.7 Delivery System Update](#)

District Engineer Gonzalez gave a construction update. He reported the newly purchased trench roller has aided in picking up the pace during compaction operations. Assistant Manager McCourtie reported that the purchase of the second trench roller is being evaluated to help increase the compaction rate. The system is on track to be operational for the 2025 water season.

[EL86.4 Delivery System Update](#)

Assistant Manager Andreini presented Amendment No. 1 for the Electrical Engineering Task Order with RH2 Engineering for services during bidding and construction. This amended task order is for services completed for turnout locations and controls at the intake structure. He reported the amended amount for the task order is in the amount of \$49,766. Following discussion, Director Baker moved to approve Electrical Engineering Task Order, Amendment No. 1, as in the amount of \$49,766 as presented. Director Lyle seconded, and the motion carried.

District Engineer Gonzalez presented the following Coat 2024-02 bids for board consideration:

	Bidder Name	Bid Amount (basis of award)	Total
	Engineers Estimate	\$70,200.00	\$75,956.40
1.	Columbia Industrial Coatings	\$32,506.52	\$35,172.05
2.	Matheson Painting	\$39,945.00	\$43,220.49

District Engineer Gonzalez reported the first two turnouts for the EL86.4 delivery system have been inspected and are ready to be sent for lining and coating to the awarded bidder. Following discussion, Director Swinger moved to accept the bids Coating from Columbia Industrial Coatings in the amount of \$32,506.52, plus sales tax, as the lowest responsive bid. Director Baker seconded, and the motion carried.

Development Coordinator Erickson reported he is working with NRCS on an additional funding request to accommodate the extra work being undertaken by FCA for a SEIS for the watershed plan. Development Coordinator Erickson reported he will be working with State Legislators to discuss creating a strategy and requested direction to create a budget.

[Watershed Plan Project Update](#)

Development Coordinator Erickson gave a brief update on the remaining acres survey results and reported there will be a final survey that is specific and detailed to finalize and recommend allocation of remaining acres.

[Remaining Acres](#)

PR Consultant Korfiatis gave an update on the website, and e-newsletter. PR Consultant Korfiatis reported that she had been granted direction at the last board meeting to work on a task order to create a push to sign up for text alerts on the website. She gave an update on this task and shared potential vendors.

[Public Relations Update](#)

Special Projects Administrator Bischoff reported there has been communication with Reclamation regarding the title transfers. He reported he will be attending the NWRA Annual Conference and Leadership forum where he will meet with Regional Director Carrington to further discuss this issue. [Space Utilization Study](#)

Special Projects Administrator Bischoff reported staff expects to present a negotiated task order/contract next month for board approval. [Partial Title Transfer](#)

Manager Simpson reported CHBP has selected a new manager, Alan Lackner. The next CBHP Board meeting will be held on November 26th. [Columbia Basin Hydropower](#)

Manager Simpson presented the Casne Task Order for SCADA (Phase 1). This work is to implement the first major design and construction phase of the SCADA project, and to initiate the communications design for Phase 2. Manager Simpson recommended the board authorize approval to sign the task order as this agreement is a requirement for the South District to move forward. Following discussion, Director Swinger moved to approve. Director Lyle seconded, and the motion carried. [CBP SCADA](#)

Manager Simpson presented the Water-Saving Commodities Grant Agreement. Water-Saving Commodities Grants (WSCG) is a new effort by USDA's Farm Service Agency (FSA) to support agricultural commodity production while reducing water consumption. This program has \$15M allocated to the District for conservation projects. Manager Simpson recommended the board sign the agreement however, the agreement is still being finalized by USDA and requested conditional approval to sign the agreement when completed. Following discussion, Director Lyle moved to conditionally authorize signing the WSCG agreement. Director Lyle seconded, and the motion carried. [USDA Water Savings Commodities Grant Agreement](#)

Manager Simpson reported the CBP Districts had a fruitful meeting with water rights examiner Dan Haller and continue to work together on a water rights spreadsheet. Manager Simpson reminded that Board that the South District's attorney, Larry Martin, hired water rights examiner Dan Haller from Aspect Consulting and the District will be paying them 1/3 of the costs. [CBP Water Rights](#)

Manager Simpson reported the 2025-2029 Diversion Rate is essentially set. However, it is still being worked on regarding the change in escalation rate as requested by the districts. Work is also continuing for removal of capital expenditures from the rate in future rate periods. [Diversion Rate](#)

Assistant Manager McCourtie requested authorization to call for polyurea sealant application bids. Director Osborne moved to approve a call for polyurea sealant application bids, as requested. Director Baker seconded, and the motion carried. [Quotes & Bids](#)

Assistant Manager McCourtie presented the following Endothal product bids for board consideration:

	Supplier	Bid Amount (basis of award)	Total
	Budget	\$88,939.11	\$96,410.00
1.	Wilbur-Ellis	\$83,750.00	\$90,785.00
2.	Nutrien	\$83,750.00	\$90,785.00

Assistant Manager McCourtie reported there was a tie between the two bidders and staff formally followed the District's tie-breaker protocol which resulted in awarding the bid to Wilbur-Ellis. Following discussion, Director Osborne moved to accept the bid for Endothal Products from Wilbur Ellis, in the amount of \$83,750.00, plus sales tax, as the lowest responsive bid. Director Baker seconded, and the motion carried.

Assistant Manager McCourtie requested ratification for the purchase of a Trench Roller through Sourcewell in the amount of \$43,302.72 plus sales tax. Following discussion, Director Osborne moved to ratify the purchase of a Trench Roller through Sourcewell in the amount of \$43,302.72 plus sales tax. Director Lyle seconded, and the motion carried. Assistant Manager McCourtie described the improvements in production with the use of the second purchased trench roller. Director Baker moved to authorize the purchase of a second trench roller. Director Osborne seconded and the motion carried.

Manager Simpson reported the final CIAW renewal amount was not available at the time of the meeting. He explained the need to bind new coverage prior to expiration. Following discussion, Director Lyle moved to approve the CIAW 2025 insurance renewal as presented and discussed. Director Swinger seconded, and the motion carried.

CIAW Insurance
Renewal

Manager Simpson reported there will not be a renewal of the well monitoring contract with KL Behrens. Mr. Berends has let him know that 2024 was his last year for monitoring well reading, after nearly 29 years. Manager Simpon assured the Board that staff will ensure that the wells continue to get read on the same interval, on approximately the same dates, and that reports and the hydrograph are kept up to date. Mr. Behrens did not have any suggestions for his replacement, and Manager Simpson hasn't thought of anyone. Staff will be prepared to do this in-house. Manager Simpson expressed his appreciation of the consistency of data that Mr. Behrens has be able to provide for decades.

KL Behrens &
Associates Well
Monitoring
Update

Manager Simpson presented the Schwisow & Associates 2025 contract for approval. The contract includes an increase of \$50/month to the 2024 contract amount. Following discussion, Director Swinger moved to authorize execution of the Schwisow & Associates 2025 contract, as presented. Director Lyle seconded, and the motion carried.

Schwisow &
Associates 2025
Contract

Manager Simpson reported at this time Reid Baker has turned in a petition for Director Division No. 2 and Duaine Anderson has turned in a petition for Director Division No. 4. No other Petitions for candidacy were received.

Director
Elections Update

Manager Simpson recommended the board consider sponsoring some upcoming member associations' events, the NWRA Annual Conference & Leadership Forum and

Annual
Conference
Sponsorships

the WSWRA Annual Conference. Following discussion, Director Swinger moved to approve provide \$5,000 to sponsor the NWRA Annual Conference & Leadership Forum and provide \$2,500 to sponsor the WSWRA Annual Conference. Director Lyle seconded, and the motion carried.

EFO Manager Maynard reported the briefing regarding title transfer has been forwarded to the Commissioner's office for review. He reported he will be conducting a canal operations class at the end of January/Early February and will reach out for anyone who expresses interest in the class. He reported a SCADA cooperative agreement will be drafted at the end of the month to be executed on or in the beginning of January 2025. There will be \$7 million available through bill fundings for SCADA.

USBR Report

Safety Supervisor Walraf presented the monthly safety report. She reported on incidents/accidents, HR events, and provided a staffing update. She attended the CBDL conference at the end of October. She also reported the healthcare enrollment period has opened and is due at the end of the month.

Safety Report

District Engineer Gonzalez reported the engineering department has been busy with EL86.4 construction, conservation pipelines and permits. Staff are waiting on the conservation pipeline's cultural resources review to be accepted by Reclamation to continue with pipe installation. He reported Good Faith 4 All currently has a temporary permit for two culvert crossings however it expires on November 15th. They have requested an extension of the temporary permit. Staff recommended to extend until March 1st, 2025. There is a surety bond in place for removal of the temporary crossing if culverts are not removed by the expiration date. Following discussion, Director Lyle moved to approve the extension of the temporary culvert crossing permit as presented. Director Baker seconded, and the motion carried.

Engineer Report

Assistant Manager Andreini reported he has been reviewing design packages. He also attended a CRI meeting, and an inspection was conducted at Dry Falls Dam. Assistant Manager Andreini reported the Saddle Gap Pumping Plant has had failures more frequently. The City of Everett has a similar pumping plant with the same issues. District staff discussed the plant issues with a representative from the City. The District may want to send staff to see the modifications City staff have made to make the pumps more reliable.

Technical Services Report

Treasurer Dekker reported there were seven investments and seven maturities last month. She also reported the assessment roll is ready for public view.

Treasurer Report

Assistant Manager McCourtie reported on both Watermaster section activities and ELC dewatering. The crew has started piping laterals both in Othello and Moses Lake. Staff are waiting for materials needed for the EL55. He gave a brief update on the Saddle Gap Pumping Plant and what was replaced. He gave a brief update on the insurance claim of the canal breach. Assistant Manager McCourtie requested time in executive session to discuss a tort claim.

Assistant Manager O&M

Manager Simpson reported he will be attending the NWRA Annual Conference and Leadership Forum later this week along with other staff. Manager Simpson reported

Manager Report

OCR Director Tom Tebb will be retiring on February 28th, 2025, and recognized him for all his effort and support with the OGWRP. He also reported he met with Round Lake Farms landowners to discuss a temporary water supply and find water for their system. Round Lake Farms will most likely request a temporary water service contract for the 2025 water season. Manager Simpson requested time in executive session to discuss personnel issues.

Attorney Franz briefly updated the Board on the oral argument before the 9th Circuit Court of Appeals in the Clean Water Act ag-exemption case formerly known as the Glaser case.

Attorney Report

Director Swinger moved to approve the Board, Manager Simpson and appropriate staff to travel to the Irrigation Leaders Workshop, January 21-23, 2025, at the Crown Plaza Phoenix-Chandler Golf Resort, Chandler, AZ; Director Lyle seconded, and the motion carried.

Travel
Authorization

President Anderson declared an executive session at 12:50 p.m., for a total of 15 minutes, to discuss litigation and potential litigation with legal counsel under RCW 42.30.110(i). The meeting came out of executive session at 1:05 p.m.

Executive
Session

Director Swinger moved to deny the DL Foundry request for reconsideration of the CIAW denial of the claim for compensation of work done within the USBR easement; Director Lyle seconded, and the motion carried.

Meeting
Adjourned

At 1:05 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting.

President

Secretary

