

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

December 2, 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  
Anna Franz  
John McCourtie  
Nate Andreini  
Rosa Dekker

Staff

Jon Erickson  
Julio Gonzalez  
Miriam Garcia

Visitors present: Marc Maynard, Amy Rodman, USBR, Leo Gaeta, Rennel Klempel and Derek Friehe.

Visitors

Visitors via teleconference: Kirk Rathdrum, Jake Wollman, Jr., Gavin Johnson, Mike Schwisow, and Eric Weber.

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

President Anderson announced that the Board of Equalization was now in session as required by law to equalize the 2025 assessment roll. The notice of this meeting was published according to law and the 2025 assessment roll has been available for public inspection.

Convene Board  
of Equalization

Minutes of the regular meeting of November 4, 2024, had been mailed to the Directors. Per Director Lyle's request, the motion for vouchers was corrected to reflect Director Swinger seconded to approve vouchers instead of Director Baker and the motion for the USDA Water Savings Commodities Grant Agreement was corrected to reflect Director Swinger moved to second instead of Director Lyle. Following discussion, Director Lyle moved to approve the regular meeting minutes of November 4, 2024, as amended. Director Baker seconded, and the motion carried.

Minutes  
Approved

Mr. Leo Gaeta expressed his concern regarding Resolution 2024-02 Subdivision Policy. He stated he opposes the requirement of releasing his irrigation water allotment for his property as a condition to subdivide his property due to the following concern: His subject land is already part of an existing plat that currently has an irrigation system in

Public Comment  
Period

place and is managed by a water association and supplies irrigation water to nine separate parcels. He also expressed his concern about not being aware of this policy change and asked if this process requires a public hearing regarding changes that will impact the landowner's ability to use their water allotment. He also asked if this process allows for landowners input regarding policy changes/updates. He stated this policy change has a huge impact on the consumption of groundwater and claims it singles out landowners with small pieces of property. Mr. Gaeta requested the District to allow the process of this subdivision without relinquishing irrigation water access to his property and requests the Board to eliminate Resolution 2024-02 to allow landowners to keep their existing water rights on their properties. President Anderson commented according to the policy, Mr. Gaeta would need to release his water allotment but would be able to apply for an M&I contract with Reclamation to continue receiving CBP water. Mr. Anderson suggested Mr. Gaeta contact EFO District Liaison Rodman to start the process of applying for an M&I contract.

Mr. Rennel Klempel expressed his concern on permit approval timeliness. He commented that his wait for permit approval has been longer than expected. Manager Simpson commented that permits that are not approved and have issues are directed back to the engineers for changes/updates until ready for approval and signature.

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

District  
Improvements

Contracts

- a. Renewal Interruptible First Phase Continuation Water Service Contract, Steve L. & Barbara B. Jorgensen, 190-036-805, 283 acres

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

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

Permits for Board Approval

- |   |                       |                           |                |
|---|-----------------------|---------------------------|----------------|
| a | Country Morning Farm  | Underground Bore Crossing | BLK 43, FU 156 |
| b | National Frozen Foods | Buried Pipe Crossing      | BLK 41, FU 6   |

Manager Simpson reported permit a. is presented to replace the annual permit for allowing temporary flexible pipe through an undershot. He reported the Board instructed the permittee last spring to find a permanent solution to the annual temporary crossing permit. Manager Simpson recommended approval of the permit. Following further discussion, Director Lyle moved to approve permit b. Director Osborne seconded and the motion carried.

Manager Simpson reported permit b. is a buried pipe crossing for National Frozen Foods' effluent potato wastewater that hadn't been installed per a previous permit that had expired. Manager Simpson recommends renewal of the permit. Following discussion, Director Swinger moved to approve permit b., as presented and discussed. Director Baker seconded, and the motion carried.

-2024-89-

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

Approved & Issued Permits

c	Bart Yeates	Overhead Fiber Crossing	BLK 70
d	Avista	Overhead Power Crossing	BLK 45, FU 92
e	Avista	Overhead Power Crossing	BLK 45, FU 94
f	Avista	Overhead Power Crossing	BLK 45, FU 201

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

Agreements

- a. Agreement for Permanent Release of Water Allotment, Janet K. Prior Trustees Etal, Sheree A. Grow Trustees Etal, and Kristi L Boersma Trustees Etal, Block 44, Farm Unit 180-2, 2.1 acres
- b. Agreement for Permanent Release of Water Allotment, Jerry A Carlson, Block 49, Farm Unit 113-555-03, 9.6 acres

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

Manager Simpson reported Mr. Henry Boersma was present to request a late-late combination request. Mr. Boersma didn't submit combinations this year resulting in a \$28,211.90 (subject to review excess bill. He has historically had a combination similar to what he is requesting now. Manager Simpson reported the request is within District policy for a late-late combination. By policy the fee is the greater of half the savings or \$500. In this case half of the savings equals \$5,855.00 (subject to review) and would be the fee. Following discussion, Director Baker moved to approve Mr. Boersma's request of a late-late combination and charge the appropriate fee per District policy. Director Osborne seconded, and the motion carried.

Boersma Late-Late Combination

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. 327359 through 327544 in the amount of \$2,004,728.44 and electronic Payroll and AP transfer in the amount of \$583,810.67 for a total of \$1,993,731.80 from the O&M Fund. Director Swinger 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:

Order for Hearing for Petition for Inclusion of Land

- a. SDB Family Farms, Inclusion No. 239
- b. Janice K. Williams Etal Inclusion No. 240

Development Coordinator Erickson briefly reported on the tour at the EL86.4 held with CBDL's new lobbyist and their staff.

OGWRP

Development Coordinator Erickson reported staff continue to work with IRZ on progressing to 100% design of the delivery system. He reported after learning the Columbia Basin Conservation District (CBCD) RCPP applications for the financial assistance of the EL11.8 Delivery System were not awarded, he is working with Mr. Jerry Gross to determine the next steps for water delivery to MHB lands.

EL11.8 Delivery System

Development Coordinator Erickson reported the 100% design package has been submitted by IRZ to the District and Reclamation for review. He reported he is trying to work with landowners to determine what the next steps are to fund the construction of the EL22.1 Delivery System after learning CBCD's RCPP applications for financial assistance of the EL22.1 Delivery System were not awarded. Development Coordinator Erickson reported concerns about our MOU and a lack of communication from the landowner group.

EL22.1 Delivery System Update

Development Coordinator Erickson reported the 100% design package has been submitted by RH2 to the District and Reclamation for review.

EL80.6 Delivery System Update

Development Coordinator Erickson reported the 100% design package from RH2 is under review. He reported there is still not a supplemental agreement in place between CBCD and NRCS, for the District to access funds. Development Coordinator Erickson gave a brief update of the meeting on December 6<sup>th</sup> with NRCS and CBCD. This meeting discussed some of the challenges faced and learned that NRCS grant funds can be retracted if not used. Development Coordinator Erickson is working on determining how much funding is available and what remainder will need to be paid by the landowner group before the District moves forward with construction.

EL84.7 Delivery System Update

District Engineer Gonzalez gave a construction update. He reported the Rubicon Gates have arrived and the turnout piping sent to be coated will be back soon and will be ready to be installed. The remote roller compactor has been effective in speeding up the construction process. The system is on track to be completed for the 2025 water season.

EL86.4 Delivery System Update

Development Coordinator Erickson gave a brief update of the Watershed Plan meeting with NRCS and CBCD in Ritzville. He reported in this meeting FCA expressed willingness to find other funding sources.

Watershed Plan Project Update

Development Coordinator Erickson gave a brief update on the distribution of remaining acres and reported the program approach is changing and there will be request form that will verify landowners have water rights and will include a \$2/acre application fee.

Additional Acres

PR Consultant Korfiatis gave an update on the website and e-newsletter. The "Year in Review" is currently being developed and will be presented at the January Board Meeting. She reported she is waiting to connect with a third vendor for push notifications in order to recommend the vendor that best suits the District.

Public Relations Update

Special Projects Coordinator Bischoff presented the Bernardo Wills Service agreement and Task Order 2024-01. He requested the board to authorize conditional approval pending manager and attorney reviews of the agreement. He stated the Task Order amount is \$27,500.00. Following discussion, Director Swinger moved to authorize

Space Utilization Study

signing the Bernardo Wills Service agreement and Task Order 2024-01 subject to the Manager's approval. Director Lyle seconded, and the motion carried.

Special Projects Administrator Bischoff reported the District met with USBR Regional Director Carrington at the NWRA annual conference and spoke briefly regarding partial title transfers. She commented that the briefing for the title transfers has left the regional office and is in transit to the commissioner's office.

Partial Title Transfer

Manager Simpson reported the Water Savings Commodities Grant agreement was finalized and signed which secured the \$15M grant allocated to the District for conservation projects. He reported there is an on-farm portion that comes with this grant and staff is working on addressing any administrative issues that might come with it. The work plan will be submitted to the USDA for review.

USDA Water-Savings Commodities Agreement

Manager Simpson reported that the annual agreement the District has with USDA regarding nuisance wildlife control is due for renewal. The quote for 2025 includes an increase of \$517.30 to the 2024 contract for a total amount of \$12,111.97. Following discussion, Director Baker moved to approve and authorize execution of the annual agreement with USDA for nuisance wildlife control in the amount of \$12,111.97. Director Swinger seconded, and the motion carried.

USDA Wildlife Control Contract

Manager Simpson requested time in executive session to discuss acquisition of O&M of CBHP facilities and other plants.

CBHP

Manager Simpson reported the District along with the Quincy and South District signed the SCADA agreement for the implementation and pilot phase of the system. He also requested time in executive session to discuss a personnel topic.

CBP SCADA

Manager Simpson reported the Diversion Rate has been set with the requested 6% annual escalation requested by the Districts. He expressed his appreciation of how well the end of the process went with Reclamation. EFO Manager Maynard reported the Diversion rate concurrence letter has been sent to the District.

Diversion Rate

District Engineer Gonzalez requested authorization to call for the 26-mile canal lining repair bids. Director Lyle moved to approve a call for the 26-mile canal lining repair bids, as requested. Director Swinger seconded, and the motion carried.

Quotes & Bids

Assistant Manager McCourtie requested authorization to call for Magnetic Flow Meter bids. Following discussion, Director Osborne moved to call for Magnetic Flow Meter bids, as requested. Director Lyle seconded, and the motion carried.

Assistant Manager McCourtie, Assistant Manager Andreini, Director Swinger and Manager Simpson briefly reported on the NWRA Annual Conference and Leadership Forum. Two focuses of discussion at the conference were the Rio Grande River management issues and how recent Supreme Court cases will affect the water community. Manager Simpson reported he and staff met with USBR Regional Director Carrington to discuss issues such as title transfers, easement acquisition, and the OGWRP. He also reported Greg Morrison, the new EVP, who was a previous member of the association, attended the conference where District staff was able to meet him.

NWRA Annual Conference Report

Manager Simpson reported at the last board meeting, the board authorized conditional approval to bind insurance coverage with CIAW at the invoiced amount, which was done. There was an increase of 17.9% to the premium. This increase was higher than expected in the 2025 budget. The 2025 CIAW insurance premium has been paid in the amount of \$128,237.12.	<a href="#"><u>CIAW Insurance Renewal</u></a>
Manager Simpson reported the workshops and annual conference start later this week. Attorney Franz will be speaking on a legal panel. He also reported he and staff are scheduled to meet with Regional Director Carrington during the conference.	<a href="#"><u>WSWRA Annual Conference Report</u></a>
Manager Simpson reported the only petitions received for Director Divisions were from incumbents Reid Baker for Division No. 2 and Duaine Anderson for Division No. 4. There will not be an election this year. The incumbent Directors were declared elected, and a certificate of election will be provided.	<a href="#"><u>Director Elections Update</u></a>
EFO Manager Maynard gave a brief update on the SCADA meeting that followed the WSWRA Annual Conference and the meetings with Regional Director Carrington. He is working with TSC in Denver regarding another CBP Canal Operations Training. It looks like there are two possible weeks, one in January and the other in February, to schedule the week-long training. He also reported that the Potholes Supplemental Feed Route has not started.	<a href="#"><u>USBR Report</u></a>
Safety Supervisor Walraf presented the monthly safety report. She reported on incidents/accidents and staffing updates. She attended the NWRA Annual Conference and Leadership Forum. She also reported that weed school starts later this week.	<a href="#"><u>Safety Report</u></a>
District Engineer Gonzalez reported the engineering department has been busy with EL86.4 construction, permits, and conservation pipelines. The conservation pipeline's cultural resources review was accepted by Reclamation and reported no additional testing/revisions are needed.	<a href="#"><u>Engineer Report</u></a>
Assistant Manager Andreini reported his focus this month has been design package review of three 100% designs for OGWRP. Director Osborne had inquired about the difference between galvanizing and coating. Assistant Manager Andreini reported according to Reclamation standards, galvanizing is not a long-term solution compared to coating.	<a href="#"><u>Technical Services Report</u></a>
Treasurer Dekker reported she has been working on grant reimbursements. She reported excess water bills have been sent for Water Service Contracts. There were six maturities, and 4 investments placed last month. She also reported the assessment roll has been available for public viewing.	<a href="#"><u>Treasurer Report</u></a>
Assistant Manager McCourtie reported on both Watermaster sections' winter projects. The Othello Watermaster section continues to pipe laterals with FRP and PVC pipe as well as the Moses Lake Watermaster section piping laterals with PVC pipe. He reported staff is installing AutoStart backup generators. He also attended the NWRA Annual Conference and Leadership Forum.	<a href="#"><u>Assistant Manager O&amp;M</u></a>

Manager Simpson briefly reported on the NWRA Annual Conference and Leadership Forum. He reported on a new potential grant opportunity involving battery backup for pumping plants. FCA selected one District from each state (Idaho, Oregon, and Washington) to submit a Department Of Energy grant application for participation in this program. This grant may allow the District to access the BPA energy reduction savings program. The application needs to be submitted in February and will be further discussed in the January Board Meeting. Manager Simpson requested time in executive session to discuss personnel issues and potential litigation.

Manager Report

Attorney Franz requested time in executive session to give an update on current litigation.

Attorney Report

Director Swinger moved to approve the Board, Manager Simpson, and appropriate staff to travel to the 2025 USBR Water Management Workshop, February 11-13, 2025, at the Denver Federal Center in Denver, CO and approved Manager Simpson to travel to Washington D.C to meet new congressional appointees and their staff at the beginning of the new Congress to start advocacy for NWRA's 2025 priorities, February 3-6, 2025. Director Lyle seconded, and the motion carried.

Travel  
Authorization

President Anderson called for any further comments or objections to the assessment roll, seeing none he requested the hearing of the Board of Equalization be closed. Director Swinger moved to close the Board of Equalization hearing and to adopt Resolution 2024-18, equalizing the assessment roll and setting the 2025 assessments. Director Lyle seconded, and the motion carried.

Close Board of  
Equalization –  
Resolution 2024-  
18

President Anderson declared an executive session at 1:10 p.m., for a total of 15 minutes, to discuss personnel qualifications and performance under RCW 42.30.110(g) and potential litigation with legal counsel under RCW 42.30.110(i). The meeting came out of executive session at 1:25 p.m.

Executive  
Session

Development Coordinator Erickson gave an update on efforts by NRCS to provide additional funding for FCA and NRCS has received the approval of obligation of additional watershed planning funds that were requested. He requested conditional authorization to execute the amendment to the existing watershed grant to cover additional watershed planning activity expenses. This would allow for the grant to encumber funds efficiently and limit the risk of being clawed back by the government during administration changes. Following discussion, Director Swinger moved to authorize signing the watershed grant amendment to cover additional watershed planning expenses subject to the approval of the Manager. Director Lyle seconded, and the motion carried.

Other

At 1:25 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting.

Meeting  
Adjourned

-2024-94-

  
Secretary

  
President

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