

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

March 5, 2025

The regular meeting of the Board of Directors of the East Columbia Basin Irrigation District was called to order at 9:00 a.m. by President Duaine Anderson.

Present were:

Directors
Duaine Anderson
Kevin Lyle
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; Kristina Ribellia and Doug Allen, CBCD; Kevin Brown and Johnny Jones, DOE; Derek Friehe, and Paul Wollman. Visitors

Visitors via teleconference: Jennifer Hickenbottom, USBR; Mike Schwisow, Government Relations Consultant; Kirk Rathdrum and Jake Wollman.

Minutes of the regular meeting of February 10, 2025, had been mailed to the Directors. Following discussion, Director Lyle moved to approve the regular meeting minutes of February 10, 2025, as written. Director Baker seconded, and the motion carried. Minutes
Approved

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

District
Improvements

Contract

- a. Amendment to Interruptible First Phase Continuation Water Service Contract, Friehe Land Holdings, LLC, 190-011-805, Amended from 654.34 acres to 666 acres

Manager Simpson reported the land had been reclassified to add 11.66 acres which allows the contract to meet the original acreage of the contract. Following discussion, Director Lyle moved to approve Contract a. as presented. Director Baker seconded, and the motion carried.

Manager Simpson reported the Seasonal Change in Place of Use for O'Neal Lands, was conditionally approved subject to consent from South Columbia Basin Irrigation District (SCBID) at the February Board Meeting. Staff are waiting for the South District to concur with the Seasonal Change in Place of Use. Their board meeting will be next week.

Manager Simpson presented the following Seasonal Change in Place of Use agreements a. - f., for board consideration:

Agreements

- a. Seasonal Change in Place of Use, SM West, 48-802-803
- b. Seasonal Change in Place of Use, Kagele Erickson I, LLC., 190-012-805
- c. Seasonal Change in Place of Use, Citation Farms, LLC., 390-069-809
- d. Seasonal Change in Place of Use, Desert Ridge Properties, LLC., 390-070-809
- e. Seasonal Change in Place of Use, Chris Hyer, 390-071-809
- f. Seasonal Change in Place of Use, Citation Farms, LLC., 390-078-809

Following discussion, Director Lyle moved to approve agreements a. - f., as presented and discussed. Director Baker 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. 328023 through 328233 in the amount of \$934,466.16 and electronic Payroll and AP transfer in the amount of \$648,228.40 for a total of \$1,582,694.56 from the O&M Fund. Director Lyle seconded, and the motion carried.

Vouchers

Government Relations Consultant Schwisow updated the board on the changes by the new state administration, the current legislative session, election bills, and budget requests. Director Lyle asked how the election bill will affect Irrigation District elections.

Government Relations Update

Development Coordinator Erickson reported Mr. Jerry Gross from MHB is still committed to utilizing their funds if the District does not receive state funds. He reported the EL11.8 design is moving forward and shared IRZ provided a phased approach. The landowners are hopeful for another round of RCPP applications and are awaiting announcements from the CBCD.

EL11.8 Delivery System Update

Development Coordinator Erickson reported he met with the EL 22.1 Landowner Association. The most recent MOU with them has expired and they discussed updating the MOU. They also spoke about their funding options. Staff will look over the cost estimates provided as there are some questions as to whether or not the amounts are adequately represented. The estimates from IRZ are lower than the District estimates. They have also proposed a phased approach to development. Development Coordinator Erickson reported that some of the challenges of this system is that it is a large system which has become expensive to construct. The proviso on state grant funds restricts the ability to consider alternative designs. Development Coordinator Erickson mentioned if a shift in program occurred and a smaller system was built, it could be financially sustainable. Currently, the system could deliver to 2,200 acres of the 16,000 acres required by proviso, with the proposed phasing and funding available if the '25-'27 funding is utilized solely for this system.

EL22.1 Delivery System Update

Manager Simpson gave an update on the EL 47.5 Delivery System and reported there is no title transfer yet.

EL47.5 Delivery System Update

Assistant Manager Andreini reported there has been no progress on the EL80.6 Delivery System design. The outstanding comments on the 100% design package have not been addressed by RH2.

Development Coordinator Erickson presented the EL 80.6 and EL 84.7 Delivery System MOAs with Reclamation and recommended for board approval. He reported these MOAs are similar to the EL 86.4 MOA approved last year. Following discussion, Director Baker moved to approve the EL 80.6 and EL 84.7 Delivery System MOAs. Director Lyle seconded, and the motion carried.

EL80.6 & EL84.7
Delivery System
Update

Development Coordinator Erickson reported the EL84.7 Delivery system has the potential to move forward, however, there is still a federal funding pause. The funding supplemental agreement has not been authorized for signature by NRCS and has a slight chance for the process to start over. He reported the District's federal partners at NRCS had been working diligently to allow the transfer of technical assistant funds into the financial assistant funds. Staff is also working with CBCD to develop an interlocal agreement (ILA) which will serve as the vehicle to allow for the District to access the RCPP funding awarded to the public system portion of the project through the grant recipient CBCD. EFO Manager Maynard reported Reclamation has a new approval process required for expenses over \$50,000 and NRCS may have a similar restriction, which will add additional process time.

Assistant Manager Andreini reported he and Manager Simpson met with RH2 regarding a request for additional payment for the EL80.6 and EL84.7 Delivery Systems design. He requested time in executive session to discuss pending litigation.

District Engineer Gonzalez gave a construction update of the EL86.4 Delivery System. All mainline pipe has been installed with the exception of the floated pipe section due to additional flooding in the trench. The crew have been cleaning and regrading the trench. The excavator at that location was submerged and is currently with Case for repair. He reported the turnouts have been assembled and will need to be installed along with the valves and air vents. The Rubicon gates have also been installed. The electrical and fiber programming might not be completed by the scheduled start up on April 1st, but the system can still deliver water manually without the electrical and fiber programming.

EL86.4 Delivery
System Update

District Engineer Gonzalez presented PIPE EL86.4-02 Task Order No. 1. He is waiting for Hobas to send a change order for a credit in the amount of \$72,000. He requested conditional approval to sign the change order with Hobas. Following discussion, Director Baker moved to authorize the Manager to approve the PIPE EL86.4-02 Task Order No. 1. Director Lyle seconded, and the motion carried.

EL86.4-02 Hobas
Task Order No. 1

Development Coordinator Erickson reported the Watershed Plan is paused due to federal funding also being paused. Jules Riley with NRCS was authorized to move forward with the grant approval process. There is no information about whether the grant has been approved. EFO Manager Maynard reported there has been an acreage discrepancy on the SEIS between Reclamation and NCRS. Reclamation has agreed to

Watershed Plan
Remaining Acres

meet with NRCS to discuss and come up with an agreement by March 12th. If staff are unable to resolve the issue by March 12th, the date will be pushed out in order to allow leadership to walk through the compliance review.

Development Coordinator Erickson reported the development office has been reviewing the requested acres applications. The applications had a \$2/acre fee and required water rights in order to request acres. Due to this, there was a reduction of 20,000 acres requested. There are now roughly 35,000 requested acres for water. He also reported a map will be created adding the requested acres within the District boundary to determine allocation of land to proposed systems. The board has previously agreed to construct pipelines up to four miles.

Remaining
Acres

PR Consultant Jennifer Korfiatis presented a video of the "OG" OGWRP tour that occurred earlier this month featuring some of the individuals who started the Odessa Ground Water Replacement Program. The video had high engagement on the District website. She reported the segment on the "Washington Grown" featuring OGWRP is set to air later this month. She also reported she is working on an invite list for the EL 86.4 opening ceremony to be scheduled for late April/early May.

Public Relations
Update

Special Projects Administrator Bischoff reported staff is reviewing the title transfer MOU/CFA internally and will meet with Anna prior to sending comments to Reclamation for discussion.

Partial Title
Transfer

Special Projects Administrator Bischoff reported he updated potential GIS locations/sites acreage for relocation and has looked to the east of the ELC for potential dryland sites also. Director Baker mentioned he wanted to stay close to Highway 17, so sites 1-3 were left for consideration. He reported no contact with landowners has been made. Special Project Administrator Bischoff requested time in executive session to discuss privately owned sites.

Space Utilization
Study

Special Projects Administrator Bischoff reported there is no update. The funds are still on hold. He reported he is hopeful to hear back after 90 days.

USDA Water
Savings Grant

Manager Simpson gave an update on the Multisite Solar and Battery Storage Grant application. FCA submitted the concept paper which includes the District pumping plant battery storage systems discussed previously. There was no indication of when a decision will be made.

Multisite Solar
and Battery
Storage Grant
Application

Manager Simpson reported Columbia Basin Hydro Power (CBHP) is scheduled to take over O&M of the Quincy Chute Powerplant from GCPUD on October 1st by contract. The PEC Headworks contract with GCPUD runs through 2027. CBHP is negotiating an expiration of both the Quincy Chute and PEC Headworks Plants contracts on December 1st instead. Being shared owners, the three CBP Districts would cover 1/3 of the capital costs each. Manager Simpson requested time in executive session to discuss the District's share of the potential buyout.

Columbia Basin
Hydropower

Manager Simpson requested time in executive session to discuss a title transfer of transferred and reserved works.

Assistant Manager Andreini reported he attended update meetings on the progress of SCADA. Contractors are working on sites in the South District designing microwave towers and sites in SCBID. Assistant Manager Andreini has been reviewing the 60% SCADA design.

CBP SCADA

Manager Simpson reported there is a scheduled water rights meeting on March 6th at the South District including the three CBP Districts, Water Rights Consultant Haller, Government Relations Consultant Schwisow, and the CBP attorneys to present a proposal for CBP water rights to Reclamation. EFO Manager Maynard reported after this meeting Reclamation will need time to review the proposal.

CBP Water Rights

Assistant Manager McCourtie reported staff received a Weber Siphon Complex Seepage and Void Detection analysis that TSC completed earlier this week. Staff have not had a chance to review and discuss the findings. There will be an opportunity to meet with Reclamation. Reclamation is looking for the District to take over O&M through a transfer. Assistant Manager McCourtie requested time in executive session to discuss the transfer.

Weber Siphons Complex Seepage and Void Detection Update

Assistant Manager McCourtie gave an update on the EL 26-mile breach repair. He briefly commented on the work currently being done by Halme Construction including panel replacements. He reported concrete placement will take place and polyurea will be added downstream of the 23-mile outlet. He reported the repair plan will be a multiple year process. He also reported that the insurance company has denied the claim for repairs of the lining, concrete, and polyurea. The District will review that denial further.

EL26-Mile Repair Update

Manager Simpson reported there is a collapsed pipe under the railroad tracks where the EL68MWW crosses west of Lineage in Othello. Staff are looking into alternatives for a repair that minimizes or avoids railroad service outages. The constructed part of the wasteway ends before the railroad crossing and therefore may not be a transferred work the District is responsible for. EFO Manager Maynard confirmed that this crossing is the railroad's and they have the responsibility to repair the damage that occurred. Staff will be working with the Railroad company since the repairs will need to be done by March 31st.

EL 68 MWW Railroad Crossing

Assistant Manager McCourtie requested authorization to purchase (1) Tractor, (1) Mower, and (1) Tractor Trailer from an authorized purchasing pool. Following discussion, Director Lyle moved to authorize the (1) Tractor, (1) Mower, and (1) Tractor from an authorized purchasing pool. Director Lyle seconded, and the motion carried.

Quotes and Bids

District Engineer Gonzalez reported on behalf of Staff Engineer O'Neal on his attendance at the Water Management Workshop. He shared that he learned about the amount of Reclamation manuals and how they are valuable sources for future reference. He learned about invasive mussel species and 3-D modelling. His favorite workshop was the hydraulic modeling lab.

Water Management Workshop Report

EFO Manager Maynard gave a loss of staffing update and notified the District that there will be impacts to the level of work that EFO can accomplish. Travel authorization is currently revoked, so Boise office staff will not be able to travel to the scheduled water rights meeting and will have no solicitor present. Reclamation has prioritized supporting the Columba Basin Project and delivering water. He reported reclassifications will be impacted as well as NHPA requirement activities. The EL80.6 and EL84.7 easement acquisitions will move forward. EFO Manager Maynard gave an update on the Fox study and reported Randy Fox is pursuing a peer review of the study that may take up to a year.

USBR Report

Assistant Manager McCourtie presented the monthly safety report on behalf of HR/Safety Supervisor Walraf. He reported there was one accident and updated current open positions. He reported that the burn season has started and a new burn permit has been filed.

Safety
Supervisor

District Engineer Gonzalez reported on Engineering Department activities. His focus this month has been on the EL 86.4 pipelines and the 26-mile repair. Staff has been working on surveying, inspection, and conservation pipelines. He reported staff are waiting on clamps for repairs of the EL 86.4 pipeline. He reported he will be working with Farmers Electric on their work on the EL 86.4

District Engineer

Assistant Manager Andreini reported he has been working on the management of the EL 86.4 Delivery System construction and the OGWRP.

Asst Manager
Technical

Treasurer Dekker reported the audit is ongoing. There were two maturities, and six investments placed. She reported attending two webinars: one for Fraud Risk Management with U.S Bank and the other for Leadership Management with Water Strategies.

Treasurer
Report

Assistant Manager McCourtie reported both Watermaster sections are finishing up the Winter projects. He reported priming at the Potholes will begin on March 17th. The ELC will begin priming on March 19th and be at full elevation on March 25th.

Assistant
Manager O&M

Manager Simpson gave an update of the shift in positions. Special Projects Administrator Bischoff has transitioned to Deputy Assistant Manager of O&M. He will transition to Assistant Manager of O&M upon Assistant Manager McCourtie's retirement in September of this year. There will be additional shifts in staffing to add an AP Clerk/Data Entry position and other positions in the near future. Manager Simpson gave a brief update of the ELC priming schedule. He mentioned as the EL86.4 construction comes to an end there will be a focus on retention of employees and their experience for additional O&M work. Manager Simpson reported numerous staff and retirees attended Bill Braden's memorial showing mourning his passing. Manager Simpson requested time in executive session to discuss correspondence to Reclamation and NRCS regarding staffing impacts. He also requested time in executive session to discuss personnel.

Manager Report

Attorney Franz gave an update on the summary judgment motion filed in the Court of Federal Claims against the United States. The United States' response to the Districts'

Attorney Update

Manager Simpson reported Mrs. Betes has a common delivery with one of the Reclamation's parcels that is delinquent. Reclamation has not released their water allotment, nor have they paid their assessments since 2022. This results in Mrs. Betes needing to pay a security deposit the past two years in order-to-order water and will need to repeat the process for 2025. After further discussion, Director Osborne moved to approve the reimbursement of prior years' security deposits to Mrs. Betes and any landowner within the same common delivery for their security deposits. Director Swinger seconded, and the motion carried. Other

President Anderson declared an executive session at 12:30 p.m., for a total of 20 minutes to discuss acquisition of property under RCW 42.30.110(b) and potential litigation under RCW 42.30.110(i). At 12:50 p.m., the meeting was extended for 25 minutes. The meeting came out of executive session at 1:15 p.m. Executive Session

Director Baker moved to authorize the Manager to negotiate and execute a change order with Hobas to resolve the faulty pipe component. Director Swinger seconded, and the motion carried.

Director Lyle moved to authorize travel for Director Swinger to attend a trip to Washington DC with CBDL and OCR. Director Baker seconded, and the motion carried.

At 1:16 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting. Meeting Adjourned



President



Secretary

summary judgment motion and deadline for filing its motion for summary judgment was extended to April 7th, 2025. Future Meetings

Director Lyle moved to authorize the Board and appropriate staff to travel to the Tri-State Meeting, May 2025 in Klamath Falls, OR; the NWIO Tour, June 23-27, 2025, in Lethbridge, Calgary, CAN; and the NWRA Western Water Seminar 2025, August 6-8, 2025, in Park City, UT. Director Baker seconded, and the motion carried.


Department of Ecology Watermaster Kevin Brown presented Johnny Jones, the new DOE Watermaster for the Eastern Regional office. He also shared his retirement date at the end of June. Public Comment Period

President Anderson declared an executive session at 12:15 p.m., for a total of 30 minutes, to discuss potential litigation under RCW 42.30.110(i). At 1:00 p.m., the meeting was extended for 45 minutes. At 1:45 p.m., the meeting was extended for 30 minutes. At 2:15 p.m., the meeting was extended for 30 minutes. At 2:45 p.m., the meeting was extended for 5 minutes. The meeting came out of executive session at 2:50 p.m. Executive Session

At 2:50 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting. Meeting Adjourned



President



Secretary