PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY BOARD OF COMMISSIONERS

AGENDA

MARCH 12, 2024 4:30 PM

The public is invited to attend in person or via Zoom.

Join the meeting via Zoom: https://skagitpud.zoom.us/j/82082590753?pwd=ZkUrVGE4T2xXK3NUV1ZRK2pxUDlxdz09

Meeting ID: 820 8259 0753

Passcode: 009457 Or dial: 1-253-215-8782

Please turn your audio and video off during the meeting. Use the "Raise Hand" feature if you would like to speak during Audience Comments.

If you have a question or comment for the Board, please submit it by 5 p.m. the Monday prior to the meeting by calling (360) 848-4460 or send an email to **pud@skagitpud.org**

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

- 1. Approval of Agenda 3/12/24
- 2. Approval of Minutes 2/12/24 Special Meeting
- 3. Approval of Minutes 2/13/24 Regular Meeting
- 4. Ratification of Vouchers 2/20/24, 2/27/24, and 3/5/24
- 5. Voucher Approval 3/12/24
- 6. 820 Trail Road Mixed Use Project Acceptance
- 7. Trail Road Hotel Project Acceptance

AUDIENCE COMMENTS

OLD BUSINESS

- 8. General Manager's Report
- 9. IT Department Update

NEW BUSINESS

10. Temporary Water Rights Transfer - Discussion

INFORMATION

- 11. Judy Reservoir Data Report
- 12. Recent News Articles

COMMISSIONER COMMENTS

ADJOURNMENT

MINUTES OF THE SPECIAL MEETING OF THE COMMISSION PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY

FEBRUARY 12, 2024

The special meeting of the Commission of Public Utility District No. 1 was held in the Aqua Room of the utility located at 1415 Freeway Drive, Mount Vernon, Washington.

The meeting was called to order at 4:32 p.m. Commissioners in attendance were Joe Lindquist, president; and Corrin Hamburg, secretary. Commissioner Andrew Miller, vice president, arrived during the closed session.

Also, in attendance were George Sidhu, Shannon Patiño, Kathy White, Mark Handzlik, Brian Henshaw, and Pete Gilbert

Commissioner Lindquist led the Pledge of Allegiance.

CONSENT AGENDA

Commissioner Hamburg moved to approve the consent agenda for February 12, 2024, as presented.

1. Approval of Agenda 2/12/24

The motion passed unanimously.

CLOSED SESSION & EXECUTIVE SESSION

At 4:34 p.m., Commissioner Lindquist recessed the special meeting for a closed session to discuss a collective bargaining proposal per RCW 42.30.140 for approximately 15 minutes and an executive session to consider the minimum price at which real estate will be offered for sale per RCW 42.30.110(1)(c) for approximately 20 minutes, reconvening at 5:10 p.m. with action following the sessions.

At 5:10 p.m., Commission Lindquist announced an additional 15-minute extension, reconvening at 5:25 p.m.

The closed and executive sessions ended at 5:25 p.m., and the regular meeting was reconvened at 5:27 p.m.

Commissioner Miller made a motion to approve the Collective Bargaining Agreement between the District and the Teamsters Union Local #231, representing customer service representatives and billing clerks, which will take effect upon ratification until December 31, 2025.

The motion passed unanimously.

ADJOURNMENT

Having no further business to come before the board, Commissioner Lindquist moved for adjournment. The motion passed, and the special meeting on February 13, 2024, was adjourned at 5:27 p.m.

ATTEST	
	Joe Lindquist, President
Corrin Hamburg, Secretary	Andrew Miller, Vice President

MINUTES OF THE REGULAR MEETING OF THE COMMISSION PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON

February 13, 2024

The regular meeting of the Commission of Public Utility District No. 1 was held in the Aqua Room of the utility located at 1415 Freeway Drive, Mount Vernon, Washington.

The meeting was called to order at 4:30 p.m. Commissioners in attendance were Joe Lindquist, president; Andrew Miller, vice president; and Corrin Hamburg, secretary.

Also in attendance were Kevin Tate, Shannon Patiño, Nick Semrau, Brian Henshaw, Jay Sedivy, Mark Handzlik, Mike Fox, Doug Streeter, Mark Semrau, Sam Shipp, Alistair Boudreaux, and Pete Gilbert.

Participating remotely: None.

Commissioner Lindquist led the Pledge of Allegiance.

CONSENT AGENDA

Commissioner Miller moved to approve the Consent Agenda for February 13, 2024, as presented.

- 1. Approval of Agenda 2/13/24
- 2. Approval of Minutes 1/23/24 Regular Meeting
- 3. Ratification of Voucher 1/30/24 No. 3120 (\$821,411.95)

Accounts Payable Voucher No. 28402-28465 (\$821,411.95)

Electronic Funds Transfer (\$152,617.19)

Payroll Electronic Funds Transfer No. 042894-042977 (\$239,755.25)

Ratification of Voucher 2/6/24 No. 3121 (\$418,972.62)

Accounts Payable Voucher No. 28466-28520 (\$413,172.65)

Electronic Funds Transfer (\$5,799.97)

4. Voucher Approval 2/13/24 No. 3122 (\$1,519,462.99)

Accounts Payable Voucher No. 28521-28563 (\$288,131.89)

Electronic Funds Transfer (\$999,073.88)

Payroll Electronic Funds Transfers No. 043062-043145 (\$232,257.22)

The motion passed unanimously.

AUDIENCE COMMENTS

None.

OLD BUSINESS

- 5. <u>General Manager's Report</u>: Acting General Manager Tate provided an update on the following:
 - Progress on the water rights transfer issue with the local irrigators continues. General Manager Sidhu has met with Skagit County Drainage and Irrigation Districts Consortium Executive Director Jenna Friebel to discuss an agreement where the PUD temporarily and seasonally transfers water rights to the irrigators without needing a state-declared drought. This seasonal agreement would allow the irrigators to use the water rights in case the Instream Flow Rule takes effect in the summer and the irrigators are unable to use their water rights for pumping.
 - Organizing a PUD commissioners' tour to see the progress of the PUD Campus Replacement Project on February 27, 2024, at 3:30 p.m., prior to the regular board meeting at 4:30 p.m. Commissioners agreed to the tour time and date.
- 6. <u>Safety Department Update</u>: Safety and Risk Manager Sedivy provided a Safety Department update on the following:
 - Safety Committee members, responsibilities and accomplishments since 2019; Days Away, Restricted, or Transferred (DART) rate; and an update to Safety Practice & Procedure #3010, Confined Space Safety.
- 7. <u>Mount Vernon High School Hydroelectric Energy Recovery Project</u> Engineering Manager Handzlik informed the board that details regarding maintenance and

operations are in the process now that 100% of grant funding has been obtained. Some details being determined include whether the total amount of recovered energy will go through a net metering system installed on Mount Vernon School District or PUD property. Further discussions are taking place to establish an interlocal, and commissioners are invited to provide feedback on items they would like included in the agreement. A brief discussion ensued

NEW BUSINESS

8. Easement Quit Claim Deeds and Hold Harmless Agreement for Flightline Port of Skagit
Project: Engineering Manager Handzlik explained that an easement had been granted to the
PUD as a temporary solution until more precise documentation of the easement area could be
provided by the Port of Skagit's surveyor.

The Port's surveyor completed the legal descriptions for the easement area, and the Port has granted a new easement. Therefore, the current easement is not necessary and can be relinquished.

Commissioner Hamburg moved to authorize the general manager to execute the quit claim deed and hold harmless agreement, which relinquishes portions of two easements previously granted to the PUD under Skagit County Auditor's files No. 839509 and 200907290064; and authorize the general manager to execute the quit claim deed, which relinquishes an unrecorded easement granted to the PUD by the Port of Skagit on December 21, 2022.

The motion passed unanimously.

9. Annual Report of Delinquent LUD Assessments

Finance Manager Henshaw gave an overview of the LUDs with outstanding delinquent assessment payments and the process for collecting delinquent assessment payments. He also updated the board on the remaining assessed parcels and assessments paid in full during 2023.

No action was taken.

INFORMATION

- 10. Revision of Safety Practice & Procedure #3010, Confined Space Safety
- 11. Judy Reservoir Data Report
- 12. Recent News Article

COMMISSIONER COMMENTS

Commission Hamburg asked whether Commissioner Miller was attending the PUD Day on the Hill event in Olympia hosted by the Washington Public Utility District Association and confirmed that no commissioners would attend. Commissioner Hamburg also commented that she would like a better understanding of the current leak adjustment policy to see if there is a way to make it more equitable.

ADJOURNMENT

Commissioner Lindquist moved for adjournment with no further business to come before the board. The motion passed, and the meeting on February 13, 2024, was adjourned at 4:57 p.m.

ATTEST	
	Joe Lindquist, President
Corrin Hamburg, Secretary	Andrew Miller, Vice President

We, the undersigned Board of Commissioners of Public Utility District No. 1 of Skagit County, Washington, do hereby certify that the merchandise and /or services hereinafter specified have been received and are hereby approved for payment in the amount of \$510,682.43 this 20th day of February, 2024.

The total is comprised of the following:

Accounts Payable voucher No. from 28564 through 28597 in the amount of \$507,225.76, Electronic Funds Transfer in the amount of \$338.65. Payroll Electronic Funds Transfers and checks No. M00828 through M00829 in the amount of \$3,118.02.

Attest:	_	
	ΛQ	- 11

Manager

Auditor

President

Vice - President

Secretary

Date: 02/20/2024 Page - 1

Voucher	Claimant	Amount
28564	ASPECT CONSULTING LLC	11,781.25
28565 - EDI	BANNER BANK	225.34
28566	BANNER BANK	13,394.07
28567	BECKWITH & KUFFEL INC	4,705.10
28568	BUDGET TOWING AUTO REPAIR INC	399.84
28569	BUILDERS EXCHANGE OF	197.20
28570	CDW GOVERNMENT INC	268.75
28571	CITY OF ANACORTES	18,694.00
28572	ENDURIS WASHINGTON	243.00
28573	EUROFINS EATON ANALYTICAL LLC	845.00
28574	FRONTLINE CLEANING SERVICES	2,945.00
28575	GEOKON LLC	1,703.12
28576	GEOTEST SERVICES, INC.	5,520.00
28577	HISTORICAL RESEARCH ASSC INC	1,870.75
28578	ICONIX WATERWORKS (US) INC	4,884.38
28579	IDEXX DISTRIBUTION INC	29.10
28580	KAYE- SMITH ENTERPRISES INC	9,925.27
28581	LINDE GAS & EQUIPMENT INC	2,264.36
28582	LITHTEX NW	163.20
28583	MATERIALS TESTING & CONSULTING	358.00
28584	NATIONAL SAFETY INC	452.82
28585	AUTO VALUE	188.33
28586	PLATT ELECTRIC SUPPLY	951.28
28587	PUGET SOUND ENERGY	4,676.00
28588	SANTANA TRUCKING & EXCAVATING	346,772.15
28589	SKAGIT WHATCOM ELECTRONICS	25.02

Date: 2/20/2024 Page - 2

Voucher	Claimant	Amount
28590	STOWE'S SHOES & CLOTHING	212.27
28591	THE DRIFTMIER ARCHITECTS P S	40,945.09
28592	TIMMONS GROUP INC	14,010.40
28593	TRUCK TOYS INC	124.81
28594	ASTOUND BUSINESS SOLUTIONS LLC	2,151.36
28595	Wilson Engineering, LLC	16,481.26
28596 - EDI	ZIPLY FIBER	113.31
28597	ESMERALDA GUZMAN	43.58
		507,564.41

We, the undersigned Board of Commissioners of Public Utility District No. 1 of Skagit County, Washington, do hereby certify that the merchandise and /or services hereinafter specified have been received and are hereby approved for payment in the amount of \$597,495.77 this 27th day of February, 2024.

The total is comprised of the following:

Accounts Payable voucher No. from 28598 through 28653 in the amount of \$119,495.81, Electronic Funds Transfer in the amount of \$244,151.87. Payroll Electronic Funds Transfers and checks No. 043231 through 043315 in the amount of \$233,848.09.

Attest:

President

Kevin Tate

Vice - President

Auditor

Manager

Secretary

Date: 02/26/2024

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Voucher	Claimant	Amount
20500 555	151.46	
28598 - EDI	AFLAC	1,114.53
28599	AUTUMN NEWBAKER	28.44
28600	CABRERA FARMS	574.27
28601	CHRIS & RUTH LESOURD	90.90
28602	CONSUELO BLANCO	135.53
28603	SMOKEY POINT CONCRETE	594.86
28604	D&D GROCERY	114.53
28605	DIGICERT INC	2,871.89
28606	DIX W & JOYCE A BAKER	191.99
28607	DOUGLAS OTIS	103.82
28608	E&E LUMBER INC	160.09
28609	EJ USA INC	1,799.54
28610 - EDI	ELECTRONIC FEDERAL TAX PAYMENT	85,991.00
28611 - EDI	EMPLOYEES WELFARE & RECREATION	315.00
28612 - EDI	EMPOWER RETIREMENT	815.00
28613	EUROFINS EATON ANALYTICAL LLC	1,737.50
28614	FRED BREHMEYER	145.74
28615	GERALD & MARTINA OCONNELL-LL	66.40
28616	HARRIS COMPANY	3,380.76
28617	HOME DEPOT	653.88
28618	ICONIX WATERWORKS (US) INC	2,435.80
28619	JAIME PEREZ	215.00
28620	JON CADMAN	21.14
28621	KAYE- SMITH ENTERPRISES INC	755.83
28622	ANYTIME LABOR SEATTLE LLC	1,728.17
28623	LINDE GAS & EQUIPMENT INC	61.21

Date: 2/26/2024 Page - 2

Voucher	Claimant	Amount
28624	MARTIN MARIETTA MATERIALS	860.26
28625 - EDI	Mutual of Omaha	3,657.53
28626	NATIONAL SAFETY INC	1,759.45
28627	NORTH HILL RESOURCES	160.19
28628	NORTHSTAR CHEMICAL INC	5,150.20
28629	NORTHWEST CLEAN AIR AGENCY	180.00
28630	NURNBERG SCIENTIFIC	400.20
28631	PAPE MACHINERY INC	1,217.59
28632 - EDI	PAYMENTUS CORPORATION	15,233.58
28633	PLATT ELECTRIC SUPPLY	1,957.46
28634 - EDI	PRINCIPAL LIFE INSURANCE CO.	12,727.49
28635	PUGET SOUND ENERGY	23,454.89
28636	REISNER DISTRIBUTOR INC	238.00
28637	RYAN PRESSENTIN	98.23
28638	SABASTIAN SANTELICES	11.57
28639	SEATTLE PUMP & EQUIPMENT CO	526.71
28640	SHERRY & ZACHARIAH EMERY	196.78
28641	SKAGIT COUNTY FIRE MARSHALL	144.00
28642	SMART	1,157.31
28643	TACOMA SCREW PRODUCTS INC	195.69
28644	TIFFANY SULLIVAN	139.79
28645	UNITED WAY OF SKAGIT COUNTY	100.00
28646	WA STATE DEPT OF HEALTH	34,418.70
28647 - EDI	WA STATE DEPT OF REVENUE	117,598.89
28648 - EDI	WA STATE SUPPORT REGISTRY	844.89
28649 - EDI	WA STATE TREASURER	5,853.96
28650	ASTOUND BUSINESS SOLUTIONS LLC	370.35
28651	WESTERN CONFERENCE OF	21,467.43
28652	WESTLAND DISTILLERY CO LTD	6,651.23
28653	WOODS ACQUISITION CORP DBA	772.49

363,647.68

We, the undersigned Board of Commissioners of Public Utility District No. 1 of Skagit County, Washington, do hereby certify that the merchandise and /or services hereinafter specified have been received and are hereby approved for payment in the amount of \$1,505,182.09 this 5th day of March, 2024.

The total is comprised of the following:

Accounts Payable voucher No. from 28654 through 28712 in the amount of \$130,310.27, Electronic Funds Transfer in the amount of \$1,374,871.82. Payroll Electronic Funds Transfers and checks No. through in the amount of \$0.00.

Attest:

President

Manager

Vice - President

Auditor

Secretary

Date: 03/04/2024

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Varralaara	Claimant	A
Voucher	Claimant	Amount
28654	A-1 SHREDDING INC	105.00
28655	ALL PHASE ELECTRIC SUPPLY	203.07
28656	ALTUS TRAFFIC MANAGEMENT LLC	1,240.00
28657	AMBER ORMSBY	25.80
28658	AUTO ACCESSORY DIST. INC	249.50
28659	BADGER METER INC	1,471.76
28660	BIGFOOT'S DEN	113.45
28661 - EDI	COMER GC, INC.	1,369,478.21
28662	CORE & MAIN LP	6,326.54
28663	COSTCO WHOLESALE	120.00
28664	SMOKEY POINT CONCRETE	672.12
28665	CRYSTAL SPRINGS	163.20
28666	CUTTERS INC	725.33
28667	Choice Grounds Care	2,263.08
28668	WA ST DEPT OF TRANSPORTATION	2,612.58
28669	DOUGLAS A STREETER	3,200.00
28670	E&E LUMBER INC	152.04
28671	GRANT INVESTMENT CO	13.41
28672	HACH COMPANY	523.24
28673	HD FOWLER COMPANY INC	1,021.44
28674	HSI WORKPLACE COMPLIANCE	6,963.20
28675	ICONIX WATERWORKS (US) INC	11,990.85
28676	IWORKWISE	99.00
28677	JULIE MARIE GAGE	225.00
28678	KIMBALL MIDWEST	199.23
28679	LITHTEX NW	1,696.19

Date: 3/4/2024 Page - 2

Voucher	Claimant	Amount
	1	
28680	MAPLEHURST FARM LLC	3,500.00
28681	MOTOR TRUCKS INC	10,061.97
28682	HARRIS COMPUTER SYSTEMS	1,534.08
28683	NICHOLAS NEWTON	107.74
28684 - EDI	NORTHWEST ADMINISTRATORS	632.70
28685	AUTO VALUE	346.30
28686	NW SAFETY SIGNS	5,202.15
28687	ORKIN LLC	190.23
28688	PACIFIC SECURITY	341.81
28689	PLATT ELECTRIC SUPPLY	938.99
28690	POMP'S TIRE SERVICE INC	991.95
28691	PUGET SOUND ENERGY	1,954.08
28692	RH2 ENGINEERING INC	95.26
28693	SECURED HOLDINGS LLC	89.18
28694	SECURITY SOLUTIONS NORTHWEST	58.52
28695	SIENNA BURROUGHS	88.59
28696	SKAGIT COUNTY TREASURER	11,641.51
28697	SKAGIT VALLEY PUBLISHING	145.26
28698	SUMMIT LAW GROUP PLLC	397.00
28699	T-MOBILE	249.20
28700	TACOMA SCREW PRODUCTS INC	23.19
28701	TEAMSTER UNION LOCAL 231	4,119.34
28702	THE DRIFTMIER ARCHITECTS P S	37,721.15
28703	UNITED PARCEL SERVICE	19.18
28704	USABLUEB00K	125.83
28705	VERIZON WIRELESS	5,347.08
28706	WA STATE DEPT OF LABOR &	114.10
28707	WASHINGTON PUD ASSOCIATION	150.00
28708	ASTOUND BUSINESS SOLUTIONS LLC	145.42
28709	WASTE MANAGEMENT OF SKAGIT	1,880.04
28710	WOOD SOLUTION	80.98
28711	WOODS ACQUISITION CORP DBA	275.11
28712 - EDI	ZIPLY FIBER	4,760.91

1,505,182.09

AGENDA ITEM #6



1415 Freeway Drive | Mount Vernon, Washington 98273 | (360) 424-7104 | SkagitPUD.org

March 12, 2024 MEMORANDUM

TO: Board of Commissioners

FROM: Mark Handzlik PE, Engineering Manager

SUBJECT: 820 Trail Road Mixed Use Project Acceptance

Requested Action:

Acceptance of the 820 Trail Road Mixed Use Project

Background:

Name of Project: 820 Trail Road Mixed Use

Reference: Job ID: CP6628

Location: Sedro Woolley

Developer: 820 Trail Road LLC

Contractor: BYK Construction, Inc.

The District has approved the plans and specifications and has inspected the installation of the new water plant within the above project. The Engineering Department has received satisfactory pressure and bacteriological test results. All documentation for this project has been completed.

I recommend that the Commission accept this project.

Fiscal Impact:

None.

Enclosures: 1. 820 Trail Road Mixed Use Acceptance Map

820 Trail Road Mixed Use Project Acceptance



0 50 100 200 Feet

NAD 1983 StatePlane Washington North FIPS 4601 Feet
Author: wilson
2/9/2024

Awaiting Acceptance

Existing Main

Parcels

Job Identity: CP6628

This map was created from available public records and existing map sources, not from field surveys. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. The relative positioning of map features to one another results from combining different map sources without field verification.

The PUD #1 of Skagit County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either expressed or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold the PUD #1 of Skagit County harmless from any damage, loss, or place the purpose of the pu



AGENDA ITEM #7



1415 Freeway Drive | Mount Vernon, Washington 98273 | (360) 424-7104 | SkagitPUD.org

March 12, 2024 MEMORANDUM

TO: Board of Commissioners

FROM: Mark Handzlik P.E., Engineering Manager

SUBJECT: Trail Road Hotel Project Acceptance

Requested Action:

Project acceptance of Trail Road Hotel Project

Background:

Reference: Job ID: CP20575

Location: Sedro Woolley

Developer: Kin Investments LLC

Contractor: M&H Contracting LLC

The PUD has approved the plans and specifications and has inspected the installation of the new water plant within the above project. The Engineering Department has received satisfactory pressure and bacteriological test results. All documentation for this project has been completed.

Fiscal Impact:

None.

Enclosures: 1. Trail Rd Hotel Project Acceptance Map

Trail Road Hotel Project - P105129 Project Acceptance



0 50 100 200 Feet

NAD 1983 StatePlane Washington North FIPS 4601 Feet Author: wilson

Existing Main Parcels

Awaiting Acceptance

Job Identity: CP20575

This map was created from available public records and existing map sources, not from field surveys. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. The relative positioning of map features to one another results from combining different map sources without field verification.

The PUD #1 of Skagit County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either expressed or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold the PUD #1 of Skagit County harmless from any damage, loss, or liability arising from the use of this map.



P100469

AGENDA ITEM #10



1415 Freeway Drive | Mount Vernon, Washington 98273 | (360) 424-7104 | SkagitPUD.org

March 12, 2024 MEMORANDUM

TO: Board of Commissioners

FROM: George Sidhu, P.E., General Manager

SUBJECT: Temporary Water Rights Transfer - *Discussion*

Requested Action:

Discussion

Background:

There have been four drought declarations in Skagit County in recent years where Skagit PUD has temporarily transferred a portion of its water rights to Drainage and Irrigation Improvement District (DIID) #15 and Consolidated Diking Improvement District (CDID) #22 to be used for irrigation purposes. In each of these years, 2015, 2019, 2021, and 2023, the PUD applied for a Temporary Drought Change Authorization from the Department of Ecology (DOE) to facilitate the transfer for agricultural irrigation. The transfer is needed because DIID #15 and CDID #22 hold water rights that are interruptible during periods of low flows in the Skagit River, which does not allow them to irrigate their fields. This was the case during each of the four recent drought seasons.

There is mutual interest from DIID #15, CDID #22, and the PUD to organize a longer-term agreement that includes temporary water rights transfers in non-drought years. This will provide a secondary source of reliable water supply for both districts if the flow in the Skagit River falls below the minimum instream flow rule. There have been many discussions in recent months to work towards the longer-term agreement, but more work will be required to obtain approvals from DOE for a multi-year seasonal non-drought transfer. The PUD is committed to working towards this goal, but it is a more realistic goal for the 2025 irrigation season.

However, the 2023 drought is still in effect, and the ability of each district to adequately irrigate their fields this summer is in question. I recommend that we work towards another Temporary Drought Change Authorization from DOE to temporarily transfer PUD water rights to DIID #15 and CDID #22 for the 2024 irrigation season.

Through discussions with our local partners and stakeholders, the conditions of the 2024 temporary water rights transfers will differ from previous years. Highlights of the proposed new conditions include:

- The temporary water rights transfer period will begin on May 15 and end on or before October 1.
- Pumping can occur under the agreement at any time of day, regardless of the tidal condition, up to the maximum agreed-upon flow rate.
- A Skagit PUD metering device that records historical pumping data will be installed by Skagit PUD at each diversion point identified by this Authorization.
- Each district will compensate the PUD a "Water Transfer Fee" of \$5,000 for the 2024 irrigation season at each diversion location.

• The Water Transfer Fee will include all costs associated with the administration of the water transfers, a volume of 300 acre-feet to be used during the transfer period, and all equipment needed for the metering of the water that is pumped. Any water pumped over 300 acre-feet will be billed at \$13.50 per acre-foot.

Completing a temporary water rights transfer agreement for 2024 will provide water security to DIID #15 and CDID #22 for the upcoming irrigation season. Concurrently, the PUD will continue to work with the districts and DOE for a longer-term agreement that includes temporary water rights transfers during years when a drought is not declared. A draft agreement is attached detailing the terms and conditions of the 2024 drought water rights transfer.

Fiscal Impact:

The Water Transfer Fee will reimburse the PUD for all administrative costs, metering equipment, and the cost of the water being pumped. Therefore, the transfer agreement will have no financial impact on the PUD.

Enclosures: 1. 2024 DRAFT Interlocal DID 15 V4.0

INTERLOCAL AGREEMENT BETWEEN DRAINAGE AND IRRIGATION DISTRICT #15 AND PUBLIC UTILITY DISTRICT No. 1 OF SKAGIT COUNTY

THIS AGREEMENT is made and entered into this ______ day of ______ 2024, by and between Drainage and Irrigation Improvement District #15 of Skagit County, herein referred to as

RECITALS

"DIID #15" and Public Utility District No. 1 of Skagit County, herein referred to as "Skagit PUD"

- A. WHEREAS, legal and uninterruptible water withdrawals in the Skagit River watershed are a scarce and valuable resource; and
- B. WHEREAS, Skagit PUD recognizes the impact and value of robust agricultural productivity on the overall health of the community; and
- C. WHEREAS, DIID #15 is a special purpose district formed for drainage and irrigation improvement; and
- D. WHEREAS, DIID #15 owns water rights on the Skagit River that allow them to irrigate their agricultural fields, those rights are subject to the Skagit River Instream Flow Rule (WAC 173-503), and they are often unable to divert river flows during the summer months when irrigation is needed due to low river flows; and
- E. WHEREAS, on four prior occasions, Skagit PUD has transferred a portion of its available uninterruptible water rights to DIID #15 during state-declared droughts after determining that the water used for this purpose was not essential for Skagit PUD operations during the transfer period; and
- F. WHEREAS, DIID #15 benefits from a secondary source of reliable water during non-drought and drought conditions for its agricultural operations and planning; and
- G. WHEREAS, both Skagit PUD and DIID #15 benefit from the development and implementation of a longer-term agreement to temporarily transfer certain Skagit PUD water rights to DIID #15 for seasonal use between June 1 and October 1 of each year the agreement is valid; and
- H. WHEREAS, Skagit PUD has reviewed its historical operational and water demand scenarios from May 15 to October 1 and determined that a portion of its uninterruptable water rights are available over the next three years for temporary, seasonal use by DIID #15; and
- I. WHEREAS, Skagit PUD endeavors to provide all customers within its retail service area with water where feasible, with the clarification that customers with permanent metered services are Skagit PUD's first priority; and
- J. WHEREAS, it is essential for Skagit PUD to establish reasonable and defendable water rates for the use of the water rights; and
- K. WHEREAS, DIID #15 and Skagit PUD are each independently authorized by law to conduct such activity; and,
- L. WHEREAS, RCW 39.34.080 authorizes a public agency to contract with another public agency to perform any governmental service, activity, or undertaking that each public agency is

authorized to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and,

- M. WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities, including an agency of state government, on the basis of mutual advantage. In addition, under the authority of the Interlocal Cooperation Act, specifically RCW 39.34.030, public agencies, such as the parties, may enter into Interlocal Agreements such as this one; and,
- N. WHEREAS, it is necessary for DIID #15 and Skagit PUD to enter into an agreement setting forth the terms, conditions, and requirements for completing a temporary, seasonal water rights transfer.

AGREEMENT

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the Parties agree as follows:

STATEMENT OF WORK

- 1. The parties agree the sequential steps of the temporary drought change authorization are as follows:
 - i. <u>Temporary 2024 Drought Change Authorization</u>. Skagit PUD will prepare an "Application for Change/Transfer of a Water Right" for submittal to the Washington State Department of Ecology (Ecology). The application will request authorization for DIID #15 to divert surface water in 2024 during state-declared drought conditions from the Skagit River from May 15, 2024, to October 1, 2024. The diversions must occur at their previously established diversion points (shown in the attached figures) in the following amounts and are over and above those permitted in DIID #15's interruptible water rights.
 - (1) Maximum instantaneous rate of 2,500 gallons per minute (5.57 cfs)
 - (2) Maximum total withdrawal of 1,000 acre-feet

DIID #15 shall comply with all lawful conditions of the application and Ecology authorization documents.

Skagit PUD will make a reasonable attempt to obtain Ecology authorization for the proposed drought-related water rights changes but cannot guarantee such approvals.

The following conditions are a requirement of this agreement and will be included in the applications. Additional conditions may be required by Ecology and may change from year to year:

- (1) Water use under this Authorization can occur at any time of day, regardless of the tidal condition, up to the maximum agreed-upon flow rate.
- (2) A Skagit PUD metering device that records historical pumping data will be installed by Skagit PUD at each diversion point identified by this Authorization in accordance with the rule "Requirements for Measuring and Reporting Water Use," Chapter 173-173 WAC.
- (3) Detailed written records do not need to be kept. All data, including pumping flow rates, totalizer meter readings, and total volumes at 15-minute increments, will

be collected by Skagit PUD and provided to any interested stakeholders and partners.

ii. Duration

Surface water withdrawals by DIID #15 will be from May 15, 2024, and ending on or before October 1, 2024.

iii. Payment by DIID #15 to Skagit PUD

DIID #15 agrees to compensate Skagit PUD a water transfer fee of \$5,000 for the seasonal use of PUD water rights in 2024 at each diversion location, which must be paid before May 15. The compensation includes the following:

- (1) Administrative fee for Skagit PUD staff to manage the water rights transfers and the data.
- (2) Volume of 300 acre-feet of water to be used during the water rights transfer period. Any volume pumped over 300 acre-feet will be billed to DIID #15 at \$13.50 per acre-foot.
- (3) Meter installation and maintenance fee for a single diversion location. There will be an additional fee of \$1,000 for each added diversion location to account for the extra metering equipment.

The water meter and telemetry equipment shall be installed, owned, and maintained by Skagit PUD, similar to other metered customers. Skagit PUD will remove the equipment at the end of the irrigation season. DIID #15 can install their metering equipment on the diversions for their operations, but only the Skagit PUD meter will be used to determine the total volume pumped.

The Water Transfer Fee must be paid by May 15, but the charges for any additional volume pumped over 300 acre-feet will be billed at the end of the irrigation season and must be paid by December 1.

iv. Penalties for Non-Conformance

In the event that a maximum flow rate is exceeded during the seasonal pumping window or pumping occurs outside of that window, based on the information provided by the metering equipment, all withdrawals under this Agreement shall stop immediately and will not resume until an investigation determines the cause. If there is evidence of negligence or intentional unauthorized withdrawals, a monetary penalty will be imposed by Skagit PUD upon DIID #15 of \$XXX per day of non-compliance. DIID #15 agrees to pay all lawful regulatory monetary penalties arising from non-compliance to which Skagit PUD is subject caused by DIID#15.

v. <u>Interruption of Service</u>

In the event of a declared operational emergency by the Board of Commissioners where Skagit PUD requires the flexibility to use its full uninterruptible water right to serve its other customers with permanent metered services, the seasonal water rights transfer to DIID #15 may be reduced or canceled until the issues are resolved, and the emergency canceled.

AGREEMENT EXTENSION

2. The Statement of Work above is specific to the 2024 state-declared drought conditions. Skagit PUD intends to offer this temporary authorization for future years unrelated to a drought declaration, but the terms and conditions of those transfers cannot be clearly described at this time. These future transfers are expected to have terms and conditions similar to this agreement. However, there may be additional fees or operational conditions for which DIID #15 may be responsible.

Skagit PUD will endeavor to complete the non-drought seasonal transfers by the 2025 irrigation season but cannot guarantee such timelines.

INDEPENDENT CAPACITY

3. The officials, employees, and agents of each party who are engaged in the performance of this Agreement shall continue to be officials, employees, or agents of that party and shall not be considered for any purpose to be officials, employees, or agents of the other party.

LEGAL RELATIONS

4. Neither party shall be liable for damage or claims that arise from or relate to the performance or non-performance of this Agreement by the other party. Each party shall be responsible only for the negligent acts and omissions of its own officers, employees, and agents, and no party shall be considered the agent of the other. Each party, by entering into this Agreement, does not waive or relinquish any of their statutory rights.

INDEMNIFICATION

5. DIID #15 agrees to defend, indemnify, and hold the Skagit PUD harmless from any and all claims, demands, losses, and liabilities to or by third parties arising from, resulting from, or connected with work performed or to be performed under this Agreement by DIID#15, its agents, employees, and subconsultants, even though such claims may prove to be false, groundless or fraudulent, to the fullest extent permitted by law.

ASSIGNMENT

6. Neither party shall assign or convey its interests or obligations under this Agreement without the written consent of the other. There are no third-party beneficiaries of this agreement. DIID #15 cannot transfer, sell, or otherwise convey any of the water rights included in this agreement to any other parties.

DISPUTES

7. It is expected that any conflicts arising out of the implementation of this Agreement will be resolved at the staff level. In the event that issues cannot be resolved by staff in a timely fashion,

the parties agree to elevate the dispute through equivalent management levels of each party and, if necessary, to the Skagit PUD general manager and the DIID #15 commissioners.

If a dispute cannot be resolved in the manner described above, the resolution of the dispute shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, contract terms, and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto.

AMENDMENT

8. This Agreement shall be amended only by written mutual agreement of the parties. Any of the parties may initiate amendments to this agreement, but amendments shall not be considered until the first year of the Agreement has passed. Amendments will become final after written agreement by all parties and appropriate signatories are executed.

TERMINATION

9. This Agreement is effective from the date of signature by all parties and remains in effect until modified by written mutual agreement, termination, or completion of the seasonal water rights transfer, including satisfaction of all terms and conditions by DIID #15.

CONTACTS

10. The contacts for each party shall be responsible for and shall be the contact person for all notices and communications regarding the performance of this Agreement.

Public Utility District No. 1

Bill Trueman
Engineering Supervisor
Public Utility District No. 1 of Skagit County
1415 Freeway Drive
Mount Vernon, WA 98273
(360) 848-2151
trueman@skagitpud.org

Drainag	ge and Irrigation Improvement District #15
	Name:
	Drainage and Irrigation Improvement District #15 of Skagit County

GOVERNANCE

11. This Agreement is entered into and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws.

In the event of an inconsistency in the terms of this Agreement or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable state and federal constitution statutes and rules;
- Statement of work: and
- Any other provisions of the Agreement, including materials incorporated by reference.

WAIVER

12. The failure to seek redress for violation of, or to insist upon the strict performance of, any covenant or condition of this Agreement shall not prevent a subsequent act that would have originally constituted a violation from having the effect of an original violation.

SEVERABILITY

13. If any provision of this Agreement, or any provision of any document incorporated by reference, shall be held by a court of competent jurisdiction to be invalid, the remainder of this Agreement, and such, will remain in full force and effect.

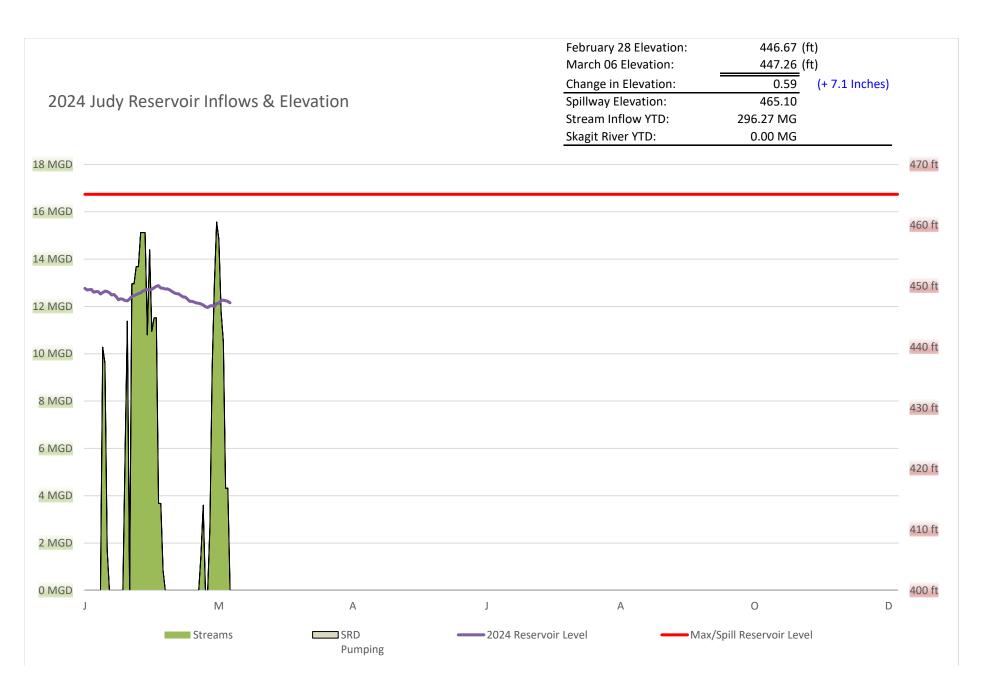
ALL WRITINGS CONTAINED HEREIN

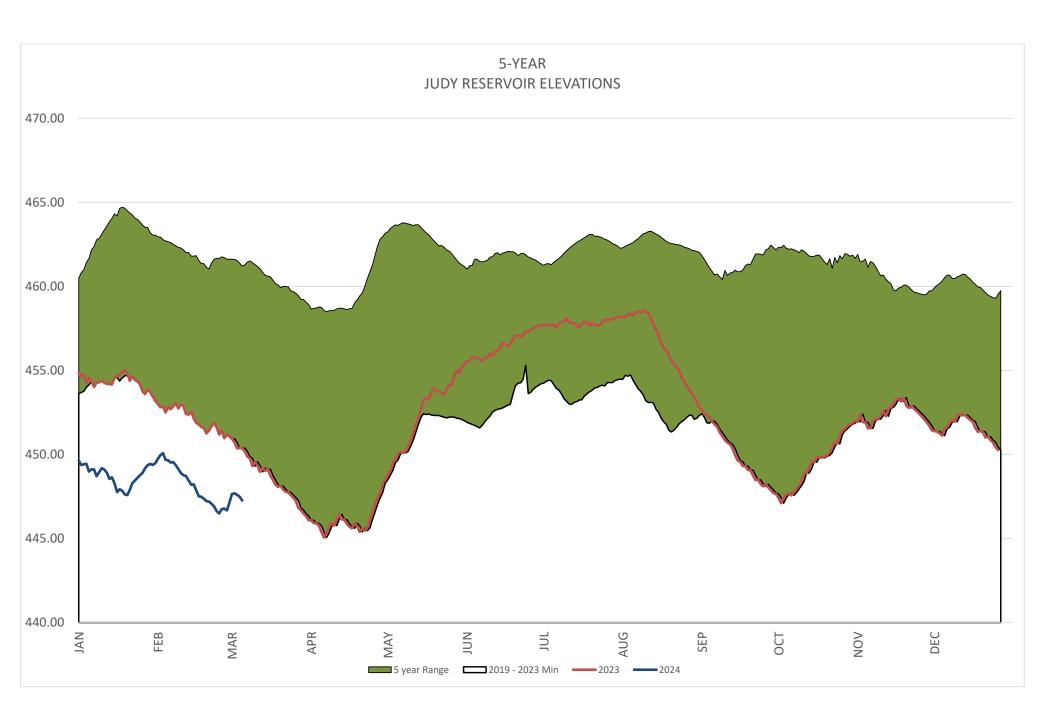
14. This Agreement, including its exhibits, constitutes the entire agreement between the parties regarding the project and supersedes all prior agreements and understandings between the Parties relating to the subject matter of the Agreement. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

ADDITIONAL PROVISIONS

- 15. This Agreement does not create any separate legal entity, create any joint organization, establish any common budget, nor authorize the joint acquisition of any personal or real property.
- 16. This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original, but any number of which, taken together, will be deemed to constitute one and the same instrument.
- 17. This Agreement, and all of the terms contained herein, are non-precedent setting and shall have no bearing or influence on any discussions or negotiations for the future temporary transfer of water rights.

DATED this,	2024.
Drainage and Irrigation Improvement District #15	of Skagit County
By: Commissioner Position #	
PUD No. 1 of Skagit County	
George Sidhu, P.E., General Manager	_
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Guest Column | March 7, 2024

How Much Energy Can Hydro Turbines In Water Pipes Generate?

By Emily Newton

As interest grows, real-world examples of energy generated within water pipes is confirming the viability of this innovative practice.

Hydro turbines are critical infrastructure components, creating energy from moving water. As people continue exploring feasible ways to reduce fossil fuel dependency, some wonder if they could make hydropower from drinking water. Combining an in-pipe hydro generator with existing water networks could become an energy-generation option.

How realistic is it for mini hydro turbines to become energy generators? Although this usage of water pipes is not widespread, more decision-makers are open to the idea, and some are testing it to learn more about the potential benefits and challenges.



Mini Hydro Turbines Succeed In Washington

Mount Vernon, Washington's Skagit Public Utility District, has used an in-pipe hydro generator since 2020, allowing the organization to offset its pumping station costs. That decision has resulted in measurable payoffs. The system runs for about 20 hours daily, generating about 16-18 kilowatts of electricity.¹

General Manager George Sidhu said this approach offsets about \$1,000 in monthly utility costs, and the technology will pay for itself in about eight years. Plans are also underway to use hydropower from drinking water to support other energy needs in the surrounding area, including at a high school.

The Skagit Public Utility District uses a commercial solution from InPipe Energy, one of the main companies offering products in this space. Its product bypasses or replaces the pressure relief valves in all gravity-based and pressurized water systems. Those valves ensure the water from pumping stations or reservoirs is at the correct pressure for customers in homes and businesses to use it. InPipe Energy's products use friction as a pressure regulator, along with a microturbine and in-pipe hydro generator. The turbine spins as water flows, powering a generator that creates electricity. These key components are also inside a box, making the installation process easy and quick.

InPipe Energy's representatives can also take potential clients through a seven-step process of identifying their current infrastructure's suitability for the technology and assessing how much energy they should expect to generate after installing it. Those details can help people make well-informed decisions and aid them in applying for grants.

Researchers Explore Getting Hydropower From Drinking Water

Some people have also examined how mini hydro turbines fit into net-zero energy strategies. Since the late 20th century, tidal power has emerged as an alternative energy source, deployed in countries including Scotland and Canada.² It's no surprise people have looked at other types of water-associated energy and tried to tap into them. After all, many innovations come from individuals willing to push the boundaries of what others thought possible.

In one case, researchers looked at how mini hydro turbines could become part of a university building's net-zero energy in Pakistan.³ It was a 4,800-square-foot, three-story structure where most energy usage stemmed from passive heating and cooling systems.

The researchers proposed an in-pipe hydro generator based on a rooftop water tank supplying the entire university. This setup would have vertical pipelines running from the rooftop to the ground, with turbines installed 1 foot apart within that infrastructure.

The team planned to have 23 turbines per pipe, each with an effective head of 1 foot. They also incorporated noise dampeners around each pipe to compensate for the sounds generated as the system operated. Moreover, an energy management system supported the system's cost-effective operations.

Calculations about the water reservoir's height and the pipes' diameters suggested the system would reach a maximum water discharge velocity of 10.45 meters per second and a flow rate of 230.9 liters per second. Experiments showed the system generated 168 watts of mechanical power when moving at 250 rotations per minute.

While exploring the methods of getting hydropower from drinking water, the researchers combined their in-pipe turbines with a solar power system. They found the two components collectively gave the best energy-generation results.

Many people don't consider hydropower a renewable energy source, even outside Pakistan. For example, it accounts for approximately 7% of the power generated in the U.S., although there's more work to do in adopting it.⁴ However, experiments like this one show the potential of integrating it into existing buildings, supporting other energy-saving initiatives. Such results could encourage people to be more open-minded about the possibilities.

California Municipality Chooses In-Pipe Hydro Generator

In California, representatives from the East Bay Municipal Utility District (EBMUD) became interested in whether mini hydro turbines could replace an existing water pressure regulator while simultaneously generating electricity for the area.

Estimates suggested using it could generate approximately 130,000 kilowatt-hours of electricity per year.⁵ Additionally, the system should offset almost 6 metric tons of carbon dioxide emissions, helping EBMUD achieve its aspirations of becoming carbon neutral by 2030.

Since 2000, EBMUD has gradually cut its carbon emissions through various efforts. Those include hydropower reliance, plus biogas, solar energy, and efficiency upgrades through improved or replaced equipment. However, EBMUD's board members liked how this inpipe hydro generator would support the municipality's dual mission of cutting emissions while providing clean water for its 1.4 million customers.

This case study proves people can pursue multiple aims using mini hydro turbines. That reality could make decision-makers more open to these options, showing they're worth the money and effort to install. When interested parties can show data suggesting the technology will meet several goals, it should be easier for them to acquire funding and approval to move forward.

Similarly, once other leaders see good results from parties pioneering the use of in-pipe hydro generator solutions, they'll become motivated to explore those options, too. Once that happens, there will be a collective push toward viewing hydropower as a viable energy source. Plus, putting the turbines inside existing pipes is a space-saving possibility that should keep costs down.

Irish Startup Examines the Potential of Mini Hydro Turbines

Sometimes, efforts to get hydropower from drinking water occur after those involved have been on significant, relevant journeys that helped them reach that point. Such was the case with Easy Hydro, an Irish startup launched by Dr. Daniele Novara. Following his university education in energy management, business, and energy engineering, Dr. Novara was selected along with six others to participate in a European Commission-hosted hydropower workshop.

That event helped Dr. Novara learn about recent innovations, ultimately informing his decision to create the startup. Easy Hydro's solutions stand out because they're off-the-shelf products that do not require a water reservoir to work.

Novara pointed out that getting hydropower from drinking water is an excellent energy recovery method because excess pressure generally dissipates as heat and noise. Capturing it for energy generation is a practical, eco-friendly possibility. The ideal customers for Easy Hydro's technology are water-intensive sectors, such as food processing, irrigation, and mining. All those already have extensive pipe networks well-suited for adding miniature turbines.

The Easy Hydro system generates up to 600 kilowatts of energy, or enough to cover the needs of 300 households. When exploring the potential for getting hydropower from drinking water within the European Union alone, Novara said his company's solution could create 2 gigawatts of energy if installed within all pipes. That's the equivalent of a large nuclear power station.

The company's solution relies on standard water pipes operating in reverse mode. Novara said his turbines are less expensive and easier to maintain than standard ones. Plus, the system is easy to scale, opening possibilities for installing several throughout a chosen area.

Treating Water Pipes As Energy Generators

These real-world examples show plenty of potential for installing mini turbines inside existing water pipes. Such evidence will be critical in raising people's confidence in this newer technology, showing how such investments can pay off and become part of renewable energy and emissions-reduction plans.

References:

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- 6. https://www.siliconrepublic.com/start-ups/easy-hydro-trinity-spin-out-waterturbines-renewable-energy

About The Author

Emily Newton is an industrial journalist. She regularly covers stories for the utilities and energy sectors. Emily is also editor in chief of Revolutionized (<u>revolutionized.com</u>).





EIN Presswire | Newsmatics

Micro-hydropower technology enables cities and industries to harness renewable energy from water pipelines

NEWS PROVIDED BY EIN Presswire Feb 22, 2024, 11:18 AM ET

InPipe Energy White Paper describes cutting-edge technology that generates 60% more renewable energy from water pipelines.



SAN FRANCISCO, CALIFORNIA, UNITED STATES, February 22, 2024

/EINPresswire.com/ -- Water utilities, industrial facilities, and other large water users spend up to 40 percent of their annual budget on energy, much of which is used to move water. However, by converting control valves into micro power generators, InPipe Energy has created a patented technology that generates baseload energy and simultaneously can save water and decarbonize aging infrastructure.

The product developed from years of innovation and expertise in water-energy

"

The release of the HydroXS
White Paper marks a
significant milestone in our
journey to support
organizations that pump
water in their energy
conservation efforts"

Gregg Semler, president
 and CEO of InPipe Energy

solutions, InPipe Energy's HydroXS empowers water users striving toward sustainability and cost-efficiency to capture pressure typically wasted in water pipelines and convert it into carbon-free electricity. To inform utilities and industry about this technological advancement, InPipe Energy has released its first technical white paper.

"The release of the HydroXS White Paper marks a significant milestone in our journey to support organizations that pump water in

their energy conservation efforts," stated Gregg Semler, president and CEO of InPipe Energy. "A key challenge in implementing energy recovery with water pipelines is due to the variability of flowing water in the majority of water pipelines in the world. The white paper is our first technical description of how the HydroXS addresses this challenge with its variable speed operating system."

American water utilities have already begun to reduce their carbon footprint and generate energy onsite by implementing the HydroXS in their potable water pipelines. In Mount Vernon, Washington, Skagit Public Utility District installed the HydroXS alongside the District's pressure relief valves in July 2021. Harnessing the immense pressures in the district's water pipeline, the HydroXS produces 104,000 kilowatt-hours annually, which will reduce energy costs and eliminate 728 tons of CO2 over its lifetime. The district is on track to see a less than three-year payback period on their investment.

"We're excited about this project ... because it allows us to recapture a lot of the energy that's already within our system and use that energy to offset operational costs. At the same time, it allows us to tap into a sustainable energy source for a lot of our energy needs," said George Sidhu, P.E., general manager at Skagit PUD.

The white paper further illuminates how the HydroXS system eclipses single-speed turbine energy generation by 60 percent with advanced variable-speed turbine technology, which predicts and adjusts its operations based on incoming pressure and water flow. The HydroXS White Paper also includes how water utilities, and the most energy intensive industries can seamlessly integrate the HydroXS with their existing water infrastructure to deliver immediate and long-term economic benefits.

To read the HydroXS White Paper and learn more about how InPipe Energy is redefining renewable energy, visit https://inpipeenergy.com/resources/.

About InPipe Energy

InPipe Energy is on a mission to help the world practically and economically decarbonize by creating new clean energy resources from existing water pipeline infrastructure. Our flagship product, the HydroXS® combines micro-hydropower technology with controls that are easily integrated into existing or new infrastructure to harvest excess water pressure and convert it to clean, low-cost electricity. InPipe Energy provides a turnkey process to support water managers eager to be more efficient, sustainable and resilient. InPipe Energy works with utilities to secure funding to cover the cost of these projects. For more information or to receive your water system, energy generation, and carbon reduction

assessment, visit www.inpipeenergy.com.

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