



**East Dakota Water Development District
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**MINUTES
April 19, 2012**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on April 19, 2012, at the Big Sioux Community Water System Office, 23343 479th Avenue, Egan. Chairman Jarrett called the meeting to order at 9:35 a.m. The following persons attended:

Directors Present

Lois Brown
Mary Ellen Connelly
Vincent Flemming
Martin Jarrett
Kay Kassube
Roger Scheibe
Jerry Soholt
John Weidler

Others Present

Pat Anderson, Northern Prairies Land Trust
Sol Brich, Central Big Sioux River Watershed Project
Mark Fairchild, LaRouche PAC
Shirley Flemming, Florence
Todd Kays, First District Association of Local Governments
Troy Larson, Lewis & Clark Regional Water System
Harvey Shafer, Moody County Conservation District
Tim Spade, Flandreau Santee Sioux Tribe
Rick Veldkamp, Moody County Conservation District
Liz Wakeman, Flandreau Santee Sioux Tribe

Directors Absent

none

Staff Present

Jay Gilbertson

Administrative Items

Approval of Agenda - The Manager requested two additions to the meeting agenda. Under project Updates, a presentation on the North American Water and Power Alliance, and under Project Assistance Requests the CAFO Siting Pilot Project from the First District Association of Local Governments.

Motion by Soholt, seconded by Weidler to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the March 15, 2012, meeting.

Motion by Connelly, seconded by Flemming to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the March 2012 Financial Report.

Motion by Soholt, seconded by Scheibe to accept the March 2012 Financial Report. Motion carried unanimously. Chairman Jarrett then asked that the report be placed in the District files.

Report of Meetings and Conferences - Director Brown attended an informational meeting on winter application of manure on March 15 in Sioux Falls.

Directors Brown and Connelly attended the Sioux Empire Water Festival at the University of Sioux Falls on March 19.

Director Weidler attended the March 20 meeting of the Miner County Commission in Howard and the Big Sioux Community Water System Annual Meeting in Chester on April 3.

Chairman Jarrett attended a meeting of the Lake County Clean Water Committee on March 29 in Madison.

Director Flemming attended the Lake Pelican Water Project District meeting in Watertown on April 18.

The Manager briefly commented on the following meetings he attended:

1. March 15 - Sioux Falls. Winter manure application research discussion.
2. March 19 - Brookings. Sioux Valley County Commissioners Group.
3. March 20 - Howard. Miner County Commission.
4. March 21 - Webster. South Dakota Association of Towns and Townships (SDATAT) Joint Roberts/Day/Marshall Counties Township Supervisors.
5. March 27 - Bath. SDATAT Brown County Township Supervisors.
6. March 28 - Sioux Falls. South Dakota Corn Growers Association Board of Directors.
7. March 29 - Lake Norden. First District Association of Local Governments.
8. March 30 - Colman. Central Big Sioux River watershed Project informational meeting.
9. March 30 - Sioux Falls. SDATAT Minnehaha County Township Supervisors.
10. April 3 - Watertown. SDATAT Codington Supervisors.
11. April 5 - Pierre. South Dakota Association of Rural Water Systems Board of Directors.
12. April 9 - Arlington. Kingbrook Rural Water System Annual meeting.
13. April 10 - Howard. Miner County Commission.
14. April 18 - Milbank. Lake region Co8unty Commissioners Group.

Upcoming Meetings -

1. April 21 - 2:00 p.m. - Public Library, Watertown. Dakota Water Watch (DWW) training session.
2. April 25 & 26 - Mitchell. South Dakota Association of Rural Water Systems (SDARWS) Managers Group Meeting. Also Quality On Tap magazine Editorial Board.
3. April 27 - 11:00 a.m. - Lake Area Technical Institute, Watertown. LATI Environmental Technician Program Advisory Board.
4. May 1 & 2 - McCrory Gardens Conference Center, Brookings. 319 Watershed Projects Coordinators Meeting.
5. May 5 - 2:00 p.m. - Lake Poinsett. DWW training session.
6. May 8 - 9:00 a.m. - South Dakota State University, Brookings. 20th Big Sioux Water Festival.
7. May 17 - 9:30 a.m. - EDWDD Office, Brookings. May EDWDD Board of Directors Meeting.

The Manager noted that with the changes approved by the 2012 South Dakota Legislature, the formal District budget hearing would be held on September 20 this year. As the September meeting is scheduled to be held in Milbank, he suggested switching the locations of the August and September meetings, so that the budget hearing would be in a more central location.

Motion by Brown, seconded by Kassube to hold the August 16, 2010, Board meeting in Milbank, and the September 20 Board meeting in Brookings. Motion carried unanimously.

Payment Requests - Town of Stockholm - The Manager presented a payment request from the Town of Stockholm. At the August 2010 meeting, the Board awarded project assistance funds to the Town of Stockholm to complete an engineering assessment (facility plan) of the community's waste water collection and treatment system. Specifically, the Board agreed to cover ten percent (10%) of costs of each study, up to a cap of \$750. The work has been completed, and the community has requested full payment of the pledged District support, \$750. He noted that the paperwork was in order, and the Town qualified for the full amount of the award.

Motion by Soholt, seconded by Connelly to approve payment of \$750 to the Town of Stockholm as requested. The Manager noted that this payment would complete the District's obligation to this effort. Motion carried unanimously.

Prairie Meadows Sanitary District - The Manager presented a payment request from the Prairie Meadows Sanitary District. At the December 2011 meeting, the Board awarded project assistance funds to the Prairie Meadows Sanitary District to complete engineering assessments (facility plans) of the community's waste water collection and treatment system, drinking water distribution system and storm water management. Specifically, the Board agreed to cover ten percent (10%) of costs of the total costs, up to a cap of \$3,500. The work has been completed, and the community has requested full payment of the pledged District support (\$3,500). He noted that the paperwork was in order, and the Sanitary District qualified for the full amount of the award.

Motion by Flemming, seconded by Brown to approve payment of \$3,500 to the Prairie Meadows Sanitary District as requested. The Manager noted that this payment would complete the District's obligation to this effort. Motion carried unanimously.

Director Area 5 Vacancy - The Manager requested authorization to re-initiate the process of filling the vacancy in Director Area 5. The vacancy had been advertised earlier in the year, and no nominating petitions had been filed. He proposed setting a deadline of June 14, 2012, for nominating petitions to be filed at the District office, with Board action to fill the vacancy at the June 21, 2012, meeting in Brookings. He noted that the appointed director would serve a two and one-half year term, which will expire on December 31, 2014.

Motion by Weidler, seconded by Scheibe to authorize publication of the Notice of Vacancy; to require that all applicants for the vacancy submit their petitions to the EDWDD office no later than 5:00 p.m. on June 14, 2012; and to set the June 21, 2012, Board meeting as the time to appoint a new Director for Area 5 from those that submit valid petitions. Motion carried unanimously.

Equipment Purchase - The Manager requested Board authorization to purchase a video projector. He estimated the cost to be roughly \$650.

Motion by Brown, seconded by Kassube to authorize the purchase of a new video projector. Motion carried unanimously.

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Troy Larson, Executive Director for the Lewis and Clark Regional Water System, presented a summary of recent project efforts and activities. Construction is currently 65% complete. Seven production wells are complete, and five more are nearing completion. There are 129 miles of pipeline in the ground, along with reservoirs, pump stations water towers and meter buildings. The water treatment plant north of Vermillion will be operational in early summer, at which time eleven system members will begin receiving water at that time.

Unfortunately, uncertainty about adequate federal funding raises doubts about significant near-term progress. To date, all local system members and three states have pre-paid \$153,600,000 (99.7% of non-federal cost share), which has been spent or pledged to current activities. Federal funding is significantly behind, with \$194,000,000 remaining. With only \$5,400,000 coming in federal fiscal year (FFY) 2012, and \$4,500,000 in FFY 2013, the project will fall further behind. Mr. Larson noted that inflation added roughly \$8,500,000 to project costs this year. In an effort to improve federal support, Mr. Larson and the LCRWS Board are soliciting statements of support from various regional stakeholders. He presented the Board with a draft motion of support for increased and expedited federal funding, and asked for their support.

Motion by Scheibe, seconded by Kassube that the EDWDD takes the position of urging the exclusion of authorized rural water projects and programs from the earmark ban. Further, that the EDWDD takes the position of urging the United States Congress to do whatever it can to increase federal funding for the Lewis & Clark Regional Water System in the FY13 Budget from the \$4.5 million proposed by the Administration, and that Congress approves the \$23 million in construction funding proposed for Mni Wiconi in the Administration's FY13 Budget. Lastly, that the EDWDD takes the position of urging the Administration to increase proposed funding for the Lewis & Clark Regional Water System in the upcoming FY14 Budget, and to that end if Mni Wiconi's authorization is not expanded that the construction funding they were receiving be maintained in the Bureau of Reclamation's rural water program for the FY14 Budget. In support of these positions, the EDWDD will work with the SD congressional delegation, National Rural Water Association and the appropriate federal agencies through both public and private channels. Motion carried unanimously.

Project Assistance Requests

Transfer of Sponsorship of the East Dakota Riparian Area Restoration and Protect Project - The Manager presented the Board with a proposal to formally transfer primary sponsorship of the East Dakota Riparian Area Restoration and Protect Project (Project). The Project, intended to restore and protect the beneficial uses of impaired water bodies within the Minnesota, Big Sioux, and Vermillion River basins in the East Dakota Water Development District by promoting and implementing riparian conservation easements to reduce sediment loading and prevent bacterial contamination. The District initiated the Project in late 2010, but the effort has been on hold while other riparian easement programs have been explored. With the approval of the District's Wetland Reserve Enhancement Program (WREP) project (see below), the Manager believes that this activity would be best handled by Northern Prairies Land Trust (NPLT), which has been the District's primary partner in riparian easement projects. The District would still provide the necessary matching funds (\$160,820) for the Project, but NPLT would handle day-to-day operations.

Patrick Anderson, NPLT Executive Director, indicated that the NPLT Board of Directors had agreed to accept the project, and that they looked forward to continued cooperative efforts with the District. The

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Manager stated that the South Dakota Department of Environment and Natural Resources (DENR), with whom the District currently has a contract for the Project, has approved of the transfer.

Motion by Brown, seconded by Kassube to authorize the transfer of the sponsorship of the East Dakota Riparian Area Restoration and Protect Project to the Northern Prairies Land Trust, and to obligate \$160,820 of District riparian easement project assistance funds toward the activity. Motion carried unanimously.

EDWDD Riparian Area and Wetland Restoration and Protection Project - The Manager reported that he had received word from the United States Department of Agriculture that the District's application for support under the Natural Resources Conservation Service (NRCS) Wetlands Reserve Enhancement Program (WREP) had been approved for 2012. The EDWDD Riparian Area and Wetland Restoration and Protection Project will apply WREP funding to enroll 1,000 acres of riparian area wetlands in within the District into long-term (30 year) or permanent easements. The easements are paid for and held by NRCS. The local match requirement was for twenty percent of the restoration costs of the acres enrolled (\$49,910). NRCS is making \$2,239,200 of WREP funds available.

The Manager requested that the Board formally obligate the necessary matching funds for the project, to be taken from the riparian easement pool of project assistance funds.

Motion by Scheibe, seconded by Weidler to authorize the acceptance of the NRCS WREP award for the EDWDD Riparian Area and Wetland Restoration and Protection Project, and to obligate \$49,910 of District riparian easement project assistance funds toward the activity. Motion carried unanimously.

Central Big Sioux River Watershed Project II - The Manager reviewed District support of the Central Big Sioux River Watershed Project (Phase II). When the Project was in development, he had suggested two activities that the District would support - water quality monitoring and a repeat of the 2006 public opinion survey of attitudes about the Big Sioux River. The water quality monitoring is a continuation of District efforts dating back to 1999, when the original watershed assessment began. Monitoring takes place at about a dozen sites along the Big Sioux River from Watertown to Brandon, along with one site on Skunk Creek. The survey is intended to assess the status and any changes in public perception about water quality issues and the river. The results of each activity will provide useful information in the ongoing effort to address water quality issues in the basin.

He requested formal obligation at this time of \$5,000 to support the collection and analyses of water quality samples during the 2012 field season. He noted that he expected to have a similar request at the May meeting for the public opinion survey.

Motion by Scheibe, seconded by Connelly to provide \$5,000 in District cost-share assistance funds to support water quality sampling and analysis as part of the District support of the Central Big Sioux River Watershed Project II. Motion carried unanimously.

Concentrated Animal Feeding Operations (CAFO) Siting Tool Pilot Project - Todd Kays, Executive Director of the First District Association of Local Governments (FDALG), presented the Board with a proposal to conduct a pilot project to identify those areas in selected counties that would meet the basic siting requirements for state and county regulations, as well as being close enough to necessary infrastructure, such

as water, roadways and power. The end result would show those areas within a given county that would represent optimal sites for large concentrated animal feeding operations (CAFOs). He stated that the project was scheduled for completion by mid-September 2012.

The Manager noted that with the recent decision by Bel Brands USA to locate a production facility in the City of Brookings, along with the general growth in the dairy industry, there is going to be a clear demand for new dairy operations, along with expansion of existing facilities, all along the I-29 corridor. This same area is underlain by shallow aquifers that provide the majority of drinking water to the citizens of the area, and county governments across eastern South Dakota have developed siting criteria designed to both protect these critical resources, while allowing for sound economic development. The proposal was for the development of maps using FDALG geographic information system (GIS) tools for Brookings and Moody Counties. These counties were selected because of the proximity to the City of Brookings/Bell Brands facility.

Chairman Jarrett expressed concern about potential security issues if specific infrastructure facilities would be mapped. Mr. Kays noted that they did not intend to show actual power lines or water lines, but would instead show area within a certain distance of such features. Bundling several utilities would remove the ability to locate specific individual features.

Motion by Soholt, seconded by Flemming to provide a grant of \$6,000 in District cost-share assistance funds to FDALG to support the CAFO siting pilot project as requested. Motion carried unanimously.

Area Water Resource Project Updates

Moody County Conservation District - Harvey Shafer, District Manager for the Moody County Conservation District, briefed the Board on their current activities.

Central Big Sioux River Watershed Project II - Sol Brich, Project Manager for the Central Big Sioux River Watershed Project (Phase II), reviewed current activities of the Project.

Flandreau Santee Sioux Tribe Department of Natural Resources - Tim Spade, Water Quality Specialist for the Flandreau Santee Sioux Tribe's Department of Natural Resources, briefed the Board on the activities of his office.

North American Water and Power Alliance - Mark Fairchild, LaRouche Pac, briefed the Board on the development regarding the North American water and Power Alliance project.

Adjournment

There being no further District business, Chairman Jarrett declared the meeting adjourned at 12:25 p.m.

Roger Scheibe, Secretary

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