



**East Dakota Water Development District**  
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**MINUTES**  
**February 19, 2009**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on February 19, 2009, at the EDWDD office in Brookings. Chairman Eggers called the meeting to order at 9:05 a.m. The following persons attended:

**Directors Present**

Lois Brown  
Curt Eggers  
Doug Feten  
Vincent Flemming  
Martin Jarrett  
Kay Kassube  
John Weidler

**Others Present**

Jean Eggers, Renner  
Dick Kelly, Minnehaha County Commission

**Directors Absent**

John Johnson  
Robert Todd

**Staff Present**

Jay Gilbertson  
Jeremy Hinke

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**Administrative Items**

Approval of Agenda - **Motion** by Weidler, seconded by Feten to approve the agenda as presented. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the January 22, 2009. It was noted that the date listed for the 2009 Big Sioux Water Festival was May 14, and should be May 12. It was also pointed out that the date listed for the February EDWDD Board meeting was the 21<sup>st</sup>, rather than the 19<sup>th</sup>. **Motion** by Flemming, seconded by Kassube to approve the Minutes as corrected. Motion carried unanimously.

Election of Officers for 2009 - Chairman Eggers turned the meeting over to the Manager. The Manager called for nominations for Chairman for 2009. **Motion** by Kassube to nominate Director Eggers for Board Chairman. **Motion** by Feten, seconded by Jarrett that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously. The Manager returned the gavel to Chairman Eggers.

Chairman Eggers called for nomination for Vice-Chairman for 2009. **Motion** by Feten to nominate Director Todd for Vice-Chairman. **Motion** by Kassube, seconded by Flemming that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

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Chairman Eggers called for nomination for Secretary for 2009. **Motion** by Flemming to nominate Director Feten for Secretary. **Motion** by Weidler, seconded by Kassube that nominations cease and that the Board cast a unanimous ballot. Motion carried unanimously.

The Manager noted that State Law required annual elections for Board Chairman, Vice-Chairman and Secretary. However, the position of District Treasurer was one that carried over each year, until such time as the Board decided to select a new person for the position. The Board last appointed the District Manager (Jay Gilbertson) to this position in January 2007. Chairman Eggers asked the Board if they wished to select a new Treasurer at this time. It was the consensus of the Board to retain the Manager as District Treasurer.

Financial Reports - The Board reviewed the January 2009 financial report. **Motion** by Kassube, seconded by Weidler to accept the financial report. Motion carried unanimously. Chairman Eggers then asked that the report be placed in the District files.

Report of Meetings and Conferences - Director Feten attended Director Training session held by the South Dakota Association of Rural Water Systems (SDARWS) in Arlington on February 11.

Director Jarrett attended the February 5 meeting of the Interlakes Water Quality Committee.

The Manager briefly summarized the following meetings he attended:

1. January 28 & 29 - Pierre. Lobby SD Legislature on water development district issues.
2. February 3 - Madison. Lake County Commission.
3. February 4 & 5 - Pierre. SDARWS Managers Meeting and lobby SD Legislature on water development district issues.
4. February 11- Brookings. Planning session for 2009 Eastern South Dakota water Conference.
5. February 17 - Webster. Day County Commission.
6. February 17 - Sisseton. Sisseton Wahpeton Oyate Office of Environmental Protection.
7. February 18 - Lake Benton, Minnesota. Lincoln-Pipestone Rural Water Annual Operations Update.

Upcoming Meetings -

1. **January 13 thru March 13** - State Capitol, Pierre. 84<sup>th</sup> Session of the SD Legislature.
2. **February 19 - 7:00 p.m.** - City Hall, Watertown. Upper Big Sioux River Watershed Advisory Board.
3. **March 5 - 7:00 p.m.** - Public Library, Madison. Interlakes Water Quality Committee.
4. **March 9 - 3:00 p.m.** - Visitor Center, Milbank. Whetstone River watershed assessment study planning meeting.
5. **March 11 & 12** - Pierre. SD Water Management Board. SD water quality standards revisions, Browns Valley flood control and Lake Poinsett flood-control permit amendment.
6. **March 12 - 1:00 p.m.** - EDWDD Office, Brookings. South Dakota Lakes & Streams Association.
7. **March 17-19** - Rapid City. US EPA Region VIII TMDL Workshop.
8. **March 18 & 19** - AmericInn Lodge & Suites, Ft. Pierre. 21st Annual South Dakota Environmental & Ground Water Quality Conference.
9. **March 19 - 9:00 a.m.** - EDWDD Office, Brookings. March EDWDD Board of Directors Meeting.

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**2009 SD Legislative Review**

The Manager reviewed the status of numerous bills he is following during the ongoing 84<sup>th</sup> Session of the South Dakota Legislature.

HB 1093 An Act to revise the boundaries of the James River Water Development District. The bill has passed the House, and is awaiting action by the full Senate.

HB 1238 An Act to make appropriations from the water and environment fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for various water and environmental purposes and to declare an emergency. (Omnibus Water Bill) Passed the House by a vote of 67-1, and has passed the Senate Appropriations. Awaiting action by full Senate.

HB 1048 An Act to increase the transfer from the water and environment fund, the solid waste management fee, mining license and permit fees, water right filing and permit application fees, and well driller and pump installer license fees, all of which are deposited in the environment and natural resources fee fund. This bill has passed the House, and is pending action by the Senate.

SB 52 An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission. This bill has passed the Senate, and is pending action by the House.

SB 171 An Act to impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill. Deferred to the 41<sup>st</sup> legislative day by the Senate State Affairs Committee.

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**Update of District Bylaws**

The Manager distributed copies of the current District Bylaws, which were last updated in May 1985. Given the interval since the last revisions, he indicated that it would seem to be an appropriate time to initiate a review and update of the document. He noted that at the very least, the Bylaws would need to be updated to reflect the new District boundary and other changes in codified law pertaining to water development districts. According to the Bylaws, any potential changes to the document must be available for public examination well in advance of the meeting at which the changes are made. Consequently, the Manager suggested that if the Board were inclined to update the document, he would schedule a formal hearing and action on changes for the March meeting.

The Manager distributed and reviewed with the Board draft amendments to the Bylaws. In addition to the boundary and codified law changes, he proposed deleting some articles and adding others. He indicated that he used as a general guide similar documents from other natural resource agencies and organizations. It was the consensus of the Board that the proposed changes were worthy of further consideration. They directed the Manager to have the District's attorney review the proposed changes, and then schedule action on this matter for an upcoming meeting.

**South Dakota Statewide Ground Water Quality Monitoring Network**

Derric Iles, State Geologist with the South Dakota Geological Survey (SDGS), presented a summary of the Statewide Groundwater Quality Observation Well Network (Network). The Network was established to monitor sensitive aquifers in South Dakota for non-point sources of contamination and long-term trends in

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water quality. It is an outgrowth of several DENR ground water monitoring projects instigated in the late 1980s, one of which targeted the Big Sioux aquifer. Between 1991 and 1997, additional wells were installed in other shallow aquifers across the state. The Network currently consists of 150 individual wells located at 85 different locations in 26 separate aquifers.

The Network has been designed to examine nonpoint-source pollution and ambient ground water quality. The goal of the investigation is to maintain, and modify as necessary, ground water quality monitoring activities that regularly and systematically assess the present water quality, impact of agricultural chemicals on ground water, and long-term trends in water quality in sensitive aquifers. The aquifers being monitored cover much of South Dakota and are among the most likely to be impacted by human activities because of their near surface occurrence combined with overlying land use. Emphasis has been placed on monitoring for health-related aspects of water quality and on monitoring for non-point sources of ground water contamination. Monitoring sites are located away from known point sources of pollution, such as animal feeding areas, septic tanks, and underground storage tanks.

All wells at each monitoring site in the Network are sampled once per year for common inorganic constituents and a variety of pesticides and breakdown products. The sampling takes place at the same time each year to avoid possible seasonal influences on the results. At 15 sites, this sampling is done four times per year. These wells have a history of pesticide detections and/or elevated nitrate levels, and the additional sampling is intended to span the growing season. Additionally, each well is sampled once every five years for trace metals, cyanide and radionuclides on a rotating schedule. Finally, 25% of the wells in each aquifer are tested every five years for volatile organic compounds. These constituents are generally absent in South Dakota, and the testing is primarily done to assess sampling procedures.

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Results over the past 20 years have shown that South Dakota's shallow aquifers are in generally pretty good condition. Elevated nitrates are the most common problem, and are found to exceed the state and federal standard of 10 parts per million in about 20% of the samples. Shallow aquifers are extremely susceptible to nitrate contamination from a number of common land use practices. Mr. Iles noted however that the numbers of sites with nitrate problems has remained steady over time, suggesting that the problems are not getting worse. Pesticides have been detected at most locations, but the occurrences are sporadic and primarily at very low levels, well below any established health limits. Atrazine is the most commonly detected pesticide.

Sampling of Network wells and analysis of the results is handled by SDGS staff, with help from temporary employees during the field season. The Manager stated that under the current State hiring freeze, summer seasonal employees might not be available in 2009. Mr. Iles noted that no decision had yet been made regarding seasonal hiring, but his expectations are that his ability to fill such positions would likely be limited at best. If summer seasonal employees were not available to SDGS, then work on the Network would either be deferred, or continued at the expense of another project.

The Manager suggested that in order to maintain the operation of the Network during 2009, the District hire a summer seasonal employee who would be designated to work on the project. After discussing the work responsibilities of such a position with Mr. Iles, he estimated that the cost of such an employee would come to roughly \$8,000. The position would be based in Vermillion, and the funds would cover wages and related travel expenses (lodging and meals). Equipment, supplies and materials and transportation would be covered by SDGS. **Motion** by Brown, seconded by Jarrett to allocate \$8,000 in District project assistance funds to support a summer seasonal employee to work on the Statewide Groundwater Quality Observation Well Network for the 2009 field season. It was the consensus of the Board that this effort was in response

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to the current State budgetary problems, and was not intended to constitute a permanent replacement of State funds. Motion carried unanimously. The Manager indicated that if SDGS was able to hire the necessary seasonal employee on their own, then the District assistance would not be expended.

### **Project Updates**

Watershed Assessment/Volunteer Monitoring - Jeremy Hinke reported on activities in these areas. DENR staff are reviewing the draft final report on the Lake Campbell Post-Assessment Project.

Work has been completed on the Dakota Water Watch (DWW) Annual Report. It has been printed and distributed to all participants in the citizen monitoring program. He presented a copy to the Board for their examination. Copies would be distributed to cooperating agencies and other groups supporting these actions. Deb Springman is working with staff from SD Game Fish & Parks to gage interest in the volunteer monitoring community in training as part of the Aquatic Nuisance Species Program. She is also working with Jamie Ladonski of the South Dakota University Center in Sioux Falls to develop a field manual for the DWW program on how to collect and identify macroinvertebrates.

Preparations continue for the upcoming 2009 Big Sioux Water Festival, to be held on the SDSU campus on may 12<sup>th</sup>.

Central Big Sioux River Implementation Project - The Manager presented information prepared by Roger Strom, Project Coordinator. He has prepared new brochures promoting the Conservation Easement and Riparian Area Management (RAM) Programs. Copies were first made available to the public at the Watertown Farm & Home Show held on February 11-15. The Project was promoted at the Grazing Management Workshop in Hayti on January 29<sup>th</sup>. A brochure is being developed dealing with nutrient management around area lakes. A riparian area management (RAM) agreement has been executed in Brookings County.

### **Adjournment**

There being no further District business or other matters, Chairman Eggers declared the meeting adjourned at 12:05 p.m.

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Doug Feten, Secretary

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