



**East Dakota Water Development District
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**MINUTES
February 18, 2016**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on February 18, 2016, at the EDWDD office in Brookings. Vice-Chair Soholt called the meeting to order at 9:01 a.m. The following persons attended:

Directors Present

Lois Brown
Mary Ellen Connelly
Gary Duffy
Kay Kassube
John Moes
Jerry Soholt
Janelle Weatherly

Others Present

Jason Aho, City of Lake Norden
Jeff Barth, Minnehaha County Commission
Roger Hageman, Lake County Commission
John Hult, Sioux Falls Argus Leader
Gregg Jorgenson, Banner Associates
Dr. Lisa Kunza, SD School of Mines & Technology
Dana Loseke, Friends of the Big Sioux River
Kelsey Murray, SD School of Mines & Technology
Ashley Rentsch, City of Volga

Directors Absent

Mark Anderson
Martin Jarrett

Staff Present

Kevin Christenson
Jay Gilbertson
Deb Springman

Administrative Items

Approval of Agenda

Motion by Duffy, seconded by Connelly to approve the agenda as presented. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the January 13th, 2016, meeting.

Motion by Kassube, seconded by Weatherly to approve the January 13th, 2016, Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the January 2016 financial report.

Motion by Duffy, seconded by Connelly to accept the January 2016 financial report. Motion carried unanimously. Vice-Chair Soholt then asked that the report be placed in the District files.

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Report of Meetings and Conferences - Director Moes attended the meeting of the Upper Big Sioux Watershed Advisory Board in Watertown on February 17th.

The Manager briefly summarized the following meetings he attended since the last Board meeting:

1. January 20 - Sioux Falls. SD Grain & Feed Association Ag Expo 2016.
2. February 3 & 4 - Pierre. South Dakota Association of Rural Water Systems Manager's Group Meeting.
3. February 3 - Blunt. Central Plains Water Development District Board of Directors.
4. February 16 - Flandreau. Moody County Conservation District Board of Supervisors.

In addition, the Manager acted in his capacity as District lobbyist to the 2016 South Dakota Legislature in Pierre during this period.

Upcoming Meetings -

1. **February 23 - 10:00 a.m.** - James River WDD Office, Huron. Firesteel Creek/Lake Mitchell watershed discussion.
2. **February 24 - 7:00 p.m.** - Codington County Extension Building, Watertown. Lake Pelican Water Project District.
3. **February 26 - 10:00 a.m.** - Brookings. SDSU College of Agriculture & Biological Sciences Advisory Board Meeting.
4. **March 2 - 8:30 a.m.** - Matthews Training Center, Pierre. SD Water Management Board.
5. **March 3 - 7:45 a.m. & 10:00 a.m.** - State Capitol, Pierre. Report on the activities of the River Basin Natural Resource District Oversight Advisory Task Force.
6. **March 3 - 1:00 p.m.** - Pipestone, MN. Missouri Watershed Restoration and Protection Strategy (WRAPS) technical workshop.
7. **March 9 & 10** - University of Sioux Falls, Sioux Falls. 2016 Sioux Empire Water Festival.
8. **March 11** - South Dakota State University, Brookings. 2016 Envirothon.
9. **March 16 - 9:00 a.m.** - Environmental Office, Sioux Falls. Big Sioux River Watershed Project Steering Committee
10. **March 17 - 9:00 a.m.** - EDWDD Office, Brookings. March EDWDD Board of Directors.
11. **March 22 & 23** - Ramkota Hotel, Pierre. 28th Annual Environmental & Ground Water Quality Conference.
12. **March 30 & 31** - Matthews Training Center, Pierre. SD Board of Water & Natural Resources.
13. **April 6 - 9:00 a.m.** - Matthews Training Center, Pierre. SD Non-Point Source Task Force.
14. **April 7 & 8** - Rapid City. 2016 Western South Dakota Hydrology Conference.

The Manager also noted that the 2016 SD Legislature will be in session during this period, and he will be acting as District Lobbyist as necessary. This most likely will include several trips to Pierre.

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Payment Request(s) - The Manager presented the Board with reimbursement requests from the sponsors of several District-supported projects. He noted that each was request was in order, and consistent with provisions set by the Board at the time of award. He requested authorization to pay the following:

<u>Grant Recipient/Activity</u>	<u>Requested Amount</u>
SDSM&T/Pathogenicity of bacteria in BSR	\$15,231.99
SDSU/Winter Manure Application Assessment	\$4,800.00
Friends of the BSR/Education and outreach events & materials	\$1,476.74
SDSU/Bioreactor effectiveness for drainage water management	387.97
SDSU/Phosphorus removal from drainage water using steel shavings	<u>51.91</u>
Total	\$21,948.61

Motion by Kassube, seconded by Duffy to authorize payments totaling \$21,948.61 as requested. The Manager noted that the payment of \$51.91 represented the final payment for the “Nutrient Removal from Agricultural Subsurface Drainage Using Denitrification Bioreactors and Phosphate Adsorbants - II” project. Motion carried unanimously.

Discussion of Use of Tablets for Information Distribution - The Manager reviewed options for use of tablet computers for the distribution and viewing of documents and communications to the Board. The monthly Board packet, and other District materials, could be uploaded and then accessed directly, potentially reducing paper consumption and postage. The Manager noted that in certain instances, actual printed versions of the material would still be required to meet open meeting and public records requirements.

It was the consensus of the Board to differ any formal decision on acquisition of such devices until Board Chair Jarrett was present to participate in the discussion. In the interim, the Manager indicated that for the next few monthly meetings, all correspondence would be distributed electronically (via e-mail) only. Hard copy would be available only at the actual meeting.

Project Assistance Requests

City of Lake Norden Wastewater Facility Plan - Jason Aho, City of Lake Norden, and Gregg Jorgenson, Banner Associates, presented a request on behalf of the City of Lake Norden for District cost-share assistance to complete a facility plan of their waste water collection and treatment system. The City has entered into an agreement with Banner Engineering to complete the work, at a projected total cost of \$41,100. A pending Small Communities Planning Grant from the South Dakota Department of Environment and Natural Resources (DENR) would provide \$10,000, leaving local costs of \$31,100. The specific request is for up to one-half of this amount (\$15,550).

Motion by Duffy, seconded by Moes to provide District cost-share assistance to the City of Lake Norden covering fifty percent (50%) of the local costs of the proposed study, up to a maximum of \$15,550. Motion carried unanimously.

City of Volga Wastewater Facility Plan - Ashley Rentsch, City of Volga, and Gregg Jorgenson, Banner Associates, presented a request on behalf of the City of Volga for District cost-share assistance to complete a facility plan of their waste water collection and treatment system. The City has entered into an agreement with Banner Engineering to complete the work, at a projected total cost of \$23,000. A

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pending Small Communities Planning Grant from DENR would provide \$10,000, leaving local costs of \$13,000. The specific request is for up to one-half of this amount (\$6,500).

Motion by Brown, seconded by Kassube to provide District cost-share assistance to the City of Volga covering fifty percent (50%) of the local costs of the proposed study, up to a maximum of \$6,500. Motion carried unanimously.

USGS Real-Time Nitrate Monitoring - The Manager presented the Board with a joint funding agreement (JFA) with the United States Geological Survey (USGS) for the 2016 operation of a real-time nitrate monitoring device located on the Big Sioux River at Sioux Falls. The District would provide \$3,000 for 2016 operational costs, matched by \$1,500 from USGS. He noted that this effort was also supported by the City of Sioux Falls through a separate JFA.

Motion by Duffy, seconded by Brown to provide up to \$3,000 in District cost-share assistance in support of the JFA with the USGS as presented. Motion carried unanimously.

2016 Legislative Session Review

The Manager reviewed the February 17th status of numerous bills he is tracking as the District lobbyist during the ongoing 91st Session of the South Dakota Legislature.

House Bill (HB) 1024, An Act to make an appropriation for the maintenance and repair of state owned dams and to declare an emergency. Approved by House Appropriations Committee.

HB 1066, An Act to revise certain provisions regarding the public notice for a meeting of a public body. Passed both chambers of the Legislature.

HB 1082, An Act to codify the list of navigable streams requiring gates. Passed both chambers of the Legislature.

HB 1094, An Act to increase the commercial fertilizer inspection fee for purposes of fertilizer-related research and education and to create the Nutrient Research and Education Council to promote such research and education. Passed the House.

HB 1180, An Act to limit the terms of certain conservation easements. Defeated in the House.

Senate Bill (SB) 68, An Act to make appropriations from the water and environment fund and its revolving fund subfunds for various water and environmental purposes, to revise solid waste management program recycling provisions, to revise water and environment fund loan terms, and to declare an emergency. Passed both chambers of the Legislature.

SB 73, An Act to clarify certain provisions regarding open meetings. Passed the Senate.

SB 90, An Act to ensure that members of the public are able to access and record public meetings. Passed the Senate.

SB 95, An Act to allow certain candidates for elective office to pay filing fees in lieu of submitting nominating petitions, and to create the election filing fee fund. Defeated in the Senate.

SB 116, An Act to remove any reference to land ownership being a requirement for participation in any actions pertaining to the creation of or withdrawal from a water development district. Passed Senate Local Government Committee. Manager testified in support.

SB 136, An Act to permit certain cropland along lakes, rivers, and streams to be assessed as noncropland. Passed the Senate. Manager testified in support during Senate Agriculture & Natural Resources Committee hearing.

SB 141, An Act to revise the distribution of petroleum release compensation and tank inspection fees, to provide funding for the local bridge improvement grant fund, and to repeal the state capital construction fund, ethanol fuel fund, and ethanol infrastructure incentive fund. Awaiting action by the Senate Transportation Committee.

Pathogenicity potential of bacteria in the Big Sioux River and Skunk Creek

Dr. Lisa Kunza and graduate student Kelsey Murray of the South Dakota School of Mines and Technology (SDSM&T) presented the results of District-funded research into the "Pathogenicity potential of the bacteria in selected locations of the Big Sioux River." The Board awarded SDSM&T \$25,000 in April 2015 to conduct the study during the 2015 field season, evaluating samples collected from two locations on Skunk Creek in Minnehaha County, and four sites on the Big Sioux River in and around Sioux Falls. The effort sought to create a novel molecular water quality monitoring metric that accounts for the pathogenic potential of various aquatic environments. It applied common molecular biology techniques to assess the potential of organisms in both fecally-impaired and unimpaired areas of the Big Sioux River in eastern South Dakota to acquire genetic material that could transform them from harmless to severely disease-causing. It created a monitoring metric that assays for the presence (or absence) of approximately 30 known virulence genes at the monitoring sites, which will allow for an extensive characterization of the resident bacterial population.

The investigation found evidence of six of the tested for pathogenicity genes. Genes encoding Shiga toxins and analogous verotoxins were found in over 95% of all Big Sioux River samples. By comparison, a similar assessment of Rapid Creek in Rapid City in 2015 found such genes in only about 30% of the samples assessed. Ms. Murray noted that the abundance, distribution and persistence of pathogenicity genes was observed to be spatially and temporally variable, suggesting that there may be seasonal human health risks. She noted that a wide range of microorganisms are capable of producing the observed toxins.

Dr. Kunza explained that while the results were significant, they still only represented a single season of samples collected over part of one sampling season. To better assess the situation, she and her co-investigator Dr. Linda DeVeaux, have proposed a more extensive investigation for 2016. The study would collect samples over the entire recreational season, and attempt to determine actual concentrations of the pathogenic material. Funding of \$100,000 was sought through the State's EPA Section 319 Grants Program, but was unsuccessful. Support is being sought through funds available through the City of Sioux Falls. The proposal also seeks \$25,000 in cost-share assistance from East Dakota.

Motion by Connelly, seconded by Kassube to provide up to \$25,000 in District cost-share assistance to SDSM&T in support of the 2016 assessment of pathogenicity potential in bacteria in the Big Sioux River watershed as requested, pending full attainment of the funding package. The Manager noted that as the viability of the 2016 study is predicated on the availability of

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additional other funds, if such funding is not forthcoming the District will not be liable for this award. Motion carried unanimously.

Adjournment

There being no further District business or other matters, Vice-Chair Soholt declared the meeting adjourned at 11:50 a.m.

John G. Moes, Secretary

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