



East Dakota Water Development District
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MINUTES
March 19, 2009

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on March 19, 2010 at the EDWDD office in Brookings. Chairman Eggers called the meeting to order at 9:05 a.m. The following persons attended:

Directors Present

Curt Eggers
Doug Feten
Vincent Flemming
Martin Jarrett
John Johnson
John Weidler

Directors Absent

Lois Brown
Kay Kassube
Robert Todd

Others Present

Delvin DeBoer, SDSU Regional Water System Research Consortium
Shirley Flemming, Florence
John Gill, Grant County Computer Coordinator
Karen Layher, Grant County Auditor
Darin Larson, United State Geological Survey
Steve Shivers, United States Geological Survey

Staff Present

Jay Gilbertson
Jeremy Hinke
Kristie Thielen

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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 February 25, 2010. **Motion** by Feten, seconded by Flemming to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the February 2010 financial report. **Motion** by Johnson, 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 Jarrett attended the February 25th meeting of the Lake County Clean Water Quality Committee in Madison.

Director Johnson attended the March 4th House Taxation Committee hearing on Senate Bill 184 in Pierre.

Chairman Eggers attended a Minnehaha County Commission meeting on drainage issues on March 9th in Sioux Falls.

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Director Flemming attended the March 16th Annual Meeting of the Lake Pelican Water Project District in Watertown.

Chairman Eggers, along with Directors Johnson and Weidler, attended the March 18th informational meeting on tile drainage in Hayti.

Directors Flemming and Johnson attended the March 18th meeting of the Upper Big Sioux River Watershed Advisory Board in Watertown.

The Manager briefly commented on the following meetings he attended:

1. February 25th - Madison. Lake County Clean Water Quality Committee.
2. February 26th - Brookings. SD Office of Emergency management flood preparation meeting.
3. March 2nd - Milbank. Grant County Commission.
4. March 2nd - Brookings. Brookings County Commission (via telephone conference call).
5. March 2nd - 4th - Pierre. Lobby SD Legislature on Senate Bill 184.
6. March 5th - Corona. Big Stone Lake flood preparation meeting.
7. March 8th - 10th - Pierre. Lobby SD Legislature on Senate Bill 184.
8. March 10th - Pierre. South Dakota Water Management Board meeting
9. March 11th - Clear lake. South Dakota Lakes & Streams Association.
10. March 15th - Brookings. Big Sioux Area County Commissioners meeting.
11. March 16th - Watertown. Lake Pelican Water Project District Annual Meeting.
12. March 17th - Sioux Falls. Northern Prairies Land Trust meeting.
13. March 17th - Centerville. Vermillion Basin Water Development District meeting.
14. March 18th - Huron. James River Water Development District meeting.

Upcoming Meetings -

1. **March 24-25** - Pierre. 22nd Annual Environmental and Ground Water Quality Conference.
2. **March 25-26** - South Dakota Board of Water and Natural Resources.
3. **March 30** - Webster. Day County Commission.
4. **April 6 - 1:00 p.m.** - Flandreau. Moody County Commission - Bachelor Creek/Bull Ditch assistance request.
5. **April 6 - 6:30 p.m.** - High School, Colman. Big Sioux Community Water System Annual Meeting
6. **April 7 - 11:30 a.m.** - Grant County Courthouse, Milbank. Northeast Lakes County Commissioners Group.
7. **April 8 - 1:00 p.m.** - EDWDD Office, Brookings. South Dakota Lakes & Streams Association.
8. **April 12 - 6:30 p.m.** - Madison. KingBrook Rural Water System Annual Meeting.
9. **April 13 - 6:30** - McKnight Center, White. Brookings-Deuel Rural Water System Annual meeting.
10. **April 15 - 9:30 a.m.** - Miner County Courthouse, Howard. April EDWDD Board Meeting.
11. **April 20 - 10:00 a.m.** - Pierre. SD Non-Point Source Task Force
12. **April 20-23** - Rushmore Civic Center, Rapid City. Geological Society of America Rocky Mountain Section Meeting.
13. **April 25-29** - Denver, CO. Seventh National Monitoring Conference.

Payment Requests -

City of Sioux Falls - The Manager presented the Board with a payment request from the City of Sioux Falls. In November 2008, the Board agreed to set aside \$75,000 in project assistance funds to support a Total Maximum Daily Load Assessment of the Big Sioux River in and around the City of Sioux Falls. The

agreement called for the District to make two payments of \$37,500 to the City, one each in 2009 and 2010. The 2009 request (\$37,500) was paid in September. The Manager indicated he had received the 2010 request from the City, along with associated paperwork. The request is for the balance of the support, \$37,500. The request is consistent with the Board's action, and he recommended Board approval of the request.

Motion by Jarrett, seconded by Weidler to approve payment as requested. The Manager noted that he will ask to have City representatives attend the Board's November 2010 meeting in Sioux Falls to provide a project update. He further indicated that with this payment, the District's commitment to this activity will have been completed. Motion carried unanimously.

SDSU Regional Water System Research Consortium - In December 2006, the Board agreed to provide District cost-share assistance in support of a research center to focus on regional water supply system issues at South Dakota State University (SDSU). The Board committed \$30,000 toward this effort, to be spread over three years (\$10,000 per year). The Regional Water System Research Consortium (RWSRC) was established under the Water and Environmental Engineering Research Center, located in the College of Engineering at SDSU. Program goals and priorities have been established by an Advisory Council, with members drawn from entities that have provided financial and technical support. The Manager serves on the Advisory Council representing water development districts. Dr. Delvin DeBoer, RWSRC, briefed the Board on the entities progress to date and described the planned activities for the coming year. He also requested that the Board allocate the balance of the pledged assistance (\$20,000) in support of the RWSRC.

Motion by Feten, seconded by weidler to authorize payment of \$20,000 in District cost-share assistance to the RWSRC as requested. The Manager noted that with this payment, the District's commitment to this activity will have been completed. The motion carried unanimously.

Travel Authorization - The Manager requested Board approval to have Jeremy Hinke attend the Seventh National Water Quality Monitoring Conference in Denver, Colorado, on April 25-29. **Motion** by Flemming, seconded by Johnson to authorize Mr. Hinke's attendance at the meeting as requested. Motion carried unanimously.

2010 Legislative Session Report

The Manager reviewed the results of the recently completed 2010 South Dakota Legislative Session. He summarized the status of the bills he had been following over the course of the session, highlighting a few of the major issues of concern:

House Bill (HB) 1056, An Act to make an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission and to declare an emergency. This is the annual appropriations bill for the Conservation Commission grant program. The current version authorizes expenditure of up to \$1,000,000, however it is uncertain as to how much will exactly be available. The bill passed both chambers and was signed by the Governor on March 10th.

Senate Bill (SB) 64, 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, to authorize the construction and establish the state cost share for the Southern Black Hills Water System, and to declare an emergency. This is the annual omnibus water bill. It has passed both chambers, without a single vote in opposition. Governor Rounds is expected to sign it shortly.

SB 104, An Act to revise certain provisions regarding disclosure of public information and public meetings. The bill clarifies what information is to be made available to persons attending public meetings, establishes deadlines for the preparation and distribution of public meeting minutes, and clarifies what constitutes a public meeting. It has passed both chambers, and Governor Rounds is expected to sign it shortly.

SB 161, 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. As spelled out in the title, the bill would have imposed a tax/fee on petroleum products carried by pipelines, and create a fund to help address environmental problems. It was defeated on the floor of the Senate.

SB 184, An Act to revise certain provisions concerning the taxes imposed by water development districts and the addition and withdrawal of territory for water development districts. The bill eliminates a new taxing entity status for several water development districts, including East Dakota, and also lowers the requirements for territory to be added or removed from a water development district. It also inserts county commissions into the process of territorial changes. It has passed both chambers, without a single vote in opposition. Governor Rounds is expected to sign it shortly.

United States Geological Survey Light Detection and Ranging (LIDAR) Project

Steve Shivers, United States Geological Survey (USGS), gave a presentation on an effort they have undertaken to gather information to support the development of a digital elevation model (DEM) of the Minnesota River watershed. He also spoke about an attempt to expand the coverage area for DEM into other areas of northeastern South Dakota.

A DEM is a set of data points representing latitude, longitude and elevation combined to create a digital representation of the earth's surface. The DEM to be developed will be from data collected through the use of LIDAR (light detection and ranging). LIDAR is an integration of airborne laser and global position system (GPS) technology. Laser pulses are directed at the earth's surface from equipment aboard an airplane. The laser reflections are recorded and the range is calculated from the instrument's orientation in space and the time required for the laser light to travel back to the aircraft. The proposed effort would develop and deliver a seamless high-accuracy digital elevation map of the areas covered (Minnesota River watershed and adjacent areas) to better manage resources, provide decision-makers with more accurate information, and to facilitate the flow of data among all levels of government, from local to federal. Accurate topographic information greatly enhances the ability of water resource managers to understand how water interacts with the landscape and provides the foundation for developing innovative, effective, and defensible resource management strategies.

Mr. Shivers noted that the State of Minnesota is gearing up to obtain LIDAR-generated DEMs statewide. The proposed USGS project is to have the rest of the Minnesota River basin in South Dakota included when the data is collected. To further take advantage of this unique opportunity, Mr. Shivers is contacting various entities adjacent to the area in northeastern South Dakota. He noted, for example, the project will be collecting data for 84% of Grant County. He presumes that having a DEM of the final 16% (in the Big Sioux River basin) might well be of tremendous value.

The Manager noted that no formal requests for assistance in this matter have yet to come forward. However, he expects that in either April or May District counties that include at least a portion of the area will be requesting cost-share assistance to acquire this information.

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The Board directed the Manager to follow the efforts of Mr. Shiver to obtain the LIDAR-derived DEMs for District counties, and as necessary, bring forward a proposal for equitable District cost-share assistance.

Project Assistance Request

Upper Minnesota River Watershed Water Quality Assessment - The Manager requested that the Board take two actions with regard to the water quality study of the Whetstone and Yellow Bank Rivers (Upper Minnesota River Watershed Water Quality Assessment). First, he requested that the Board allocate a portion of the District's share of the cash costs of the effort. The total projected amount is \$22,375, but he requested \$10,000 at this time. Second, he requested Board authorization of an agreement with the Upper Minnesota River Watershed District (UMRWD), who will be acting as the local sponsor and providing the staff for the project. The agreement will spell out how project grant funds will be used and distributed, in particular how project staff will be hired and funded.

Motion by Flemming, seconded by Feten to allocate \$10,000 in District project assistance funds for the study as requested, and to authorize Chairman Eggers to execute an agreement with UMRWD with regard to the project. Motion carried unanimously.

Adjournment

There being no further District business, Chairman Eggers declared the meeting adjourned at 11:35 a.m.

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Doug Feten, Secretary

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