



East Dakota Water Development District
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MINUTES
March 20, 2014

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on March 20, 2014, at the EDWDD office in Brookings. Chairman Jarrett called the meeting to order at 9:05 a.m. The following persons attended:

Directors Present

Mark Anderson
Lois Brown
Gary Duffy
Martin Jarrett
John Moes
Roger Scheibe
Jerry Soholt

Directors Absent

Mary Ellen Connelly
Kay Kassube

Others Present

Roger Hagemann, Lake County Commission
Jesse Johnson, SD Corn
Dana Loseke, Sierra Club

Staff Present

Jay Gilbertson
Jeremy Hinke
Deb Springman
Kristi Thielen

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Administrative Items

Approval of Agenda -

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

Minutes - The Board reviewed the Minutes of the February 20th, 2014. The Manager noted that on page 4 of the DRAFT Minutes, under the section dealing with an assistance request from the Moody Conservation District, that the total cost of the grass drill to be purchased was listed as \$14,000, and it should be \$45,000.

Motion by Moes, seconded by Anderson to approve the Minutes as so amended. Motion carried unanimously.

Financial Reports - The Board reviewed the February 2014 financial report.

Motion by Soholt, seconded by Duffy to accept the February 2014 financial report. Motion carried unanimously. Chairman Jarrett then asked that the report be placed in the District files.

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Report of Meetings and Conferences - Director Moes attended the Annual Meeting of the Lake Pelican Water Project District on March 18th and the Upper Big Sioux River Watershed Advisory Board meeting on March 19th. Both meetings were held in Watertown.

Chairman Jarrett attended the Central Big Sioux River Watershed Project Steering Committee meeting in Sioux falls on March 12th.

The Manager briefly commented on the following meetings he attended:

1. February 26 & 27 - Nebraska City, NE. NIDIS Missouri Basin Project Kickoff Meeting.
2. March 4th - Brookings. Big Sioux water Festival Steering Committee.
3. March 6th - Pierre. South Dakota Water Management Board.
4. March 10th - Moody County. Rural residence well examination.
5. March 12th - Sioux Falls. Central Big Sioux River Watershed Project Steering Committee.
6. March 13th - Huron. James River Water Development District Board of Directors.
7. March 14th - Baltic. Discussion of Minnehaha County Drainage District #9.
8. March 19th - Pierre. 26th Annual Environmental & Ground Water Quality Conference.

Upcoming Meetings -

1. **March 21 - 8:00 a.m.** - Fireside Restaurant, Brookings. SD One-Call informational presentation.
2. **March 27 & 28** - Matthews Training Center, Pierre. SD Board of Water & Natural Resources.
3. **March 31** - Pierre. Last day of 2014 Legislative Session (Veto Day).
4. **April 9 - 8:00 a.m.** - Rushmore Plaza, Rapid City. Western South Dakota Hydrology Conference.
5. **April 10 & 11** - Rapid City. Dakota Water Watch West River training sessions.
6. **April 16 & 17** - Madison. SDARWS Mapping & GIS with the TerraSync software course.
7. **April 17 - 9:30 a.m.** - De Smet Super Deluxe Inn, DeSmet. April EDWDD Board of Directors Meeting.

Payment Requests - The Manager presented two payment requests:

South Dakota State University - At the October 2011 Board meeting, the District pledged up to \$60,438 in support of a project entitled, "Agricultural Subsurface Drainage Impacts on Hydrology in Eastern South Dakota." The current request is for \$1,158.70 to cover eligible project expense reimbursements for February 2014.

Town of Florence - At the October 2013 Board meeting, the District pledged up to \$3,925 to the Town of Florence in support of three separate projects. Two involved development of facility plans for the water and waste-water systems, and the third dealt with an investigation of the integrity of the communities waste water lagoons. District support was for fifty-percent of the local costs for each, with a cap on each of the awards based on the costs estimates. The lagoon assessment has been completed, at a cost of \$4,000. The District obligation for this project was for 50% of the projected costs (\$3,500), up to a cap of \$1,750.

Motion by Brown, seconded by Duffy to authorize payment of \$2,908.70 to cover the two requests as presented. Motion carried unanimously.

Equipment Purchase - The Manager requested Board authorization to purchase a laptop computer, and associated software, to replace an existing unit that is no longer functioning. He estimated the total costs to be approximately \$1,600. He noted that funds were available in the budget for such a purchase.

Motion by Brown, seconded by Moes to approve the purchase of a lap top computer and software as requested. Motion carried unanimously.

2014 Legislative Session Review

The Manager reviewed the status of, and actions he has taken on, numerous bills he is tracking as the District lobbyist during the ongoing 89th Session of the South Dakota Legislature.

House Bill (HB) 1015, An Act to create an equitable process to handle water right applications submitted for aquifers determined to be fully appropriated by the Water Management Board. The bill was signed by Governor Dugaard on March 10th.

HB 1083, An Act to restrict the term of conservation easements. The bill was voted down in the House of Representatives 17-51 on February 10th.

HB 1139, An Act to limit the fees a government entity may charge a person to provide public documents. The bill was deferred to the 41st legislative day by the House State Affairs Committee on February 5th.

HB 1160, An Act to revise provisions and requirements relating to certain environmental complaints. The bill was deferred to the 41st legislative day by the House Energy & Commerce Committee on February 7th.

HB 1994, An Act to establish certain requirements relating to the crossings of railroad rights-of-way by utilities. The bill passed both chambers and is awaiting action by the Governor.

HB 1233, An Act to provide for the recall of certain state and local elected officials. The bill was deferred to the 41st legislative day by the House State Affairs Committee on February 19th.

House Concurrent Resolution (HCR) 1025, Reaffirming the value of South Dakota's groundwater resources and recognizing the need for ongoing evaluation of our groundwater management. This resolution passed the House 36-30, and was tabled by the Senate Agriculture and Natural Resources Committee on March 6th. The Manager testified in support.

Senate Bill (SB) 87, 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. This is the annual omnibus water funding bill. The bill passed both chambers and is awaiting action by the Governor.

SB 169, An Act to provide for access to and use of public waters on public and private property and to protect private property rights for the citizens of South Dakota. The bill was tabled by the Senate at the request of the prime sponsor on February 18th.

March 31st is the final day of the 89th Legislative Session, and is commonly concerned with addressing bills that were vetoed by the Governor.

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Project Assistance Request

State Climate Office - The Manager reviewed a proposal he had developed for District support of the South Dakota Automated Weather Data Network (SDAWDN), a weather monitoring network maintained by the State Climate Office, during calendar year 2014. The Board had discussed the issue in depth at prior meetings. The Manager indicated that he had previously reviewed the proposal with Dr. Dennis Todey, State Climatologist. The proposal contains three elements:

1. The District commits to providing the necessary annual (2014) operational expenses (\$3,000/site) for the SDAWDN stations located at South Shore, Lake Cochrane and Flandreau (50%). This would amount to \$7,500.
2. The District commits to providing one-time funds to support the acquisition and installation of soil moisture probes at those existing SDAWDN within the District sites that do not have them - South Shore, Lake Cochrane, Brookings, Flandreau, Sioux Falls (57th St) and Sioux Falls (Landfill). District support would be for fifty-percent (50%) of the estimated purchase price of \$3,000, or \$1,500 per site. The balance of the cost would need to come from alternate sources. At \$1,500 per station, this would amount to a one-time expense of \$9,000, if partners could be found for all six locations.
3. The District commits to providing one-time funds to cover one-half of the equipment acquisition and installation costs for the new SDAWDN station at some mutually acceptable location within the District. At \$15,000 for a fully-functioning new station (meteorological and soil moisture probe), this would amount to a one-time expense of \$7,500.

With these three elements, the total District obligation to SDAWDN would potentially be \$24,000, although a majority (\$16,500) would require a like amount of external match to be spent.

The Manager indicated that this proposal would provide critical and necessary support to the SDAWDN program, while not saddling the District with expectations of extraordinary long-term fiscal obligations.

Motion by Scheibe, seconded by Moes to accept and support the Manager's proposal and commit up to \$24,000 in District project assistance funds as stipulated in the proposal for SDAWDN support in 2014. The Manager noted that the commitment of matching funds presented in proposal elements 2 and 3 were for calendar year 2014 only. Motion carried unanimously.

Project Updates

NWQI Jensen Creek-Skunk Creek HUC WQM Project - The Manager noted that several sub-basins within the Skunk Creek watershed have been targeted for a concentrated effort by the United States Department of Agriculture Natural Resource Conservation Service (NRCS) under their National Water Quality Initiative (NWQI) Program. The NWQI funds augment existing federal and state funds available to address sources of water quality impairments in the area. The US Environmental Protection Agency (EPA) has expressed an interest in knowing whether or not these funds are providing demonstrable benefit, i.e., water quality improvements. At the behest of EPA, the South Dakota Department of Environment and Natural Resources (DENR) conceived the NWQI Jensen Creek-Skunk Creek HUC WQM Project, which was developed in conjunction with District staff.

The effort is modeled after the work the District did in the Whetstone River and Yellow Bank River watersheds a few years ago, and will involve an intense sampling program around areas where certain best management practices (BMPs) have been implemented. The Manager indicated that final details for this two-year effort have yet to be fully worked out, but that DENR is looking a grant to the District totaling roughly \$88,000 using EPA 604(b) funds as they become available.

The Manager indicated that a grant agreement would be available for official action at the April Board meeting. However, it was the consensus of the Board that District staff continue to work with DENR on the effort and make appropriate plans for project implementation.

2014 District Field Season Activities - The Manager briefed the Board on his plans for the upcoming field season. The effort would involve more robust and expansive water quality monitoring program along District water resources, primarily the Big Sioux River. There are numerous watershed protection projects underway around the District, with each addressing existing water quality impairments, but there is actually very little monitoring of the waters involved. The presumption is that corrective measures will result in improved water quality, but precious little actual sampling is done to confirm that the presumed changes are taking place. The Manager expressed concern that in the absence of such actual demonstrable evidence, these water bodies will remain on the lists of impaired water bodies.

He reviewed a preliminary list of past and present monitoring sites, along with a proposed sampling schedule. Discussions have been initiated with DENR about re-establishing water quality monitoring sites at a range of locations previously sampled as part of prior investigations. This would include working with the sponsors of several ongoing watershed implementation projects in the Big Sioux River and Minnesota River watersheds. Data from these sites provide the basis for determination of the compliance with applicable standards.

The Manager indicated that a final plan has yet to be formalized, and discussions are ongoing with potential sponsors and cooperators. Based on more limited sampling efforts in prior years, he estimated the costs to the District would likely be in the \$25,000, but would not have final numbers until the April Board meeting. It was the consensus of the Board that District staff continue to work with DENR and other potential cooperators and make appropriate plans for project implementation.

2014 Eastern South Dakota Lakes Summit - The Manager briefed the Board on tentative plans to hold a meeting, in conjunction with the South Dakota Lakes and Streams Association (SDLSA), of local lake associations and their members at some point in the coming summer. The goal would be to identify common issues and concerns among these groups, and provide them with an opportunity to meet and exchange information about these critical water resources. The meeting would also act as a barometer as to the need and/or role for a state-wide organization (SDLSA). He noted that such an event would be a great chance to foster cooperation among the various stakeholder groups.

Adjournment

There being no further District business, Chairman Jarrett declared the meeting adjourned at 11:45 a.m.

Roger Scheibe, Secretary