



East Dakota Water Development District

132B Airport Drive

Brookings, SD 57006

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MINUTES

September 21, 2006

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on September 21, 2006, at the District Office at 132B Airport Avenue, Brookings. Chairman Dempsey called the meeting to order at 9:05 a.m. The following persons attended:

Directors Present

Dave Bennett
Lois Brown
Bill Dempsey
Curt Eggers
Doug Feten
Vincent Flemming
Martin Jarrett
Kay Kassube
John Weidler

Others Present

Patrick Anderson, Northern Prairies Land Trust
Jim Housiaux, Banner Associates
Robert Kolbe, Minnehaha County Commission
Anne Lewis, South Dakota Discovery Center
Don Marquardt, South Dakota Lakes & Streams Association
Jerry Myers, South Dakota Lakes & Streams Association
David Sill, Minnesota Board of Soil & Water Resources
Stephen Snyder, Lake Madison Association
Brian Soenen, Iowa Department of Natural Resources

Directors Absent

none

Staff Present

Jay Gilbertson
Angela Guidry
Pat Hammond
Deb Springman

Administrative Items

Approval of Agenda - The Manager asked to have one item added to the agenda - a discussion of fences across navigable rivers and streams. **Motion** by Weidler, seconded by Eggers to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the August 17, 2006 meeting. **Motion** by Eggers, seconded by Jarrett to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the August 2006 Financial Report. **Motion** by Bennett, seconded by Kassube to accept the August 2006 Financial Report. Motion carried unanimously. Chairman Dempsey then asked that the reports be placed in the District files.

The Manager requested Board authorization for the Chairman and Vice-Chairman to sign District Resolution 06-1, Resolution providing that a tax be assessed and levied on all taxable property in the East Dakota Water Development District. The resolution covers District tax collections for fiscal year 2007. The District Board approved the 2007 operating budget at the August meeting. The resolution covers the property tax income portion of the budget. The resolution is part of the package of material sent to all county auditors and treasurers in the District on or before October 1. **Motion** by Bennett, seconded by Kassube to authorize the

Chairman and Vice-Chairman to sign Resolution 06-1. Motion carried unanimously.

Report of Meetings and Conferences - Directors Bennett, Brown, Dempsey, Eggers, Feten, Flemming, Jarrett, Kassube and Weidler attended tour of Sioux Falls area activities of the Lewis and Clark Rural Water System on August 24th

Chairman Dempsey attended a legislative coffee sponsored by area conservation districts in Brookings on September 11 and the South Dakota Association of Conservation District Annual Meeting in Pierre on September 17-19.

The Manager briefly commented on the following meetings he attended:

1. August 22nd - Watertown. Discussions with City Council and Planning Commission on water quality issues.
2. August 29th - Madison. Lake Madison Association Water Quality Committee.
3. August 31st - Huron - Huron. South Dakota Association of Rural Water Systems booth at SD State Fair.
4. September 6th - Clear Lake. Fish Lake outlet meeting.
5. September 14th - Brookings. South Dakota Lakes and Streams Association.

Upcoming meetings -

1. **September 25 - 7:00 p.m.** - Madison. Lake Madison Association Water Quality Committee.
2. **September 28 - 7:00 p.m.** - City Hall, Watertown. Upper Big Sioux River Watershed Advisory Board.
3. **September 28-29** - Matthew Training Center, Pierre. South Dakota Board of Water and Natural Resources.
4. **October 12 - 10:00 a.m.** - Lakeview Café, Lake Poinsett. South Dakota Lakes and Streams Association Annual Meeting.
5. **October 19- 9:00 a.m.** - EDWDD Office, Brookings. October EDWDD Board of Directors meeting.

Project Assistance Requests

City of Clear Lake - Jim Housiaux, Banner Associates, presented the Board with a request from the City of Clear Lake for cost-share assistance for the completion of waste water system facility plans. The study will examine both the current system and possible expansion. Banner Associates has been hired to complete the facility plan. The study will cost \$7,500. Clear Lake has requested \$6,000 from the State's Small Community Planning Grants Program, and have asked the District for \$750. **Motion** by Kassube, seconded by Feten to provide up to \$750 in District cost-share assistance to the City of Clear Lake for completion of the facility plans as requested. Motion carried unanimously.

Volunteer Water Quality Monitoring

IOWATER - Brian Soenen, Director of the State of Iowa's volunteer water quality monitoring program (IOWATER), provided an overview. Established in 1999, IOWATER provides training through a series of workshops to Iowa citizens interested in evaluating chemical, biologic and physical characteristics of area water bodies. To date, over 2,500 people have taken part in the training (including the EDWDD Manager), and nearly 1,000 continue to provide data on a regular basis.

IOWATER volunteers receive training on how to collect information on the physical and biologic conditions of a river, stream or lake along with materials to conduct a number of in-the-field chemical tests. The State maintains 85 surface water quality monitoring stations across Iowa, and the IOWATER data provides information on a much wider range of public water resources. In some instances, IOWATER volunteers may develop State-approved sampling plans, and the result are then considered for the bi-annual 305(b) water quality listing.

IOWATER is managed by the Iowa Department of Natural Resources (DNR). Five DNR staff are provide technical and educational support to the program. Funding comes from a dedicated source that also supports DNR's other water quality monitoring activities. IOWATER also receives support from Iowa's 319 grant program.

SD Volunteer Monitoring Program - Anne Lewis, South Dakota Discovery Center, reviewed the history and status of volunteer water quality monitoring in South Dakota. She noted that the efforts are focused primarily on lakes, with only a few streams currently being monitored. At present there are monitors on 14 lakes across eastern South Dakota that have active sampling programs. Volunteers collect information directed at determining the trophic state index (TSI), which is one of the tools DENR uses to evaluate surface water quality in lakes. Most lake volunteers regularly measure water clarity using a secchi disk, along with other physical characteristics. Twice each year, the program distributes sampling bottles for chlorophyll-a and phosphorus, which are analyzed by DENR and the State Health Laboratory.

Ms. Lewis noted that there is substantial interest in this type of program, but that many potential volunteer monitors are looking to gather information for which resources are unavailable or quite expensive, such as fecal coliform bacteria or volatile organic compounds (VOCs).

Financial support for volunteer citizen monitoring programs in South Dakota come primarily from grants funds from the Non-Point Source Information and Education Program.

SDLSA Bacteria Screening Project - The Manager reviewed a proposal developed in conjunction with the South Dakota Lakes and Streams Association (SDLSA) to evaluate the use of citizen monitors to collect data on the presence of bacteria (*E. coli* and total fecal coliform) in area lakes and the Big Sioux River. The study will assess the effectiveness of two inexpensive testing methods and compare the results with standards tests. Total project costs are \$8,145, of which \$4,745 will come from a grant from the Non-Point Source Information and Education Program.

The presence of bacteria is one criteria for evaluating whether the beneficial uses of immersion and limited-contact recreation can be met in a water body. However, the relatively high analytical costs, along with other technical complications, have limited the collection of this type of information. Consequently, for nearly 75%

of the lakes in EDWDD listed in the bi-annual 305(b) water quality reports, it is unknown whether or not these beneficial uses are being met. Development of an accurate and low-cost bacterial test would help address this chronic problem.

Six area lakes (Kampeska, Pelican, Campbell, Herman, Madison and Brant) will be studied, along with segments of the Big Sioux River near Watertown and Brookings. Protocols for sample collection and analysis will be developed over the coming months, with field work commencing in March 2007. Volunteers will collect samples, which will be analyzed at testing sites in Brookings, Madison and Watertown.

Minnesota's Clean Water Legacy Act

Dave Sill, Minnesota Board of Water and Soil Resources (BWSR), described the Clean Water Legacy Act (CWLA), recently passed legislation aimed at addressing a variety of water quality issues in Minnesota. The law provides new funding (nearly \$25,000,000) and a framework for distribution of these resources. The funds will augment existing programs, rather than creating "new" programs. Emphasis will be placed on; 1) assessment and monitoring; 2) total maximum daily load (TMDL) development; 3) non-point source pollution sources; and 4) point source pollution sources. Program oversight will be provided by a 23-member Clean Water Council. Most of the funds will pass through DNR, BWSR and the Pollution Control Agency for testing and monitoring of lakes and streams, establishment of plans (TMDLs) to clean up impaired waters and protection and preservation of lakes and streams through pollution source reductions.

Project Updates

Big Sioux River Watershed Assessment Projects - The Manager and staff reviewed recent activities on the Central Big Sioux River (CBSR), the North-Central Big Sioux River/East Oakwood Lake (NCBSR) and School Lake Assessment Projects. The final reports and TMDL reports are under final review by DENR staff. Work continues on the draft final report for the Wall Lake Re-Assessment Study. It will be sent to DENR on September 29th.

Central Big Sioux River Implementation Project - Project leader Angela Guidry summarized her efforts working with landowners in Hamlin and Minnehaha Counties on feedlot upgrades, easements and riparian area restoration activities. She is currently working with four operators in Hamlin County. All four are going to be making upgrades to their existing animal feeding operations. She is also working with two operators in Minnehaha County. The four feedlots in Hamlin County are expected to be constructed sometime in 2007. The time frame for construction of the two Minnehaha County feedlots is open. Two Minnehaha County landowners (one on Skunk Creek and one on the Big Sioux River) are currently enrolled in the Riparian Area Management (RAM) program. Three landowners are interested in the conservation easement program. They are also pursuing a USDA-CRP program and the conservation easement will be placed on top of the CRP contract. Paulsen Marketing is working to develop an educational video about the Big Sioux River.

Fencing of navigable rivers and streams - The Manager briefed the Board on South Dakota Codified Law (SDCL) 43-17-38, which requires a gate or opening in any fence crossing a State-designated navigable river or stream. The gates provide public access to the water bodies so that the designated recreational uses can be realized. Water bodies located within the District with this designation are the Big Sioux River (south of the Codington/Grant County border), Flandreau Creek and Split Rock Creek. Fences and gates must be registered with the DENR Water Rights Program, and are subject to the jurisdiction of the South Dakota

Water Management Board.

On September 20th, the Manager began a survey of the three water bodies in the District designated as navigable under SDCL 42-17-38. Using South Dakota Department of Transportation county highway maps as a base, the presence or absence of fences (and gates) will be noted at all river or stream crossings. To avoid access issues, observations will only be made from public right-of-ways. The initial effort, covering the Big Sioux River from the Codington/Grant County line to the town of Bruce, found un-gated fences at 26 of 44 river crossings. Upon completion of the survey (mid-October), the information will be forwarded to DENR Water Rights Program.

The Manager noted that the majority of the water-quality impairments being addressed by watershed projects in the District are directed toward restoring and/or protecting beneficial uses tied to recreation. However, if public access to these water bodies is restricted or denied by un-gated fences, then the beneficial use can not be fully realized, regardless of the quality of the water in the stream. Consequently, adherence to the provisions of SDCL 43-17-38 is necessary if these efforts are to be truly successful.

Adjournment

There being no further District business, Chairman Dempsey declared the meeting adjourned at 12:20 p.m.

Doug Feten, Secretary

**East Dakota Water Development District
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Custom Summary Report
August 2006**

	Aug 06
6880 · Telephone	
6881 · Cell Phone	115.62
6882 · Office Phone	308.66
Total 6880 · Telephone	424.28
6900 · Travel & Ent	643.08
6940 · Utilities	
6970 · Trash Removal	73.67
Total 6940 · Utilities	73.67
Total Expense	30,536.72
Net Ordinary Income	-8,770.96
Other Income/Expense	
Other Expense	
8010 · Other Expenses	19.62
8700 · Uncommitted Project Funds	
8708 · East SD Water Conference 06	5,000.00
8709 · Deuel CD Lakes WIP	2,016.00
Total 8700 · Uncommitted Project Funds	7,016.00
Total Other Expense	7,035.62
Net Other Income	-7,035.62
Net Income	-13,806.58

6541 · Office Maintenance	275.00
Total 6540 · Maintenance	275.00
6550 · Office Supplies	195.69
6551 · Office and Garage Materials	9.01
6560 · Payroll Expenses	
6163 · Payroll Taxes	1,407.43
6561 · Retirement	149.46
6562 · Health Insurance	2,104.44
6564 · Retirement Admin Co. 2	193.04
6560 · Payroll Expenses - Other	7,088.96
Total 6560 · Payroll Expenses	10,923.33
6565 · Payroll Expenses for Board	115.00
6566 · Payroll Expenses Technical	
6570 · Retirement Technical Asst. - Co	421.12
6571 · Technical Asst. Employ. 2 Co.	193.04
6566 · Payroll Expenses Technical - Other	12,142.54
Total 6566 · Payroll Expenses Technical	12,756.70
6620 · Printing and Reproduction	7.38
6690 · Rent	
6691 · Office Rent	1,500.00
Total 6690 · Rent	1,500.00

