



**East Dakota Water Development District**  
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Brookings, SD 57006

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**MINUTES**

**June 19, 2008**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on June 18, 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  
John Johnson  
Kay Kassube  
Robert Todd  
John Weidler

**Directors Absent**

none

**Others Present**

Shirley Flemming, Florence  
Jim Housiaux, Banner Associates  
Randy Jencks, Kingbrook Rural Water System  
Darrell Raschke, James River Water Development District

**Staff Present**

Jay Gilbertson  
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 May 21, 2009 meeting. **Motion** by Weidler, seconded by Johnson to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the May 2009 financial statements. **Motion** by Todd, seconded by Johnson to approve the May 2009 financial statements. Motion carried unanimously. Chairman Eggers directed that the approved financial statements be placed in the District files.

Report of Meetings and Conferences - Directors Flemming and Johnson attended the Upper Big Sioux River Watershed Advisory Board meeting in Watertown on May 21<sup>st</sup>.

Chairman Eggers and Directors Brown, Flemming, Jarrett, Kassube, Todd and Weidler attended the Annual Meeting of the Lewis and Clark Rural Water System in Sioux Falls on May 28<sup>th</sup>.

Directors Jarrett and Todd attended the June 4<sup>th</sup> meeting of the Interlakes Water Quality Committee in Madison.

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Director Weidler attend the Lewis and Clark Regional Water System construction tour on June 12<sup>th</sup>.

Director Jarrett attended the American Water Resources Association Annual Meeting in San Diego, CA, on June 12-17.

Directors Todd and Weidler attended the USDA/ARS Field Day in Brookings on June 16<sup>th</sup>.

Director Flemming attended the Lake Pelican Water Project District meeting in Watertown on June 17<sup>th</sup>.

The Manager briefly commented on the following meetings he attended:

1. **May 27** - Brookings DDN Site. South Dakota Board of Water and Natural Resources Meeting.
2. **May 28** - Sioux Falls. Central Big Sioux River Watershed Project meeting with SECOG, City of Sioux Falls and DENR staff.
3. **May 29** - Brookings. SD Lakes & Streams Association Executive Committee.
4. **June 1** - Egan. EDWDD Planning Committee.
5. **June 4** - Windom, MN. AREA II Minnesota River Basins Project Board Meeting.
6. **June 6** - Lake Poinsett. Lake Poinsett Area Development Association Annual Meeting.
7. **June 8** - LaBolt. LaBolt Lake dam tour and Town Board meeting.
8. **June 11** - Brookings. SD Lakes & Streams Association Board Planning Meeting.
9. **June 12** - Sioux Falls. Lewis and Clark Regional Water System construction tour.
10. **June 17** - Canton. Northern Prairies Land Trust Board Meeting.

Upcoming Meetings -

1. **June 22 - 3:00 p.m.** - Golf Course, Howard. SDACD Vermillion-Big Sioux Area Meeting.
2. **June 25 & 26** - State Capitol Visitor Center, Pierre. SD Board of Water & Natural Resources.
3. **July 2 - 7:00 p.m.** - Public Library, Madison. Interlakes Water Quality Committee.
4. **July 8 & 9** - Matthews Training Center, Pierre. SD Water Management Board.
5. **July 9 - 1:00 p.m.** - EDWDD Office, Brookings. South Dakota Lakes & Streams Association.
6. **July 16 - 8:30 a.m.** - EDWDD Office, Brookings. EDWDD Personnel Committee.
7. **July 16 - 9:00 a.m.** - EDWDD Office, Brookings. EDWDD Finance Committee.
8. **July 16 - 10:00 a.m.** - EDWDD Office, Brookings. May EDWDD Board of Directors Meeting.

**Project Assistance Requests**

Kingbrook Rural Water System - Randy Jencks, Manager, presented the Board with a request for cost-share assistance on behalf of the Kingbrook Rural Water System. Kingbrook is planning to conduct an overall review of the operation of the water delivery system, with a specific focus on the capacity of the system to serve new connections. Mr. Jencks noted that they currently have requests for hook ups at nearly 200 new locations within our coverage area. The study will update our hydraulic model for current water usage, assess the impact of the new connections on hydraulic performance of the system, and provide preliminary designs to accommodate the new connections and address deficiencies. Their engineer has presented a project plan with a budget not to exceed \$28,000. **Motion** by Todd, seconded by Kassube to provide District cost-share assistance of twenty-five percent (25%) of the costs of the study, up to a maximum amount of \$7,000. Motion carried unanimously, with Director Weidler abstaining.

**Town of LaBolt** - Jim Housiaux, Banner Associates, presented the Board with a request for cost-share assistance on behalf of the Town Of LaBolt. The Town is currently undertaking an assessment of their waste water collection and treatment system. The Manager met with the Town Board on June 8<sup>th</sup>, and suggested that they pursue District cost-share assistance for the development of a waste water system facility plan. The Town's request is predicated on the proposal for services developed by Banner Associates. The Banner proposal would cost \$7,500, with \$6,000 sought from the States Small Community Planning Grant Program. The request to the District is for a share of the balance of the costs. The Manager noted that the District typically provided fifty percent (50%) of the local costs in such cases, which would amount to \$750. **Motion** by Flemming, seconded by Weidler to provide District cost-share assistance of fifty percent (50%) of the local costs of the study, up to a maximum amount of \$750. Motion carried unanimously.

### **Amendments to Administrative Rules of South Dakota 74:05:05**

The Manager reviewed proposed amendments to the Administrative Rules of South Dakota (ARSD) 74:05:05. This section of the ARSDs contain the definitions and descriptions of the director areas for water development districts. The South Dakota Board of Water and Natural Resources (BWNR) is scheduled to holding a hearing on this issue at 1:00 p.m. on June 25<sup>th</sup> in Pierre. The changes to the water development district (WDD) director areas under consideration are the result of House Bill 1174, An Act to revise certain provisions related to the composition of water development district boards of directors, passed during the 2008 legislative session. The bill repealed the provisions in WDD law that defined director areas in terms of separate rural and municipal districts, replacing these with director areas divided solely based on population. On behalf of the BWNR, staff from the South Dakota Department of Environment and Natural Resources (DENR) have re-drawn directors areas for each of the seven WDDs, in consultation with District staff.

The Manager reviewed the reconfiguration of the director areas for the East Dakota Water Development District, as contained in ARSD 74:05:05:20. As was expected, the revised director district areas will result in a shift of the distribution of directors to the south. The majority of the District population is located in the City of Sioux Falls and surrounding sections of Minnehaha County. Under the proposed changes, two additional director areas will be located in Sioux Falls. There is concurrent reduction of director areas from that part of the District north of Minnehaha County. With the redistribution, three of the newly defined director areas have no currently seated director, and two of the areas have multiple current directors.

The language included in House Bill 1174 allows current existing District Board members to continue to serve until the subsequent (2010) election cycle (now part of South Dakota Codified Law 46A-3B-13). Any person who was a lawful member of the District Board as of January 1, 2009, may continue to serve until the subsequent general election. This would hold true regardless of how the District is re-apportioned in accordance with the other provisions of HB 1174. Therefore the current EDWDD Directors will constitute the District Board of Directors through the end of 2010.

It was the consensus of the Board that the proposed changes meet the purpose and spirit of HB 1174, and provide for more equitable representation of District residents. The Manager would report that the Board had no objections to the changes at the June 25<sup>th</sup> hearing in Pierre.

### **Stage & Discharge Monitoring in the Big Sioux, Vermillion and Minnesota River Watersheds**

The Manager reviewed a proposal brought forward by the South Dakota Department of Environment and Natural Resources (DENR) to install and monitor stream and river stage gauges at about two dozen water quality monitoring (WQM) sites in the Big Sioux, Vermillion and Minnesota River watersheds. DENR

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maintains an extensive surface water quality monitoring network at many of South Dakota's streams. There are currently over 140 active ambient monitoring stations across the state. The data from these sampling stations helps DENR identify problems, document improvements and demonstrate overall trends in the quality of South Dakota waters. A number of the WQM sites are at locations where river/stream stage and discharge are actively being measured, which in turn allows for the determination of the levels of pollutant loadings taking place. However, for most WQM sites, stage recorders are not present and discharge rates must be estimated.

There are 36 WQM sites currently located within the Big Sioux, Vermillion and Minnesota River watersheds. DENR has proposed a cooperative venture with the District to install stage recorders at 23 WQM sites that do not have stage recorders. DENR will provide financial assistance using United States Environmental Protection Agency Section 106 grant funds. The project would involve 1) the District purchasing stage and discharge measuring equipment, 2) installation of the stage recorders by DENR staff, with assistance from the District, and 3) District staff collecting stage measurements and discrete discharge readings from these sites for a period of approximately two years. The data collected during the third task above will be used to begin development of stage-discharge curves for each of the WQM sites. DENR has \$185,740 available in Section 106 grant dollars to support this effort. Most of the grant dollars would be directed toward equipment purchases, but funds would also cover travel expenses and a portion of the salaries for District staff.

The Manager noted that the project implementation plan (PIP) was nearly completed, and requested Board authorization to enter into the agreement with DENR upon receipt of the final version. **Motion** by Brown, seconded by Weidler to authorize Chairman Eggers to sign an agreement with DENR for this activity, provided the terms and conditions are satisfactory. Motion carried unanimously.

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#### Planning Committee Report

On June 1, 2009, the Planning Committee met at the offices of the Big Sioux Community Water System in Egan. The Committee met with the purpose of reviewing the status of current District activities, and developing a list of potential activities and programs the District might become involved with in the coming years. After extensive discussion, the Committee identified three activities that it believed should be considered. The Manager and Director Brown, Chair of the Planning Committee, described these for the Board:

#### *Riparian Area Easements*

The District-sponsored Central Big Sioux Watershed Project (Project) will come to a close early next year. However, one element of the Project seems quite well suited to the District's capabilities - riparian area easements. Although this element of the Project started slowly, it has become an increasingly popular program. The terms of the agreements call for either permanent or long-term (30 year) easements for ground along the river and major tributaries. Continuing this effort using District funds, possibly in conjunction with other grants and/or stakeholder groups, would seem to be a very positive effort and a way to keep the District involved in watershed protection.

The proposed activity would direct District resources toward establishing a pool of funds available for the acquisition of riparian area easements along rivers and streams in the District. As with the Project, the District's primary role would be as the funding entity, with the day-to-day management of the easements likely left to the Northern Prairies Land Trust, or similar entities. With a substantial pool of applicants

across the District, a priority list of targeted water bodies/watersheds would need to be established.

### **Wellhead Protection Area Easements and Acquisitions**

Over the past 35 years, regional/rural water systems have become increasingly important public water suppliers (PWSs). In many instances they have either replaced entire small community PWSs, or have become the bulk supplier of water to small PWSs. The majority of the District's population is now largely dependent on a fairly small number of PWSs for their drinking water. As such, source water protection is an ever more critical need. County-level aquifer protection ordinances provide a degree of protection, but some PWSs have been pursuing more proactive protection efforts. Some have purchased the land around their wells, while others have entered into agreements with the owners of the critical lands to restrict the types of land use so that the risk of contamination can be reduced. Delineated wellhead protection areas represent a small, but critical, portion of the District on which pretty much everyone depends.

The proposed activity would direct District resources toward establishing a pool of funds available for the purchase of land within established wellhead protection areas (WHPAs), or for establishing land-use easements within these same areas. The potential number of acres/WHPAs is finite, but not unsubstantial. Consequently, there will be a need to set up a mechanism and criteria by which the funds would be made available to the PWSs.

### **Groundwater Data Compilation, Analysis and Reassessments**

Since its inception in 1963, the District has supporter studies of area ground water resources conducted by the South Dakota Geological Survey (SDGS) and other entities. Projects have ranged from small, localized investigations for small communities and rural water systems to county-wide and regional studies intended to identify and define major aquifers. A major component of these investigations was the installation and monitoring of a large number of observation wells. With few exceptions, once these investigations were completed, the observation wells have received only cursory examination.

The proposed activity would direct District resources toward:

- a. an inventory of observation wells installed within the District. Based on the condition of the wells, work with SDGS to either rehabilitate or abandon the wells as appropriate;
- b. instigating a program to revisit selected observation wells and reinstate water level monitoring and/or water quality sampling; and
- c. instigating a program of compilation and analysis of ground water data sets that exist, but for which time and resources have not been readily available for proper assessment.

The Board concurred that the activities should undergo further consideration. The Manager indicated that he would determine the potential costs, both in terms of manpower and financial resources, and integrate them into the draft 2010 budget under development.

### **Project Updates**

Central Big Sioux River Watershed Implementation Project - Roger Strom reviewed activity on this project. Seven applications to the riparian easement program are under review, and proposals are being developed. Five are in Hamlin County, one in Minnehaha County, and one applicant has property in both Moody and Minnehaha Counties. Two riparian area management (RAM) contracts in Moody County are nearly finalized. Mr. Strom is working with five operators on animal waste management system (AWMS) projects.

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The Manager reported that the remaining, uncommitted Clean Water State Revolving Fund (CWSRF) funds have been reprogrammed toward bank stabilization activities along the Big Sioux River around and north of Sioux Falls. A number of priority sites have been identified along the river between Sioux Falls and Baltic. Mr. Strom and staff from DENR are in the process of obtaining access agreements and conducting site visits. Once this initial effort is complete, the District will no longer have any direct involvement in this activity. The City and DENR will handle all subsequent activities pertaining to the bank stabilization efforts.

The Manager indicated that with the re-allocation of the CWSRF funds, all available project assistance funds will be potentially obligated. Riparian easements, RAM contracts and AWMS projects currently under consideration would, if they all move forward, account for all available funds. He noted that this includes an additional \$100,000 in EPA Section 319 funds that DENR has pledged to make available. Mr. Strom is expected to start preparation of the draft final project report in the coming months.

### **Adjournment**

There being no further District business, Chairman Eggers declared the meeting adjourned at 11:40 p.m.

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Doug Feten, Secretary, Secretary

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