



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

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**MINUTES**  
**September 18, 2008**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on September 18<sup>th</sup>, 2008, at the District office, 132B Airport Avenue, Brookings. Chairman Eggers called the meeting to order at 9:05 a.m. The following persons attended:

**Directors Present**

Curt Eggers  
Doug Feten  
Martin Jarrett  
Kay Kassube  
Jerry Siegel  
Robert Todd  
John Weidler

**Directors Absent**

Lois Brown  
John Johnson

**Others Present**

David German, SDSU Water Resources Institute  
Robert Kolbe, Minnehaha County Commission

**Staff Present**

Jay Gilbertson  
Jeremy Hinke  
Deb Springman  
Roger Strom  
Kristi Thielen

**Administrative Items**

Approval of Agenda - The Manager asked to have a Project Assistance Request from the 2009 Big Sioux Water Festival added to the Agenda. **Motion** by Wiedler, seconded by Siegel to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the August 21, 2008 meeting. **Motion** by Todd, seconded by Feten to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the August 2008 Financial Report. **Motion** by Siegel, seconded by Todd to accept the August 2008 Financial Report. Motion carried unanimously. Chairman Eggers then asked that the reports be placed in the District files.

Report of Meetings and Conferences - Director Todd attended the Interlakes Water Quality Committee meeting in Madison on September 4.

The Manager briefly commented on the following meetings he attended:

1. August 21 - Milbank. Informational meeting on concentrated animal feeding operation permitting process sponsored by Ag United for South Dakota.
2. August 25 - Milbank. Public informational meeting on proposed Big Sioux River flood plain maps.

3. August 28 - Huron. South Dakota Association of Rural Water Systems booth at State Fair.
4. September 3 - Pierre. South Dakota Non-Point Source task Force.
5. September 9 - Brookings. Big Sioux Water Festival Steering Committee.
6. September 11 - Pierre. Big Sioux River TMDL Planning Meeting.
7. September 17 - Huron. James River Water Development District Technical Advisory Committee.
8. September 17 - Sisseton. Roberts County Conservation District Board of Supervisors.

Upcoming meetings -

1. **September 19 - 1:00 p.m.** - Lakeview Café, Lake Poinsett. South Dakota Lakes and Streams Association Annual Meeting.
2. **September 20 - 1:00 p.m.** - North Shore Grille, Lake Thompson. Four Lakes Improvement Association meeting.
3. **September 21-23** - Ramkota River Center, Pierre. South Dakota Association of Conservation District Annual Meeting.
4. **September 23 - 1:00 p.m.** - Pierre. South Dakota Conservation Commission.
5. **September 24 - 2:00 p.m.** - Various Dakota Digital Network sites. Public informational meeting on proposed changes to South Dakota Surface Water Quality Standards.
6. **September 25 & 26** - Brookings. South Dakota Board of Water and Natural Resources.
7. **September 25 - 7:00 p.m.** - City Hall, Watertown. Upper Big Sioux River Watershed Advisory Board.
8. **September 27 - 1:00 p.m.** - Hendricks, MN. Lake Hendricks Improvement Association Board of Directors.
8. **October 2 - 7:00 p.m.** - Public Library, Madison. Interlakes Water Quality Committee.
9. **October 9 - 1:00 p.m.** - EDWDD Office, Brookings. South Dakota Lakes and Streams Association Board of Directors.
10. **October 20 - 10:00 a.m.** - Visitor Center, Milbank. October EDWDD Board of Directors Meeting.

Payment Request - The Manager presented the Board with a payment request from the Grant County Auditor. In July 2007 the Board agreed to provide fifty percent (50%) of the local costs, up to a maximum of \$3,750, for development of 100-year flood plain maps for western Grant County. He noted that the work has been completed, and the County Auditor has submitted all required paperwork. They expended the maximum amount on the effort, and the request is for \$3,750. The Manager recommended payment of \$3,750 as requested. **Motion** by Siegel, seconded by Feten to approve payment as requested. The Manager noted that this payment would complete the District's commitment to this effort. Motion carried unanimously.

### **Water Quality Impacts of Winter Manure Application**

Dave German, Research Associate with the South Dakota State University Water Resources Institute (WRI), provided the Board with a summary of their efforts to assess the water quality impacts of winter application of manure. He noted that wintertime application of manure was a practice that was largely discouraged due to water quality concerns. However, he noted that this was still common practice, particularly for small animal feeding operations. The WRI efforts was to assess the water quality (runoff) impact of winter application in eastern South Dakota. It was also directed toward assessing under which conditions the impact might be least problematic if it is going to take place. The study looked runoff from three adjacent 5-6 acre watersheds near Brookings. One field was a no-action control plot, one had manure applied and

incorporated in the fall of 2007 and the final had manure applied over frozen ground during the winter of 2008.

Runoff was collected from each watershed this past spring, and analyzed for various constituents of concern. Phosphorus levels were higher in the runoff from the two fields to which manure was applied compared to the control plot. Suspended solids were higher from the control plot than either of the other two, confirming that manure application helps control erosion and runoff. Ammonia levels were highest from the winter application plot, roughly three times the fall application plot. The no application plot had little detectable ammonia. Total Kjeldahl nitrogen and bacteria levels were also elevated in the winter application plots compared to the other two fields.

Mr. German indicated that they are working to summarize the study results, and a report will be out soon on the study. In March 2008, the Board agreed to provide cost-share assistance to the WRI for analytical costs for this project (50% of the costs, up to a maximum of \$2,400). The number of samples collected was significantly less than expected, and the District's cost for this effort was \$1,297.75.

Mr. German indicated that WRI is pursuing a follow-up project that will expand on the current study. They are seeking a grant through the Environmental Protection Agencies Non-Point Source Pollution (Section 319) Grant Program. He asked if the Board would be interested in providing cost-share assistance toward this effort as well. **Motion** by Siegel, seconded by Kassube to provide \$3,000 per year for three years (\$9,000 total) toward this effort. The Manager noted that as there remained a balance of \$1,102 in the District's original commitment, this action would in practice be applying an additional \$7,898 in District cost-share assistance toward the effort. Motion carried unanimously. Mr. German noted that if the grant application was not successful, the project would not go forward. The manager indicated that if that was the case, the award could be rescinded and the funds applied to other projects.

### **Proposed changes to Surface Water Quality Standards**

The Manager noted that the South Dakota Department of Environment and Natural Resources (DENR) is required by the Federal Clean Water Act to review and update surface water quality standards and the beneficial uses assigned to lakes and streams every three years. DENR has completed its triennial review, and is proposing a number of changes to existing standards and assigned beneficial uses. These will be explained during a public information meeting to be held over the Digital Dakota Network on September 24. This meeting is informational only and will provide interested parties time to develop comments to be submitted to the department when the official public notice period starts October 24.

The Manager presented a brief summary of the proposed changes. It will be proposed to make adjustments in the manner in which temperature and dissolved oxygen levels are measured if a lake is stratified. Daily maximum temperature limits are to be largely replaced with weekly average values. Water body specific total suspended solids values are being proposed for the White River and tributaries. Assigned beneficial uses for some water bodies are being added, deleted or changed to reflect current conditions.

Of particular note is a change in how the State is going to assess immersion recreation and limited-contact recreation. The State currently measures the level of fecal coliform bacteria (FCB), along with other parameters, when evaluating these uses. Water is considered to be impaired with regard to these uses if FCB exceed certain levels. The proposal is to switch to measuring the levels of *Escherichia coli* (*E. coli*) bacteria.

*E. coli* bacteria have been shown to be a more consistent and reliable indicator of human health risk in water with elevated bacteria counts. The Manager noted that the District-sponsored study (South Dakota Citizens Monitoring Bacteria - A Pilot Project) may well have played a role in supporting/instigating this change.

### **Hearing on the 2009 EDWDD Operations Budget**

Chairman Eggers opened the public hearing on the 2009 EDWDD Operations Budget at 10:00 a.m. and invited public comment on the budget as advertised. The Manager stated that the District had published a copy of the budget and notices of the hearing in the official District newspapers. No written or verbal comments have been received prior to the meeting. No public comments were made. **Motion** by Weidler, seconded by Kassube to close the public hearing. Motion carried unanimously. **Motion** by Siegel, seconded by Kassube to adopt the 2009 EDWDD Operations Budget as presented and to authorize Chairman Eggers and Vice-Chairman Todd to sign District Resolution 08-1, Resolution providing that a tax be assessed and levied on all taxable property in the East Dakota Water Development District (copy attached). Motion carried unanimously.

### **Big Sioux Water Festival Assistance Request**

Deb Springman, Project Coordinator for the Big Sioux Water Festival (BSWF), presented the Board with a request to provide travel assistance to the classes attending the 2009 BSWF to be held on May 12<sup>th</sup> on the campus of South Dakota State University. Ms. Springman noted that over the past few years, concerns have been expressed by local school districts about the costs of attending the annual water festival in Brookings. The teachers all say it is a worthwhile experience, but the school administrations are looking at the costs of a bus trip. In advance of the 2006 event, the Board set aside \$2,500 to assist the area schools with travel costs. Those funds, referred to as All Aboard Bucks, have now been depleted. With the recent steep increase in fuel costs, the Steering Committee is anticipating that travel costs will become an even greater issue. Ms. Springman proposed a stipend of \$0.50 per mile traveled for each class attending the upcoming event. Based on last years attendance and travel assistance requests, she requested that the Board set aside \$1,200 toward this effort. The Manager noted that this request would be in addition to the annual financial assistance request to the District, which will be presented in early 2009. **Motion** by Johnson, seconded by Feten to award \$1,200 in District project assistance funds to the 2009 Big Sioux Water Festival to support the All Aboard Bucks effort. Motion carried unanimously.

### **Project Updates**

Lake Campbell Watershed Assessment - Deb Springman reviewed activities on this project. The BATHTUB model is being setup and populated with data. After the model is run she will have a better idea of the amount of nutrients entering the lake, exiting the lake, and being captured by the lake. The model also predicts the amount of reductions needed to improve or sustain current water quality. The model takes into consideration, precipitation, inlets, outlets, evaporation, ground water, and retention.

The DENR is re-writing their 2005 "Targeting Impaired Lakes in SD" manual. DENR will no longer be using TSI (trophic state index) to categorize a lake as being impaired or not impaired. The EPA does not like indicating a lake is impaired due to TSI trends - water quality (WQ) standards need to be used to determine impairment. Chlorophyll-a, Secchi depth and phosphorus in the past were used to calculate Trophic State Index. None of these parameters are tied to water quality standards. EPA wants only violations of WQ

standards to be used as the basis for the determining if a water body is impaired.

Big Sioux Water Festival - Deb Springman reviewed activities on this project. Five sets of traveling trunks were restocked and reorganized. They were all delivered to area schools on September 3<sup>rd</sup>. They are scheduled to be at a particular classroom for one month each. A Big Sioux Water Festival Steering Committee meeting took place in mid-September. The Committee is looking for several subcommittee chairs to work with presenters, the media and to run the Wet and Wild Game Park. The Committee is also requesting funding for the All Aboard Bucks. Travel reimbursement for this program will be \$0.50 per mile in 2009.

Dakota Water Watch - Jeremy Hinke reviewed activities on this effort. Project management formally changed hands on September 5th. A new volunteer citizen monitor was trained to do Bacteria Monitoring at Lake Kampeska. New project personnel attended the Interlakes Water Quality Meeting in Madison. A beta test version of an online database should be coming out next month.

Central Big Sioux River Implementation Project - Project Coordinator Roger Strom briefed the Board on his recent efforts. He noted that he and Jeremy Hinke had completed the September water quality sampling. He has made contact with numerous project cooperators, to introduce himself and to check on the status of their efforts. Many of the activities, particularly work on large animal waste management systems, have been on hold. He noted that the Ed Friske Project in hamlin County is now ready to go forward, and requested that the Board authorize an agreement with the engineering firm Schmucker, Paul, Nohr & Associates (SPN) for oversight and management of the construction phase of this effort. **Motion** by Kassube, seconded by Siegel to authorize Chairman Eggers to sign an agreement with SPN Engineers for project construction oversight and management. Motion carried unanimously. Mr. Strom informed the Board that he had developed and submitted payment reimbursement requests to both the City of Sioux Falls and DENR for eligible project expenses covering the period from January 1 through September 15, 2008.

### **Adjournment**

There being no further District business, Chairman Eggers declared the meeting adjourned at 11:55 a.m.

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Doug Feten, Secretary

**RESOLUTION 08-1**

**RESOLUTION PROVIDING THAT A TAX BE ASSESSED AND LEVIED ON ALL TAXABLE PROPERTY IN THE EAST DAKOTA WATER DEVELOPMENT DISTRICT**

**WHEREAS**, Section 46A-3E-1 of the South Dakota Codified Laws provides, "A water development district board of directors may levy taxes, not to exceed thirty cents per thousand dollars of taxable valuation in the district, for accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive and chapters 46A-1 and 46A-2"; and

**WHEREAS**, Section 46A-3E-13 of the South Dakota Codified Laws provides, "Appropriate officials shall extend the levy or special appropriate tax paying entity for the tax year against each description of taxable property or, in the case of special assessments, against each description of taxable property to be specially assessed within the water development district in the same manner and with the same effect as other taxes and assessments are extended"; and

**WHEREAS**, Section 46A-3E-14 of the South Dakota Codified Laws provides, "Appropriate tax collection officials shall collect all water development district taxes and assessments, together with interest and penalty thereon, if any in the same manner as the general taxes and assessments are collected and shall pay over monthly to the water development district treasurer all taxes so collected during the preceding month, with interest and penalties and shall immediately notify the secretary of the water development district of such payment. The water development district treasurer shall immediately enter these receipts to the credit of the depository accounts designated by the water development district board of directors pursuant to Section 46A-3E-10"; and

**WHEREAS**, the East Dakota Water Development district boundary includes all of the lands within Brookings, Codington, Deuel, Grant, Hamlin, Kingsbury, Lake, Lincoln (Sioux Falls only), Miner (eastern one-half), Minnehaha, and Moody; and

**WHEREAS**, the East Dakota Water Development District Board of Directors, at a meeting in Brookings, South Dakota, on September 18, 2008 adopted a budget of \$1,293,000 for the calendar year 2009 and which is hereby attached and incorporated by reference; and

**WHEREAS**, an estimated \$525,000 of said budget is to be raised by a new tax on real property;

**NOW, THEREFORE BE IT RESOLVED**, that pursuant to Chapter 46A-3A to 46A-3E, inclusive, of the South Dakota Codified Laws, the county auditor in each of the following counties of Brookings, Codington, Deuel, Grant, Hamlin, Kingsbury, Lake, Lincoln (Sioux Falls only), Miner, Minnehaha, and Moody within East Dakota Water Development District, be instructed to extend the following tax levy in dollars, not to exceed the limits established in Chapter 46A-3E of the South Dakota Codified Laws for collection in 2009 to wit:

COUNTIES	REAL PROPERTY TAX LEVY	OPT-OUT PROPERTY TAX LEVY
Brookings	<u>\$20,327</u>	<u>\$27,103</u>
Codington	<u>\$19,295</u>	<u>\$25,726</u>
Deuel	<u>\$5,170</u>	<u>\$6,893</u>
Grant	<u>\$6,607</u>	<u>\$8,810</u>
Hamlin	<u>\$5,501</u>	<u>\$7,334</u>
Kingsbury	<u>\$5,647</u>	<u>\$7,529</u>
Lake	<u>\$9,957</u>	<u>\$13,277</u>
Lincoln (Sioux Falls only)	<u>\$20,311</u>	<u>\$27,082</u>
Miner	<u>\$2,171</u>	<u>\$2,895</u>
Minnehaha	<u>\$123,380</u>	<u>\$164,506</u>
Moody	<u>\$6,634</u>	<u>\$8,845</u>

Said tax levy is to be extended against all taxable property in the county including municipalities, within:

11. Minnehaha, Moody, Lake, Kingsbury, Brookings, Hamlin, Deuel, Codington, and Grant Counties;
12. Grafton, Belleview, Adams, Henden, Howard, Clearwater, Canova, and Vermillion townships in Miner County; and
13. all municipalities that are wholly or partially within the included area or that are contiguous to the included area; in the same manner and with the same effect as other taxes are extended; and

**BE IT FURTHER RESOLVED**, pursuant to Section 46A-3E-14 of the South Dakota Codified Laws, the county treasurer in each of the counties within the said East Dakota Water Development District be instructed to collect said real property taxes and pay over such collection of money to the East Dakota Water Development District each month for deposit in the First National Bank of Brookings, the local depository for the District; and

**BE IT FURTHER RESOLVED**, pursuant to Section 46A-3E-12 of the South Dakota Codified Laws, the secretary of the East Dakota Water Development District is hereby instructed to send a certified copy of this resolution adopting this annual tax levy to be made against 2008 taxable property valuation, and a certified copy of the budget for 2009 as approved by the Board of Directors, to each county auditor and each county treasurer within the East Dakota Water Development District and to the State Secretary of Revenue.

Dated this 18th day of September, 2008, with the approval of the East Dakota Water Development District Board of Directors.

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Curtis Eggers, Chairman  
East Dakota Water Development District

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Robert Todd, Vice-Chairman  
East Dakota Water Development District

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