



**East Dakota Water Development District
132B Airport Drive
Brookings, SD 57006**

605-688-6741

605-688-6744 Fax

**MINUTES
September 17, 2009**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on September 17th, 2009, at the Buffalo Ridge Resort and Business Center, Gary. Chairman Eggers called the meeting to order at 9:35 a.m. The following persons attended:

Directors Present

Lois Brown
Curt Eggers
Doug Feten
Vincent Flemming
John Johnson
Kay Kassube
Robert Todd
John Weidler

Directors Absent

Martin Jarrett

Others Present

Joe Beech, Lake Hendricks Improvement Association
Sarah Caron, City of Watertown
Shirley Flemming, Florence
Jane Gubrud, Lake Cochrane Improvement Association
Darin Larson, United States Geological Survey
Ken Madison, SD Dept. of Environment & Natural Resources
Katherine Pekarek-Scott, MN Pollution Control Agency
State Senator Jim Peterson, District 4, Reville
Darrell Raschke, James River Water Development District
Elois Redlin, Deuel County Conservation District
State Representative Steve Street, District 4, Reville

Staff Present

Jay Gilbertson
Jeremy Hinke
Roger Strom

Administrative Items

Approval of Agenda - The Manager asked to have a Project Assistance Request from the 2010 Big Sioux Water Festival added to the Agenda. **Motion** by Flemming, seconded by Brown to approve the agenda as amended. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the August 20, 2009 meeting. **Motion** by Todd, seconded by Kassube to approve the Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the August 2009 Financial Report. **Motion** by Johnson, seconded by Todd to accept the August 2009 Financial Report. Motion carried unanimously. Chairman Eggers 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 09-1, Resolution providing that a tax be assessed and levied on all taxable property in the

DRAFT

East Dakota Water Development District. The resolution covers District tax collections for fiscal year 2010. The District Board approved the 2010 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 Weidler, seconded by Brown to authorize the Chairman and Vice-Chairman to sign Resolution 09-1. Motion carried unanimously.

Report of Meetings and Conferences - Director Flemming attended meetings of the Upper Big Sioux River Watershed Advisory Board on August 20 and the Lake Pelican Water Project District on September 16. Both meetings were in Watertown.

Director Todd attended the Richland County (ND) and Roberts County (SD) 2009 Geology Tour on September 3.

Upcoming meetings -

1. **September 20-22** - Spearfish. South Dakota Association of Conservation Districts Annual Convention.
2. **September 22** - Spearfish. SD Conservation Commission.
3. **September 23 & 24.** Various SD DDN Sites. SD Board of Water & Natural Resources.
4. **September 24** - Northern State University, Aberdeen. Northern Prairie Water Festival.
5. **October 7 & 8** - Matthews Training Center, Pierre. SD Water Management Board.
6. **October 15 - 9:00 a.m.** - EDWDD Office, Brookings. October EDWDD Board Meeting.

Payment Request - 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 has been received from the City, along with associated paperwork. The request is consistent with the Board's action, and he recommended Board approval of the request.

Motion by Kassube, seconded by Flemming to approve payment as requested. The Manager noted that he will ask to have City representatives attend the Board's November 2009 meeting in Sioux Falls to provide a project update. Motion carried unanimously.

Project Assistance Requests

Big Sioux Water Festival - The Manager presented the Board with a request to provide travel assistance to the schools attending the 2010 Big Sioux Water Festival to be held on May 11th on the campus of South Dakota State University. 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. Starting in time for the 2006 event, the Board has set aside a total of \$3,700 to assist the area schools with travel costs. Those funds, referred to as "All Aboard Bucks," have now been depleted. Deb Springman, Project Coordinator, is requesting 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 2010.

DRAFT

Motion by Flemming, seconded by Brown to award \$1,200 in District project assistance funds to the 2010 Big Sioux Water Festival to support the All Aboard Bucks effort. Motion carried unanimously.

City of Watertown - Sarah Caron, Acting City Engineer for the City of Watertown, presented the Board with a project assistance request. She noted that the U. S. Army Corps of Engineers recently completed a Value Engineering Study evaluating various alternatives for flood control in the Watertown area. The study looked at a wide range of possible actions to achieve the desired goal, from a single large dam to multiple smaller structures to digging diversion trenches around the City. Each option was assessed for both its technical merit and cost-effectiveness. However, while technical and fiscal viability are certainly major factors in deciding how next to proceed, public understanding and support will be equally important to implementing any potential solution. The City has proposed to bring the U.S. Institute for Environmental Conflict Resolution (USIECR) to Watertown to assess the diverse stakeholder perspectives on what has at times been a pretty controversial issue. She noted that while many parts of the community are prone to often serious flooding, previously proposed actions to address this problem have not always enjoyed wide-spread public support. The USIECR process will help determine the potential for collaborative stakeholder involvement in the flood control planning process. They familiarize themselves with the issues, interview all of the stakeholders, and then prepare a report advising all parties where possible agreement might be found on the issues.

The Manager has reviewed several reports on previous USIECR situation assessments, and stated that their efforts appear to have been quite positive. The costs of any flood-control measures for Watertown and surrounding areas will be substantial. Determining if adequate public support and stakeholder buy-in will be possible would be a good idea, before further significant investments are made.

Director Flemming questioned whether the investment would be worthwhile, citing the numerous investigations that have completed in the past. He also questioned the ability of the proposed single large dam to protect Watertown from all possible flood events. Ms. Caron noted that the Mahoney Creek Dam was just one of several potential approaches under consideration, and while it appeared to be the most cost-effective measure, public acceptance was still a key factor in the decision to move forward. She agreed that no one project could provide protection against all possible floods, but that the City needed to do what it could to protect the community.

Motion by Feten, seconded by Brown to provide District cost-share assistance to cover fifty percent (50%) of the costs of the situation assessment, up to a maximum amount of \$11,266, as requested by the City of Watertown. The motion passed with Directors Brown, Feten, Johnson, Kassube, Todd, Weidler and Chairman Eggers supporting, with Director Flemming opposed.

Area Water Resource Program Updates

Deuel County Conservation District - Elois Redlin, Office Manager for the Deuel County Conservation District (DCCD), provided the Board with an update on their recent activities. The Deuel County Lakes Watershed Improvement Project involves watershed restoration and protection efforts on a number of lakes in the county - Fish Lake in the southeast (Lac qui Parle River/Minnesota River watershed), Lake Alice in the north-central part (Yellow Bank River/Minnesota River watershed), and Round/School/Bullhead/Wigdale lakes in the northwest (Willow Creek/Big Sioux River watershed). She noted that District assistance had been used in all areas, particularly in support of public education and information efforts.

She also thanked the Board for the planned administrative support grants to DCCD and other conservation districts in East Dakota. She noted that the assistance would provide a solid base from which they could plan future efforts to address water resource concerns in the area.

Lake Cochrane Improvement Association - Jane Gubrud, Lake Cochrane Improvement Association (LCIA), gave a brief summary of their efforts to monitor water quality on the lake. With support from a grant from the State Non-Point Source Information and Education Program, LCIA has been collecting water samples from Lake Cochrane, Lake Oliver, tributaries and lake outlets. As with most lakes in South Dakota, phosphorus is the primary nutrient of concern. In-lake samples had levels that were quite low. Cochrane samples ranged from 0.016 to 0.040 milligrams per liter (mg/L), with Oliver slightly higher (0.05 to 0.061 mg/L). Tributaries had higher levels, as much as 0.35 mg/L, and it is in these area that LCIA is considering protective efforts.

Lake Hendricks Improvement Association - Joe Beech, Lake Restoration Coordinator for the Lake Hendricks Improvements Association (LHIA), presented a summary of recent watershed improvement activities in the area. He noted that a series of very fortunate events have conspired to accomplish a number of very positive developments regarding watershed improvements.

At the encouragement of LHIA and area legislators, the South Dakota Department of Game, Fish and Parks has agreed to purchase a mile-long, 228-acre tract of land along Upper Deer Creek, immediately upstream of its entry point to the lake. The land is currently heavily grazed pasture, the removal of which should dramatically improve riparian conditions and reduce sediment and bacterial loadings to the lake. Upper Deer Creek is the major tributary from South Dakota.

The major Minnesota tributary, County Ditch 11, is the focal point for a riparian buffer program funded through the State of Minnesota Clean Water, Land and Legacy Amendment funds. The program will pay landowners to establish a 50-foot riparian buffer along the ditch, which has been a major source of sediment to the lake over the years. The buffers will be in place for 15 years. Cost-share for this program is also provided by the Lac qui Parle/Yellow Bank Watershed District.

Finally, the City of Hendricks has received funding from the State of Minnesota to re-route its storm water outlets so that they will no longer discharge into the lake.

The Manager noted that Mr. Beech and LHIA will be joining the Dakota Water Watch program later in the fall.

SD Department of Environment & Natural Resources - Ken Madison, from the SD Department of Environment and Natural Resources (DENR) office in Watertown, provided the Board with an update on their watershed protection program in the region. He gave a detailed description of the status and accomplishments of four ongoing implementation projects - Northeast Glacial Lakes Watershed Improvement & Protection Project (Day, Marshall and Roberts Counties); Upper Big Sioux River Watershed Project (Codington, Grant, Day and Roberts Counties); Deuel County Lakes Watershed Improvement Project and Lake Poinsett Watershed Improvement Project (Hamlin, Kingsbury and Brookings Counties).

Minnesota Pollution Control Agency - Katherine Pekarek-Scott, Watershed Project Manager for the Minnesota Pollution Control Agency (MPCA), provided the Board with a brief overview of how watershed assessments and total maximum daily load (TMDL) studies are handled in Minnesota. Like

DRAFT

South Dakota, Minnesota has established designated beneficial uses for lakes and streams, and has specific standards and criteria to determine whether a water body has acceptable water quality. Every two years, the status of the assessed water bodies is reviewed, and a listing is prepared of those that are supporting or not supporting the designated uses. Those that do not meet the requisite standards are placed on the impaired waters (303(d)) list. The state must submit their list to the United States Environmental Protection Agency (EPA) by April 1 of each even-numbered year. The draft 2010 impaired waters list is currently under review. She noted that public hearings on the list are held across the state. The meeting for southwest Minnesota is to be held in Marshall, MN, on October 5th.

Ms. Pekarek-Scott then reviewed the status of the Yellow Bank and Lac qui Parle Rivers, tributaries to the Minnesota River which have their headwaters in South Dakota (Grant, Deuel and Brookings Counties). In the draft 2010 list, 11 separate river/tributary reaches are listed as having one or more impairments (19 total impairments). Problems are primarily elevated bacteria and turbidity (suspended solids) for the border segments. She stressed the importance of cross-border cooperation to address the sources of the impairments. Several factors exist that will make the effort a little challenging. The standards applied by the two states, while similar, are not exactly the same, so one state might consider a water body impaired, while the other determines that no impairment exists. The state line also marks the boundary between two different EPA Regions (South Dakota is in Region 8, with Minnesota in Region 5), so federal "approval" of standards and conditions can vary as well. She noted that the history of cooperation between the District, MPCA and local water resource groups has been, and will continue to be, a great help. She looked forward to working with District staff on these issues.

Finally, Ms. Pekarek-Scott passed along greetings to the Board from two former District employees, Kelli Daberkow and Mark Hansen, who were co-workers of hers in the MPCA Office in Marshall.

DRAFT

District Project Updates

Central Big Sioux River Watershed Project - Roger Strom, Project Coordinator, updated the Board on activities during the past month. A conservation easement closing was held on September 1st at the Northern Prairies Land Trust Office in Sioux Falls. The easement is for 30 years, and covers a total of 16 acres. There was a very good article about the event and program in the Sioux Falls Argus Leader. A riparian area management (RAM) contract was completed for a 12 acre tract northeast of Lake Poinsett in Hamlin County. Work proceeds on the Jared Hanisch animal waste management system near Humboldt. The construction bid opening was held on August 28th and staking completed early in September. The Project has also assisted with site renovation, fencing and grass seeding for the Jim Hunter facility north of Hayti. He also reviewed amendments to the overall grant agreement with DENR. The Manager noted that as the Project approaches closure in 2010, budget elements have been rearranged to reflect actual project costs and expenditures. He noted that the current amendment includes and additional \$100,000 in EPA 319 grant funds to be applied toward riparian easements.

The Manager requested Board authorization for Chairman Eggers to execute Project-related contracts for the Hanisch and Hunter activities, and the amended grant agreement with DENR. **Motion** by Weidler, seconded by Todd to authorize Chairman Eggers to sign the necessary papers as requested. Motion carried unanimously.

Dakota Water Watch - Jeremy Hinke, Project Coordinator, reported on project activities. A bacteria mini-lab has been established for the Kingsbury County lakes area. Lake Thompson is currently the only lake with monitors, but a volunteer on Lake Henry is expected by late fall. The Missouri River Institute

DRAFT

has begun work on the on-line water quality and information database. Mr. Hinke and Deb Springman will be traveling to Vermillion in late October to review their efforts. Volunteers continue to submit testing results from lakes and streams across the area. The Manager noted that he and Mr. Hinke would be making arrangements to visit some of the more far-flung volunteer monitoring locations to meet the participants and check on the progress.

Adjournment

There being no further District business, Chairman Eggers declared the meeting adjourned at 12:35 p.m.

Doug Feten, Secretary

DRAFT

DRAFT