



East Dakota Water Development District
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MINUTES
December 17, 2020

The Board of Directors of the East Dakota Water Development District (District) held a regular meeting on December 17th, 2020, by way of video-conferencing (Zoom). Chairman Anderson called the meeting to order at 9:01 a.m. The following persons attended:

Directors Present

Mark Anderson
Jeff Barth
Mary Ellen Connelly
Gary Duffy
Spencer Hawley
Martin Jarrett
Kay Kassube
Dana Loseke
John Moes

Directors Absent

- none -

Others Present

Jeremiah Bergstrom, South Dakota State University
Cheryl Chapman, Banner Associates
Steve Dick, Hartford
Linda Harris, West Dakota Water Development District
Chris Laveau, USGS Dakota Water Science Center
Dan Mullaly, West Dakota Water Development District
Tim Reed, District 7 State Representative

Staff Present

Barry Berg
Kevin Christenson
Jay Gilbertson
Alexa Kruse
Deb Springman

Administrative Items

Approval of Agenda -

Motion by Loseke, seconded by Jarrett to approve the agenda as presented. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the November 19th, 2020, meeting.

Motion by Moes, seconded by Duffy to approve the November 19th, 2020, Board Meeting Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the November 2020 Financial Reports.

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Motion by Loseke, seconded by Hawley to accept the November 2020 Financial Reports. Motion carried unanimously. Chairman Anderson then asked that the report be placed in the District files.

Report of Meetings and Conferences - Directors Connelly and Loseke attended the SD Soil & Water Conservation Society Annual Conference via video-conference on December 10th.

Director Hawley reported on the November 23rd meeting of the Brookings County Ad Hoc Drainage Committee held in Brookings.

Director Loseke reported on the following meetings he attended, all by way of video-conferencing: SD Nutrient Research & Education Committee (December 2nd), Big Sioux River Water Summit (December 7th), Friends of the Big Sioux River Board (December 7th), 319 Nonpoint Source Task Force (December 8th), Restoring Rivers in a Dry Environment - Osher Lifelong Learning Institute (December 14th) and EPA's "How's My Watershed" Webinar (December 15th).

Director Moes attended the November 19th meeting of the Lake Pelican Water Project District in Watertown.

The Manager commented briefly on the following meetings he attended:

1. November 23rd - Brookings County Ad Hoc Committee to Study Drainage, Brookings.
2. December 1st - 2020 IA/MN/SD Drainage Research Forum, video-conference.
3. December 2nd - SD Water Management Board, via video-conference.
4. December 7th - Big Sioux River Water Summit, Sioux Falls.
5. December 8th - State Non-Point Source Task Force, via video-conference.
6. December 8th - West Dakota WDD Board of Directors, via telephone conference call.
7. December 10th - James River WDD Board of Directors, via video-conference.
8. December 14th - Minnehaha Conservation District Board of Supervisors, via video-conference.
9. December 16th - Vermillion Basin Water Development District, via video-conference.

Upcoming Meetings -

1. **December 22nd - 9:00 a.m.** - via Zoom video-conference. Big Sioux River Watershed Project Steering Committee.
2. **January 7th, 2021 - 1:00 p.m.** - video-conference. South Dakota Board of Water & Natural Resources.
3. **January 12th - 12 noon** - State Capitol, Pierre. Opening of the 96th South Dakota Legislative Session.
4. **January 14th - 9:00 a.m.** - via Zoom video-conference. January James River Water Development District Board of Directors meeting.
5. **January 14th - 2:30 p.m.** - video-conference. Lac qui Parle/Yellow Bank 1 Watershed 1 Plan Interagency Team Meeting.
6. **January 21st - 9:00 a.m.** - via Zoom video-conference. January EDWDD Board of Directors meeting.

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Payment Requests - The Manager presented the Board with three payment requests from District-sponsored activities that required Board action. He noted that the requests were in order and consistent with the conditions established by the Board at the time of the awards.

<u>Grant Recipient/Activity</u>	<u>Requested Amount</u>
City of White/Drinking Water & Wastewater facility plans development	\$ 16,000.00
Minnehaha CD/Support for grass drill purchase	\$ 5,000.00
4-Lakes Association/L Thompson Clean Out Support	<u>\$ 1,079.58</u>
	\$ 22,079.58

Motion by Loseke, seconded by Moes to authorize payments totaling \$ 22,079.58 as requested. Motion carried unanimously.

Project Assistance Review - The Manager reviewed the status of several projects that had previously received District cost-share assistance. Each project has been completed and will not be requesting further funds, or it has been determined that the project will not proceed. The Manager asked that the Board rescind the balance of District funds (\$10,121 in total) previously committed to the following projects:

<u>Award Date</u>	<u>Project</u>	<u>Award Amount</u>	<u>Unused Balance</u>
May 2013	SDSU WRI Saturated Buffer Project	\$ 7,500	\$ 5,287
Feb 2019	Statewide GW Quality Monitoring Network	\$ 12,000	\$ 506
Oct 2019	Lake Thompson Water Level Gage	\$ 5,000	\$ 408
Apr 2020	Town of Erwin Well Closure	\$ 2,500	\$ 2,500
July 2020	4-Lakes Association - Lake Thompson Outlet	\$ 2,500	<u>\$ 1,420</u>
			\$ 10,121

Motion by Moes, seconded by Kassube to rescind the unused balances of the District cost-share assistance grants, totaling \$10,121, as requested. Motion carried unanimously.

The Manager also discussed the Kingsbury County Drainage Inventory project. Work on this effort has ended, but he did not anticipate being able to fully close out this account by the end of the year. He requested authority to revert the balance of any unspent funds once the bills had been paid, presumably in early 2021.

Motion by Duffy, seconded by Moes to authorize the reversion of any unspent funds allocated to the Kingsbury County Drainage Inventory project as requested. Motion carried unanimously.

2021 Legislative Session Preview

State Representative Tim Reed (R-Brookings) provided an overview of expected water resource issues, and other issues, likely to arise during the 2021 Session of the South Dakota Legislature, which will begin on January 12th, 2021. The session will open with Governor Kristie Noem giving the State of the State address, and culminate on March 29th. He stated that a range of adjustments have been, and are

being, made in response to the COVID-19 pandemic. At the same time, COVID-related federal support payments have created a unique situation in the state, with the Governor and Legislature having upwards of \$200,000,000 of one-time monies available.

Representative Reed stated that there are ongoing concerns about the proposed merger of the Departments of Agriculture and Environment & Natural Resources, but he was waiting on further information before taking a formal position. He noted that the Governor is proposing to allocate \$5,000,000 to be applied toward the repair and rehabilitation of public dams.

Western South Dakota Water Development

Dr. Cheryl Chapman, Banner Associates, along with Dan Mullaly, Administrator of the West Dakota Water Development District (WDWDD) reviewed their efforts to gauge possible interest and need for a large-scale water delivery pipeline from the Missouri River to the Black Hills. WDWDD, like East Dakota, is the holder of a future use water right for Missouri River water. In both cases, the permits were first obtained in the mid-1970s, and both entities have continued to retain their permits through to the current day. Although neither entity is, or would ever be, a formal public water supplier (PWS), the idea is that the rights are held on behalf of our constituents, and could be transferred to an actual PWS if needed.

Initially, the WDWDD Board of Directors engaged the SD School of Mines and Technology to look into the potential need for such a source/system. Those results led to the Board engaging Banner Engineering earlier this year to reach out to potential partners to determine actual interest and to map out the necessary steps involved. Banners work on the Lewis & Clark Regional Water System was a key selling point. The WDWDD Board of Directors recently agreed to move on to the next step, a more formal needs assessment. The initial effort will be a water usage evaluation, examining population and demographics, water needs within project area (present and future), and a description of existing water systems.

Evaluating Stormwater Management Strategies in Built-Out Neighborhoods

Jeremiah Bergstrom, of the South Dakota State University School of Design, provided the Board with a summary of the efforts, activities and results of a District-sponsored project entitled, “On Beyond Q: Evaluating MS4 Stormwater Management Strategies in Built-Out Neighborhoods.” The project identified appropriate policies and strategies for small rural cities, using the City of Brookings as the template, that are subject to US EPA Stormwater Phase II Rules for Small Municipal Separate Storm Sewer Systems (MS4) requirements. Working with local stakeholder groups and interested individuals, they identified green stormwater infrastructure practices that could be applied to the landscape of existing built-out neighborhoods, including historic districts. The results were well received, and the City has agreed to incorporate the results in future development plans.

Proposed SD DENR Riparian Buffer Initiative

The Manager noted that at the recent South Dakota Non-Point Source Task Force meeting, held on December 8th, Department of Environment & Natural Resources Secretary Hunter Roberts provided some very preliminary information on an initiative to create a riparian buffer support program. He spoke of the very real benefits of protecting, preserving and restoring riparian buffers along South Dakota

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rivers, lakes and streams, and indicated that he (and the Governor) wanted to put the weight of the state behind such efforts.

The first part of the plan is to make adjustments to the property tax reduction effort first enacted in 2017. Under the current rules, owners of riparian lands located along certain water bodies may apply for a forty percent (40%) reduction in property taxes if they agree to manage the lands in a particular way. The tax reduction must be requested each year. The proposed changes would raise the tax reduction to fifty percent (50%), and extend the reduction for a 10-year period, provided the land management remains unchanged.

The second part of the initiative will be more of a challenge. Secretary Roberts has proposed to create a program akin to the RAM/SRAM buffers that are at the core of the Big Sioux River Watershed Project and make it available state-wide. That is, create a pool of funds that would be used to provide payments to owners of riparian land parcels along certain water bodies in exchange for their adopting specific land-use practices, primarily focused around livestock exclusion and limiting crop production. Most likely, efforts would be targeted at rivers, lakes and streams that have identified impairments to assigned beneficial uses. At this point, it would appear the intent is to seek primary funding through the USDA Regional Conservation Partnership Program (RCPP). The RCPP grant(s) would be leveraged with funds raised from state and local sources, including conservation groups and agriculture commodity groups.

The Manager noted that at this time, however, very few if any of the actual details have been worked out. Secretary Roberts has indicated that he would be establishing a working group of interested parties to move the effort forward. It was anticipated that the working group would meet early in January. It was unclear at this point if any formal legislative would be needed.

Discussion on Succession Planning for District Manager

The Board held a conversation about succession planning for the Manager's position. It was noted that many of the duties and responsibilities of the position were ones that no other staff member was involved with, and therefor an effort should be made to develop a "users guide" to such administrative actions. The Manager indicated he would start such a process, recognizing that some actions only take place infrequently.

The other discussion point centered on the Board developing a consensus on what sort of person they wanted in the position. The current Manager was hired in 1994, and it would be appropriate to reconsider, and certainly update, the position description. The Manager indicated he would work with the Executive Committee to instigate such a process in the coming year.

Adjournment

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

Spencer Hawley, Secretary