



East Dakota Water Development District
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MINUTES
January 19, 2023

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on January 19th, 2023, at the EDWDD Office in Brookings. Chairman Anderson called the meeting to order at 9:02 a.m. The following persons attended:

Directors Present

Mark Anderson
Jeff Barth*
Ryan Donovan*
Spencer Hawley
Troy Larson
John Moes
Joedy Poppe*

Others Present

Rita Anderson, DeSmet Development Corporation
Brian Bashore, Second Century Habitat Fund*
Jamie Lancaster, DeSmet Development Corporation
Kevin Robling, South Dakota Department of Game, Fish & Parks*
Chase Rose, Bannock Group/Second Century Habitat Fund*
Sal Roseland, Second Century Habitat Fund*
Gary Wolkow, City of DeSmet

Directors Absent

Gary Duffy
Bob Kappel

Staff Present

Barry Berg*
Jay Gilbertson
Jeremy Hinke
Deb Springman

* - participated by way of video-conferencing.

Administrative Items

Approval of Agenda -

Motion by Larson, seconded by Hawley, to approve the agenda as presented. Motion carried unanimously.

Minutes - The Board reviewed the Minutes of the December 15th, 2022, meeting.

Motion by Larson, seconded by Hawley, to approve the December 15th, 2022, meeting Minutes as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the December 2022 Financial Reports.

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Motion by Moes, seconded by Larson, to accept the December 2022 Financial Reports. Motion carried unanimously. Chairman Anderson then asked that the report be placed in the District files.

The Manager indicated that in his capacity as District Treasurer he had been exploring options for increasing the interest return on District financial holdings. At present, District funds are earning a very modest rate, less than 0.05%, and he would like to move a portion of the funds into certificates of deposit at the District repository, First Bank & Trust of Brookings.

Motion by Hawley, seconded by Moes to authorize the Treasurer to move a portion of District capitol reserves into certificates of deposit as appropriate to increase District earnings. Motion carried unanimously.

Reports of Meetings & Conferences - Director Donovan reported on the meeting of the Friends of the Big Sioux River held in Sioux Falls January 16th.

Director Larson provided an update on the proposed Dakota Mainstem pipeline project, which had been discussed at the South Dakota Association of Rural Water Systems Annual Technical Conference in Pierre on January 11-12.

The Manager commented briefly on the following meetings he attended:

1. January 4th - via Zoom. Meeting of SD Lakes & Streams Association directors and South Dakota State University faculty.
2. January 5th - via video-conference. South Dakota Board of Water and Natural Resources.
3. January 5th - via video-conference. SD DANR Riparian Buffer Initiative Advisory Committee.
4. January 10th - 12th - Pierre. South Dakota Association of Rural Water Systems (SDARWS) Annual Technical Conference, Pierre.

Election of Officers for 2023 - Chairman Anderson turned the meeting over to the Manager for the election of Board officers for 2023.

The Manager called for nominations for Board Chair for 2023.

Motion by Larson, seconded by Barth to cast a unanimous ballot to re-elect the current slate of Board officers, Chair - Mark Anderson, Vice-Chair - Gary Duffy, and Secretary - Spencer Hawley. Motion carried unanimously.

Chairman Anderson resumed control of the meeting.

Chairman Anderson asked if the Board wished to re-consider the Manager's appointment as District Treasurer. No action was taken and the Manager shall continue to serve as District Treasurer.

Upcoming Meetings -

1. **January 25th - 10:30 a.m.** - Clubhouse/Redrossa, Pierre. SDARWS Source Water Protection Workshop.
2. **January 25th & 26th** - Clubhouse/Redrossa, Pierre. SDARWS Manager's Group Meeting.

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3. **February 19th - 9:00 a.m.** - EDWDD Office, Brookings. February EDWDD Board of Directors meeting.

The Manager noted that as the South Dakota Legislature would be in session during this period, and that he would be acting as District Lobbyist as necessary.

Payment Requests - The Manager presented the Board with several payment requests from District-sponsored activities that required Board action. He noted that the requests were all in order and consistent with the conditions established by the Board at the time of the awards. Further, the payments would complete the District commitment to each activity.

<u>Grant Recipient/Activity</u>	<u>Requested Amount</u>
North Brookings Sanitary District - facility plan	\$ 9,500.00
US Geological Survey - 2022 real-time NO3 monitoring	\$ 4,150.00
City of Crooks - facility plan	\$ 10,000.00
SDARWS down-hole camera	<u>\$ 2,628.40</u>
	<u>\$ 26,278.40</u>

Motion by Larson, seconded by Hawley to authorize payments totaling \$26, 278.40 as requested. Motion carried unanimously.

2023 Board of Directors Meeting Schedule - The Manager presented the Board with a DRAFT meeting schedule for calendar year 2023. He noted that it was consistent with District By-Laws, which call for the default monthly meeting to be held on the third Thursday.

Date	Location	Start	Meeting Site
January 19	Brookings	9:00 a.m.	EDWDD Office
February 16	Brookings	9:00 a.m.	EDWDD Office
March 16	Brookings	9:00 a.m.	EDWDD Office
April 20	Dell Rapids	9:30 a.m.	Minnehaha CWC Office
May 18	Brookings	9:00 a.m.	EDWDD Office
June 15	Brookings	9:00 a.m.	EDWDD Office
July 20	Brookings	9:00 a.m.	EDWDD Office
August 17	Brookings	9:00 a.m.	EDWDD Office
September 21	Brookings	9:00 a.m.	EDWDD Office
October 19	Milbank	9:30 a.m.	City Hall/Visitor Center
November 16	Sioux Falls	9:30 a.m.	TBD
December 21	Brookings	1:00 p.m.	EDWDD Office

Motion by Larson, seconded by Moes to adopt the proposed meeting schedule for 2023. Motion carried unanimously.

Designation of Official Newspapers - The Manager noted that under SDCL 46A-3D-11, the District must annually designate official newspapers in which official legal notices are published. He proposed designating the same list of newspapers that the District had so designated in 2022, with the exception of the Dell Rapids Tribune, which has ceased operation.

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Motion by Moes, seconded by Hawley, to designate the following newspapers as the official newspapers for District notices in 2023 - Arlington Sun, Brandon Valley Journal (Brandon), Brookings Register, Bryant Dakotan, Clear Lake Courier, Dells City Journal (Dell Rapids), Elkton Record, Estelline Journal, Garretson Gazette, Grant County Review (Milbank), Hamlin County Herald Enterprise (Hayti), Hamlin County Republican (Castlewood), Kingsbury Journal (DeSmet), Madison Daily Leader, Miner County Pioneer (Howard), Minnehaha Messenger (Hartford), Moody County Enterprise (Flandreau), Sioux Falls Argus Leader, South Shore Gazette, Tri-City Star (White), Volga Tribune and Watertown Public Opinion. Motion carried unanimously.

District Organizational Memberships - The Manager requested Board authorization to maintain District membership, as a Class C member, in the South Dakota Association of Rural Water Systems, at a cost of \$525. He also proposed joining the Upper Missouri Water Association (UMWA) as a Sustaining Member at \$445.

Motion by Larson, seconded by Hawley, to retain District membership in the SDARWS for 2023, and to join UMWA for 2023 as requested. Motion carried unanimously.

Project Assistance Request(s)

SD Department of Game, Fish & Parks - The Board considered a request from the South Dakota Department of Game, Fish and Parks (GF&P) for District cost-share assistance in support of a Conservation Reserve Enhancement Program (CREP) for the Big Sioux River watershed. The request was presented by GF&P Secretary Kevin Robling, representatives of the Second Century Habitat Fund and the Bannack Group.

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CREP is a federal-state natural resources conservation program. Program participants receive financial incentives from USDA’s Commodity Credit Corporation to voluntarily enroll in the Conservation Reserve Program (CRP) in contracts of 10 to 15 years. Participants remove cropland and marginal pastureland from agricultural production and convert the land to native grasses and other vegetation. CREP participants receive an additional payment, beyond the CRP compensation, in exchange for allowing public hunting access to enrolled acres.

Currently, GF&P is the local sponsor of a USDA CREP Program within the James River watershed, and they are sponsoring a comparable program in the Big Sioux River basin. As the local sponsor, GF&P is responsible for raising additional funds used to augment the ordinary CRP payments to participants. They are working with the Bannack Group, LLC, out of Bozeman, MT, to raise the additional funds, and are asking the District to participate in some manner.

The Manager noted that while the overall Big Sioux River CREP is intended to increase habitat and hunting access opportunities throughout the basin, riparian areas along rivers, lakes and streams are included. He suggested that if District support were targeted at such areas, significant water quality benefits could be realized as well. Support directed toward riparian tracts of land (riparian buffer protection) would be a good compliment to other WQ improvement efforts in the basin, and take advantage of a seemingly popular program otherwise directed toward increasing public hunting opportunities. Secretary Robling indicated that participants in the James River CREP enrolled a

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significant number of tracts in riparian areas, and they would be happy to work with the District to target similar areas of land to these environmental benefits.

Motion by Hawley, seconded by Moes to award up to \$250,000 in project assistance funds to the GF&P in support of the Big Sioux River Conservation Reserve Enhancement Program (BSR CREP). The funds are to be applied toward the non-federal payments to landowners who enroll tracts of land in the BSR CREP, subject to the following restrictions: 1) the land tracts must be located within the East Dakota Water Development District; and 2) the land tracts must be located within one (1) mile of a lake listed in the Administrative Rules of South Dakota (ARSD) 74:51:02:04; or the land tracts must be located within one (1) mile of a river or stream listed in ARSD 74:51:03:07. The funds will be available for use by GF&P for five years. Any un-expended funds will be reverted as of January 19, 2028. Motion carried unanimously.

City of DeSmet - The City of DeSmet requested District cost-share assistance in support of the completion of a 5-year Capital Improvement Plan (CIP) for the City. The CIP is a planning tool that will evaluate and consider all city owned infrastructure including water, wastewater, equipment and facilities, such as water towers. Rita Anderson, DeSmet Development Corporation, and DeSmet Mayor Gary Wolkow, noted that there is an assistance program available through the South Dakota Governors Office of Economic Development (GOED) that provides matching funds to assist communities in the creation of such plans. GOED's goal is to encourage statewide infrastructure planning, and they have engaged ISG, Inc., to create a five-year capital improvement plan for 16 communities with populations of under 5,000. The cost to each community is \$15,000, to be matched by a GOED contribution of \$15,000, for a total cost of \$30,000. The City is requesting \$5,000 from the District, to cover a third of the local costs. The City is preparing an application seeking GOED assistance and the District cost-share would be listed as part of their request.

Motion by Hawley, seconded by Barth to provide District cost-share assistance to the City of DeSmet to cover up to one-third (1/3) of the costs of the proposed CIP, up to a maximum of \$5,000. Further, the City shall notify the Manager once the GOED makes a decision regarding the City's application. Motion carried unanimously.

Review of the 2023 Legislative Session

The Manager reviewed the various bills that he had been tracking during the first few weeks of the legislature, which listed below:

Senate Bill (SB) 17, An Act to make appropriations for water and environmental purposes and to declare an emergency.

SB 20, An Act to authorize the awarding of de-obligated grants in accordance with policies of the Board of Water and Natural Resources.

SB 44, An Act to repeal provisions regarding the creation of river basin natural resource districts.

House Bill (HB) 1021, An Act to make an appropriation to the State Conservation Commission and to declare an emergency.

HB 1029, An Act to revise certain provisions regarding the county zoning and appeals process.

HB 1058, An Act to revise the water resources projects list.

HB 1072, An Act to subject lithium to severance tax.

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In addition, he stated that three (3) bills addressing water development district issues are likely to be filed shortly. The Board reviewed DRAFT copies of this legislation, which address fiscal audits, director re-districting and clean up language.

Adjournment

There being no further District business, Chairman Anderson declared the meeting adjourned at 11:15 a.m.

Spencer Hawley, Secretary

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