



**East Dakota Water Development District**  
**132B Airport Drive**  
**Brookings, SD 57006**  
**605-688-6741      605-688-6744 Fax**

**MINUTES**  
**March 20, 2025**

The Board of Directors of the East Dakota Water Development District (EDWDD) held a regular meeting on March 20, 2025, at the District 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  
Debra Elofson  
Spencer Hawley  
Troy Larson  
Julie Loveland-Swanstrom\*  
John Moes

**Director(s) Absent**

Bob Kappel  
Rick Bonander

**Others Present**

Steve Berkner, Grant County P&Z Department\*  
Gary Duffy, Brookings  
Galen Hoogstraat, US Geological Survey\*  
Nurul Islam, South Dakota State University  
Ted Lewis, City of Sioux Falls Public Works\*  
Sushant Mehan, South Dakota State University  
Chris Schmidt, South Dakota State University

**Staff Present**

Jaelynn Dreckman\*  
Jay Gilbertson  
Deb Springman

\* - participated via video-conference

**Administrative Items**

**Approval of Agenda -**

**Motion** by Barth, seconded by Moes to approve the agenda as presented. Motion carried unanimously.

**Minutes** - The Board reviewed the Minutes of the February 20<sup>th</sup>, 2025, Board meeting.

**Motion** by Barth, seconded by Hawley to approve the Minutes of the February 20<sup>th</sup>, 2025, Board meeting as presented. Motion carried unanimously.

Financial Reports - The Board reviewed the February 2025 financial reports.

**Motion** by Moes, seconded by Barth to accept the February 2025 financial reports. Motion carried unanimously. Chairman Anderson then asked that the report be placed in the District files.

Report of Meetings and Conferences - Director Moes reported on the March 18<sup>th</sup> meeting of the Lake Pelican Water Project District held in Watertown.

The Manager briefly summarized the following meetings he attended since the February 2025 Board meeting:

1. March 11<sup>th</sup> - West Dakota Water Development District Board Meeting, Rapid City.
2. March 12<sup>th</sup> - Big Sioux River PFAS Survey Project discussions w/ Dr. Kunza, Rapid City.
3. March 13<sup>th</sup> - James River Water Development District Board Meeting, via video-conference.
4. March 14<sup>th</sup> - Stage & discharge monitoring of Big Sioux River at I-90 bridge Big Sioux River discussion w/ SD DANR staff, via video-conference.
5. March 17<sup>th</sup> - Discussions about proposed asphalt hot mix plant to be established within the Zone A well head protection area for the Brookings-Deuel RWS. Clear Lake & Toronto.
6. March 19<sup>th</sup> - Vermillion Basin Water Development District Board Meeting, via ZOOM.

In addition, the Manager acted in his capacity as District lobbyist to the 2025 South Dakota Legislature in Pierre during this period.

Upcoming Meetings -

1. **March 21<sup>st</sup>** - Sioux Falls. Dakota Mainstem Regional Water System First Annual Meeting.
2. **March 24<sup>th</sup> - 6:30 p.m.** - Clear Lake. Deuel County Board of Adjustment.
3. **March 25<sup>th</sup> - 9:00 a.m.** - Dell Rapids. Big Sioux River Project Steering Committee.
4. **March 26<sup>th</sup> & 27<sup>th</sup>** - Pierre. 2025 SDAEP Environmental & Water Quality Conference.
5. **March 27<sup>th</sup>** - Pierre. South Dakota Board of Water & Natural Resources.
6. **March 31<sup>st</sup>** - Final day of the 2025 Legislative Session (Veto Day).
7. **April 1<sup>st</sup>** - Colman. Big Sioux Community Water System Annual Meeting.
8. **April 3<sup>rd</sup>** - Pierre. South Dakota Association of Rural Water Systems Board of Directors.
9. **April 8<sup>th</sup>** - Clear Lake. Brookings-Deuel Rural Water System Annual Meeting.
10. **April 10<sup>th</sup>** - Rapid City. 2025 Western South Dakota Hydrology Conference.
11. **April 16<sup>th</sup> & 17<sup>th</sup>** - Sioux Falls. Big Sioux Stewardship Summit, Holiday Inn - City Centre, 100 West Street.
12. **April 17<sup>th</sup> - 9:00 a.m.** - EDWDD Office, Brookings. April EDWDD Board of Directors meeting.
13. **May 7<sup>th</sup> - 9:30 a.m.** - Pierre. South Dakota Water Management Board. Dell Rapids future use permit hearing.
14. **May 13<sup>th</sup>** - SDSU, Brookings. 32<sup>nd</sup> Annual Big Sioux Water Festival.
15. **May 15<sup>th</sup> - 10:00 a.m.** - Lewis & Clark Regional Water System Water Treatment Plant, 31476 SD Highway 19, Vermillion. May EDWDD Board of Directors meeting (joint effort with the Vermillion Basin Water Development District).

It was noted that the April Board of Directors meeting was scheduled for the second day of the 2025

Big Sioux Stewardship Summit in Sioux Falls. Several directors expressed interest in attending this event, which the District has supported since its inception in 2013. The Manager allowed that he was not aware of any pressing issues on the April Agenda.

**Motion** by Moes, seconded by Barth to cancel the April 17<sup>th</sup> District Board of Directors meeting, and encourage director participation in the 2025 Big Sioux Stewardship Summit. Motion carried unanimously. The Manager indicated that he would forward a link to the Summit website which has registration information and an agenda.

Payment Request(s) - The Manager reported receiving two payment requests which required Board action. He noted that both requests were in order, and consistent with requirements established at the time of the award.

<b>Grant Recipient/Activity</b>	<b>Requested Amount</b>
US Geological Survey - FFY 2025 Bruce Gaging station	\$ 9,550.00
Friends of the BSR - RO Unit Mobilization	\$ 4,069.43
Total	\$ 13,619.43

He further noted that the payment to the US Geological Survey would complete the District's commitment to this particular activity.

**Motion** by Larson, seconded by Hawley to authorize payments totaling \$13,619.43 as requested. Motion carried unanimously.

### 2025 Legislative Session Review

The Manager reviewed the status of numerous bills (listed below) he tracked as the District lobbyist during the 100<sup>th</sup> Session of the South Dakota Legislature:

**Senate Bill (SB) 14**, An Act to revise and repeal provisions related to agricultural production facilities and to provide a penalty therefor.

**SB 22**, An Act to modify provisions pertaining to the submission of a nominating petition.

**SB 33**, An Act to make appropriations for water and environmental purposes and to declare an emergency.

**SB 74**, An Act to require the publication and review of an explanation of the open meeting laws of this state.

**SB 133**, An Act to repeal enforcement provisions and modify requirements related to the fluoridation of public water supplies.

**SB 202**, An Act to create the water infrastructure development fund.

**Senate Joint Resolution 501**, Providing legislative approval for a future use water permit application by the Western Dakota Regional Water System.

**House Bill (HB) 1021**, An Act to modify the annual fee for concentrated animal feeding operations and to establish an application fee.

**HB 1108**, An Act to create the McCook Lake contingency fund and to transfer moneys to the fund.

**HB 1072**, An Act to modernize provisions relating to water development districts.

**HB 1107**, An Act to prohibit natural asset companies.

**HB 1156**, An Act to provide for the administrative approval of certain drainage applications by

**DRAFT**

counties.

**HB 1157**, An Act to remove the maximum fee limit due when applying for a county drainage permit.

**HB 1234**, An Act to revise the requirements for content reported on a property tax bill.

**HB 1237**, An Act to make an appropriation for the Custer West Dam.

**HB 1244**, An Act to make certain federal laws applicable to public employees.

**House Concurrent Resolution 6010**, Encouraging the Executive Board of the Legislative Research Council to establish an interim legislative committee on preserving and protecting the Black Hills of South Dakota.

### Project Assistance Requests

South Dakota State University - Dr. Christopher Schmit, with the South Dakota State University (SDSU) Department of Civil & Environmental Engineering, and Dr. Nurul Islam, with the SDSU Department of Chemistry, proposed to establish a testing facility for per- and polyfluoroalkyl substances (PFAS) in environmental samples. They are seeking certification under the United States Environmental Protection Agency (USEPA) testing Methodology 1633, which can be used to assess the presence of 40 different PFAS compounds in a range of environmental samples, including water.

Their request is for \$53,134, which would be applied toward the acquisition of materials & supplies necessary for the certification testing. It would also cover staff time specifically dedicated to the process. The request included SDSU indirect (overhead) costs. They stated that they would expect the certification process to begin in the next month, and that the overall activity would be completed by the end of the year (December 25, 2025). The pair addressed questions from the Board.

The Manager noted that there is currently no laboratory in South Dakota that is certified to analyze for PFAS compounds. Consequently, all such samples are now sent to out-of-state labs, including the tests being conducted on the District's behalf by the South Dakota School of Mines & Technology. He noted that the State Health Laboratory in Pierre is also exploring becoming certified for PFAS testing, although their effort would emphasize drinking water sampling, which is a different methodology.

**Motion** by Hawley, seconded by Barth to award a \$53,134 District cost-share assistance grant to South Dakota State University, as requested, to support the certification of an environmental samples PFAS testing facility. Motion carried unanimously.

Big Sioux Stewardship Summit - The Manager reported receiving a request from the City of Sioux Falls for support of the 2025 Big Sioux Stewardship Summit. Each year since 2013, the City of Sioux Falls Environmental Office has hosted a "summit" focused on environmental issues, with an emphasis on the Big Sioux River. Historically held in early November, the event this year is going to be on April 16<sup>th</sup> and 17<sup>th</sup> at the Holiday Inn City Center in Sioux Falls. He noted that the District has provided financial assistance to the event each year, with District staff as frequent presenters. The Manager recommended support for the event at the Gold Level (\$3,000).

**Motion** by Hawley, seconded by Elofson to provide District cost-share assistance in support of the 2025 Big Sioux Stewardship Summit in the amount of \$3,000 (Gold Level Sponsor), and to authorize expenditure of the funds. Motion carried unanimously.

# DRAFT

## Review of District By-Laws

The Manager noted that while preparing materials for the new directors, he recognized that the District By-Laws contained out-of-date language describing the territory included in the District. The changes were made during the 2024 Legislative Session, and the By-Laws needed to be updated to reflect the change. He also stated that the changes approved by the 2025 Legislature to the vacancy appointment process would require changes as well. He presented proposed amendments to the By-Laws (below). Any changes (additions or subtractions) are shown in **bold** with deletions ~~struck through~~ and additions underlined. The adjustments are:

1. Under the section entitled JURISDICTION (Article I, page 1), the language is changed to reflect the current definition of the District found in SDCL 46A-3A-3.

### JURISDICTION

~~The District is comprised of all of Brookings, Codington, Deuel, Grant, Hamlin, Kingsbury, Lake, Minnehaha and Moody Counties; Grafton, Belleview, Adams, Henden, Howard, Clearwater, Canova and Vermillion townships in Miner County; and all municipalities that are wholly or partially within the included area or that are contiguous to the included area, as stipulated in SDCL 46A-3A-3.~~

As stipulated in SDCL 46A-3A-3, the District is comprised of:

- (1) All of Minnehaha, Moody, Brookings, Hamlin, Deuel, Codington and Grant counties;
- (2) All of Lake County, with the exception of Clarno, Concord, Orland, Wayne, and Winfred townships;
- (3) Badger township in Kingsbury County; and
- (4) All municipalities that are wholly or partially within the included area or that are contiguous to the included area.

2. Under the section entitled DIRECTOR VACANCIES (Article IV, page 3), update the text to 1) reflect the changes made during the 2025 Legislative Session, and 2) reflect the current Board policy of designating all newspapers published within the District as official newspapers.

### DIRECTOR VACANCIES

Vacancies, as defined in SDCL 46A-3B-9, which may occur on the District Board, shall be filled by elective action of the remaining directors from among candidates ~~proposed by nominating petitions signed by at least twenty-five registered voters in~~ from the director area in which the vacancy exists. The director candidate(s) must reside in and be a registered voter in the director area to be represented, as required in SDCL 46A-3B-2. A qualified candidate duly appointed to fill a vacancy shall serve out the balance of the director term.

A notice declaring a vacancy on the Board of Directors, the duration of the vacancy appointment, and the period of time for accepting nominating petitions of candidates for such vacancy, shall be published in ~~at least one all official newspapers of wide circulation~~ within the director area for which the vacancy exists. Such notification shall be published at least 20

DRAFT

days prior to the time petitions will no longer be accepted. Nominating petitions are to be presented to the principal office of the water development district.

The Manager noted that according to Article X of the By-Laws, changes must be discussed at one meeting, but can not be formally acted on until a subsequent meeting. Given that the 2025 legislative adjustments would not formally take effect until July 1<sup>st</sup>, the Manager stated that formal action on the proposed changes would be deferred until the July 17<sup>th</sup> Board meeting.

### **Program Reviews**

Children's Water Festivals - Deb Springman provided an overview of the role and history of the two Children's Water Festivals held within the District. The Brookings-based Big Sioux Water Festival began in the spring of 1993, with the Sioux Falls-based Sioux Empire Water Festival starting up the following year. Each has been an annual event ever since. The District has provided leadership, financial and staff support to these events.

County Ground Water Protection Ordinances - The Manager reviewed the history and development of ground water protection ordinances adopted by counties within the District in the late 1980s and early 1990s. Developed in cooperation with local, state and federal environmental agencies, these land-use controls, implemented in the form of county zoning ordinances, are designed to protect the shallow aquifers in the region. These ordinances have been in place for over 30 years, and have been adopted by several counties outside of the District.

DRAFT

### **Adjournment**

There being no further District business, Chairman Anderson declared the meeting adjourned at 11:47 a.m.

---

Spencer Hawley, Secretary