

## Minutes of

### The January 24, 2013 Lake County Water Quality Committee Meeting

Present: John Maursetter, Jan Nicolay, Jay Gilbertson, Linda Hilde, Larry Werlinger, Martin Jarrett, Gene Hexom, Bryan Schultz, Mike Phelps, Craig Johannsen, LaDell Swiden, Kelli Wollmann.

The meeting was brought to order by Chair Nicolay at 7:00 pm.

The minutes of the last meeting were reviewed. Motion to approve was made by Dale Droge, seconded by Larry Werlinger. Minutes were approved.

**Legislative Update:** Jay discussed the legislative session. He told the committee about the various water quality related bills that were to be filed. Originally there could have been five bills relating to water quality/drainage introduced. Unfortunately, the December Watershed Taskforce meeting was cancelled due to the weather, so none of them were sent forward by the Taskforce. Only 1 (SB 179 below) was introduced.

A bill was just introduced regarding drainage permits in South Dakota. It is Senate Bill No. 179. The bill will do two things – it will lift the cap on what counties can charge to evaluate the permits and it adds a section that defines what should be included in a drainage permit.

Jay also discussed other water related bills introduced.

The committee then discussed the potential impact of SB 179 on the drainage permitting process. Kelli asked if there are there enough professional engineers available to handle the work. Jan stated that the engineers that had testified in front of the Taskforce have stated that this provision of the bill is needed and they want the business. This requirement will initially jam up things with the tiling permits, but should smooth out in time. The engineers will come into the area for the business.

Jan discussed some research going on in North Dakota regarding tiling. Northern Plains research should provide some of the needed information regarding tiling.

The omnibus bill (SB 189) was just introduced. Jay discussed changes in available funding for next year. The SWARM funding (joint state/federal funding) project money will end next year.

The ban on permanent easements bill died in committee.

The language in the open government bill was amended so that the proposed revisions are rendered worthless.

Linda discussed the topics of uranium mining and gold mining in Spearfish Canyon. The Board of Minerals and Environment was originally to decide on a permit for the mining of the uranium. Then the permitting was transferred to the Federal Government. Now at the urging of the South Dakota tribal people, whose reservation land is not too far from that area, the state is reconsidering becoming involved in some portions of the permitting. It's sort of up in the air at this time. The public hearing on the potential gold mine in Spearfish Canyon will take place sometime in the next few months. She believes that it will be held out in the Black Hills, so that the interested parties can participate in it and view the site itself.

**LEPC Flood Mitigation Subcommittee:** John gave an update on the activities of the subcommittee and on the recommendations document developed by the subcommittee. They are planning to present the recommendations to the City on February 4<sup>th</sup> at 5:30 pm and to the County Commission on the morning of February 5 (about 10:30 am). The committee members are asked to attend and lend support for the recommendations.

**Lake Madison outlet:** The committee discussed the State's role in cleaning out/maintaining the channel. Can we request that the State do some maintenance on the Channel? Jan said that the time factor is of concern. The time table for getting this done quickly may be an issue for the State. They may have contingency funds that may allow them to move quickly. Maybe the LMDA can help out with this activity. The committee asked John to draft a letter to the Game, Fish and Parks on behalf of the LMDA and the Water Quality Committee asking to meet with them regarding the maintenance of the channel. This letter should be addressed to Arden Petersen, Regional Supervisor, with a carbon copy to Todd St. Sauver. We have about a month to get it cleaned out before the spring thaw. We should move ahead with the clean out/restoration of the channel. The committee discussed the present issues with the channel and what could be done in restoring it to the dimensions of the cleanout project of a few years ago.

**Drainage Ordinance Review:** Since Jay is out in Pierre for the legislative session, we will work around his schedule so that he can be at the meetings. Dale has the current electronic version of the document with the suggested changes/revisions of the ordinance. Once we have a meeting date set, then John will find a place for us to meet.

**No Phosphorus Ordinance:** John was notified that local governments cannot pass a ban on the sale/use of phosphorus on lawns. This is prohibited by state law.

This leaves only educating the public on the use of phosphorus fertilizers. Has anyone met with the country club (other than Charlie Stoneback) to discuss their use of phosphorus fertilizer on the golf course? No. The committee suggested that we send out an updated version of the No-P flyers sent out a number of years ago. John will try to find a copy for that. Jay suggested contacting Elois Redlin of the Duel County Conservation District. She has similar information

that we could use to re-create a new no-p fertilizer flyer. John and Jan will look in their files to see if they can find an example of the flyer or ads placed in the paper.

John is working on some factsheets discussing what lawn and landscape activities can be done to protect water quality. Presently, he has enough information to write five factsheets. Mike discussed the importance of soil testing yards and gardens to get an idea of the fertilizer needs of their yards and gardens. You shouldn't just go out and put down a bag of fertilizer for no reason. Know what you need and apply that. He also discussed the need for keeping grass longer to promote greater rooting depths. The committee discussed different yard care methods.

Jay also suggested contacting Dennis Skadsen in Day County, he has quite a few fertilizer use publications developed for his project and they could be useful resources.

Gene discussed how lawn care by home owners has changed. Many people have switched to using lawn care services, and this changes how the lawns are managed. Recycling of the lawn clippings back in to the lawn doesn't happen because the clippings are bagged and taken away. We need to educate the public about the benefits of mulching – "cut it high and let it lie".

**Lake Herman:** John summarized the results of the studies of Lake Herman over the years. They all come down to these conclusions: 1. Most of the sediment and nutrients reaching Lake Madison and Brant Lake come from Lake Herman. One study stated that 92% of those materials come from the Lake Herman watershed; 2. The installed retention dams work well for flood water retention, but do not seem to have an impact on reducing the sediment or nutrient content of the streams. However, the way they sampled the outlet waters of the dams was questioned, and may not give an accurate picture of the water quality coming from the dams; 3. The water quality test results suggest that the majority of the sediment and nutrients comes in from the north tributary (the one running through the golf course); 4. Previous projects have tried to install best management practices on the properties along the north tributaries, but with limited success.

Would make sense to concentrate efforts in the Lake Herman watershed? What should we do?

Martin commented that Lake Herman has been studied for decades and that the conclusions are the same –about 80% of the pollutants come from Agriculture, about 15% from the City of Madison and about 2-3% from those around the lakes. Past projects have been trying to get some of the worst polluters to install best management practices to reduce the losses from their fields and feed lots, but have met with some stout resistance. School students need more accurate facts on water quality. The information they have now is inadequate.

Mike stated we shouldn't condemn the all of the farmers in the watershed. Farmers know that losses of sediments and nutrients are not good and do their best to reduce their loss from the field. Cost share practices are available, and those not doing so should take advantage of them. Martin stated that most of the farmers in the watershed are doing their best, but a few are not, and they paint a bad picture for the rest.

Jan discussed some of the problems that have been seen along the lake's edge. Maybe that is a starting place. The G, F, and P does have a program for shoreline stabilization and that should be looked into further.

Jay stated that we need to raise public awareness of the problems and what can be done to correct them. Jay talked about some water sample testing that they have offered at local events. This has allowed for some excellent one-on-one contacts and education opportunities with the public. Maybe it would be useful to set up a special day around here where people can bring in water samples for testing. He also discussed some of the activities that have been done with lake sampling. Dakota Water Watch has sometimes assembled a group of several individuals on a given lake. Each person picks a place to sample on the lake. Then they all go out and get their water samples. This results in a pretty good "snapshot" of the lake conditions that day. Maybe some of these activities can be done around here and in conjunction with DSU. Would Dale have some summer students that could help? We will have to talk with Dale about this.

The next committee meeting will be February 28, at 7:00 pm – in the DSU Science Center again?

**Mayor Hexom gave an update on city activities:**

1. The Lewis and Clark water system has very limited funding – there will be no pipe installed this year (2013). He discussed the status of federal funding for this project. There is a bill floating around that would appropriate \$80 billion dollars a year to the Bureau of Reclamation to finish up all of these water projects. In the meantime, the Lewis and Clark system is looking for alternative sources of funding.
2. The Banner bid specifications for the city water treatment plant upgrades is just about complete. It is a \$3.5 million project and involves water storage facilities and changing how the drinking water for Madison is disinfected.
3. The LEPC Flood Subcommittee accomplishments have been pretty impressive. He is looking forward to seeing the recommendations report. The city has been cleaning out the creek beds in the city this fall and winter. Downed trees and creek bed obstructions are being removed.

4. The railroad bridge. It is a bottleneck for the flow of water through the city. Negotiations with railroad companies can be a lengthy and complex process when it comes to structural/construction changes and improvements. However, the city has cleaned up the areas on either side of the bridge to help with water flow.

The meeting was adjourned by the chair at 8:31 pm

Respectfully Submitted,

John Maursetter

Lake County