



Legislative Research Council

River Basin Natural Resource District Oversight Advisory Task Force Minutes

**Second Meeting
2015 Interim
October 16, 2015**

**Room 413
State Capitol
Pierre, South Dakota**

The second meeting of the River Basin Natural Resource District Oversight Advisory Task Force was called to order by Ms. Kim Vanneman (Chair) at 10:00 a.m. (CDT), on Friday, October 16, 2015, in Room 413 in the State Capitol in Pierre, South Dakota.

A quorum was determined with the following members present: Senators Jason Frerichs (appearing telephonically) and Arthur Rusch (appearing telephonically); Representatives Steven McCleerey and John Wiik (Vice Chair); Ms. Kim Vanneman (Chair); and Messrs. Paul Casper and Karl Jensen. Mr. Dennis Kiner was excused. Staff members present included David Ortbahn, Chief Analyst for Research and Legal Services; Amanda Jacobs, Research Analyst; Jason Simmons, Senior Fiscal Analyst; and Kris Schneider, Senior Legislative Secretary.

All material distributed at the meeting is attached to the original minutes on file in the Legislative Research Council (LRC). This meeting was recorded by South Dakota Public Broadcasting. The committee documents and archived recording are available at the LRC website at <http://legis.sd.gov> under "Interim – Agendas, Minutes and Committee Documents." For the purpose of continuity, these minutes are not necessarily in chronological order.

Approval of Minutes

Senator Art Rusch moved, seconded by Representative John Wiik, that the minutes of the August 13, 2015, meeting be approved. Motion prevailed on a voice vote.

Remarks from the Chair

Ms. Kim Vanneman, Chair, informed the task force that the mapping software program used in creating the boundaries had crashed thus not all of the anticipated maps would be available for today's meeting.

District Boundaries

Mr. David Ortbahn, Chief Analyst for Research and Legal Services, provided a brief background on the map preparation to date. A handout was distributed entitled "*River Basin Natural Resource Districts*" (**Document 1**). Page 1 of the handout shows the nine river basin borders down to the census block level. Page 2 shows the Red River and Minnesota River Basin Natural Resource District divided into three subdistricts of nearly equal size population. Page 3 shows the detail that is available. It was noted that many communities were built on

high ground, thus a community could be split into two different districts if census block data is used. Staff recommended that township boundaries be used primarily and voting districts be used West River. This would aid in identifying the boundaries in statute. Page 4 shows the populations within each district based on the census block data. It was noted these numbers will change when the districts are changed to townships. It was also noted that when you take out the first class municipalities located within the districts, as required by statute, half of the population is removed.

Other items briefly discussed included the election process, taxing issues that could arise, and the narrow strip of the Lower Missouri district in the southeastern part of the state.

It was the consensus of the task force that the district boundaries be defined based on township boundaries and that the Lower Missouri district be redrawn by straightening the James, Vermillion, and Big Sioux districts to encompass the areas in southeast South Dakota.

Subdistrict Boundaries

Mr. Ortbahn stated the subdistricts shown on page 2 of the handout were split using major highways based on population.

Following a brief discussion, it was the consensus of the task force to have staff split the districts into subdistricts first by townships, then voting districts, and lastly by highways and roads.

Mr. Ortbahn stated the proposed county maps will be posted on the LRC website at <http://legis.sd.gov/Interim/CommitteeDocuments.aspx?Session=2015>. Each map will show the river basin district boundaries in each county as a separate map based on the task force's direction.

Public Testimony

Mr. Brad Preheim, Centerville, Manager, Vermillion Basin Water Development District and TLC Water Project District, spoke in support of using the townships in determining boundaries. The only problem he sees is if the mill levy is higher in one district versus another. If that occurs, an individual could petition out later. He also supported straightening out the James, Vermillion and Big Sioux districts in very southeast portion of the Lower Missouri River Basin.

Chair Vanneman noted that taxing authority will be an issue that will need to be addressed in the future years.

Mr. Jay Gilbertson, Brookings, East River Water Development District (ERWDD), provided the task force a sample map that was drawn in 2008 regarding HB 1245 that showed the boundaries when the intent was to change water development district boundaries to watershed boundaries (**Document 2**). He noted that it addressed the straight line issue in the southeast portion of the Lower Missouri River Basin.

Mr. Lorin Pankratz, Sioux Falls, South Dakota County Commissioners and South Dakota Soybean Association, stated that the township boundaries make sense. He voiced concern regarding the cost of elections when the county is separated into two districts. He wanted to know who would pay for the elections – the river basin districts.

Chair Vanneman stated the intent is to hold the elections for the council members with the general election. She plans on taking the draft plan to the Secretary of State for their review regarding the election process.

Initial Council Member Terms

Following a brief discussion on the council member terms, the initial staggering of terms, and number of members, it was the consensus of the task force that the number of council members be set at a total number of six members for each of the river basin districts, with each subdistrict having two council members. The initial terms would be staggered – one term being a two-year term and the other term being a four-year term. Thereafter, all terms would be for four years. They also recommended there be no term limits. They discussed the vacancy appointment. It was decided that each council should be able to fill a vacancy. The appointment process would need to be written into the rules within each district.

The task force recessed for lunch at 11:43 a.m. and reconvened at 1:02 p.m.

Pilot Water Management Plan

Chair Vanneman reported that the pilot water management plan subcommittee met on September 28th in Milbank. Other members attending in addition to her were Senator Frerichs, Representative McCleerey, and Representative Wiik.

The main focus of the River Basin Council is water quantity and water quality within each river basin. The pilot water management plan should include three steps – 1) define what is known; 2) define what the council needs to learn; and 3) build relationships with various governmental and private entities. A handout was distributed entitled "River Basin Planning Process" (**Document 3**) which summarized the subcommittee's report.

Public Testimony

Mr. Preheim inquired if there was anything to report on the possible name change in statute from "pilot water management plan" to "watershed management plan." Chair Vanneman stated that issue has not been discussed further.

Task Force Discussion

Funding sources was briefly discussed regarding scoping meetings and seed money. Chair Vanneman asked task force members to be thinking about it and it could be discussed at the next meeting if there is a need for additional funding for the next year.

Next Meeting Date

Chair Vanneman announced that the next meeting will be held in Pierre on Monday, November 23rd.

Adjournment

Representative McCleerey moved, seconded by Mr. Jensen, that the meeting be adjourned. The motion prevailed on a voice vote.

The Chair adjourned the meeting at 2:01 p.m.