



MEETING LOCATION:
WEST RIVER ELECTRIC
3250 SD HWY 44
Rapid City, SD 57703

AGENDA
Tuesday, May 10, 2016
6 p.m.

- 1. PLEDGE OF ALLEGIANCE (Chair)**
- 2. INVOCATION (You are welcome to participate, but not required) (Chair)**
- 3. ROLL CALL OF MEMBERS (Secretary)**
- 4. APPROVAL OF AGENDA (Chair)** *The board cannot take official action on any item(s) not on the agenda.*
- 5. APPROVAL OF PREVIOUS MEETING MINUTES (Chair)**
 - March 8, 2016
- 6. TREASURERS REPORT (Rogers)**
 - A. Bills paid
 - B. Approval of payment of bills
 - C. Tax Levy Approval
- 7. DIDYMO - KUNZA (Rogers) – Postponed until July Meeting**
 - Second vote to fund the Didymo Project in Rapid Creek for \$39,704.
 - Matt Davalos available to answer any questions.
- 8. UPDATE ON RAPID CREEK WATER QUALITY**
 - WDWDD
 - USGS
- 9. SD GEOLOGICAL SURVEY REQUEST FOR FUNDING (Steinken)**
 - Joanne Noyes of the Geological Survey Program, Department of Environment and Natural Resources requests funds to sponsor the John T. Loucks Distinguished Lecture at the Western Hydrology Conference in April, 2017
- 10. USE OF COMPOST AS A SOIL AMENDMENT REQUEST FOR FUNDING**
 - Jerry Wright requests funding for a study on the use of compost as a soil amendment, and the benefit of water conservation, water availability in irrigation districts

11. HISEGA (continued)

12. CONCERNED CITIZENS OF THE VALLEY (continued)

13. CANYON LAKE DREDGING PROJECT (Rogers)

14. CHAIRMAN'S COMMENTS

A. Summary of Executive Meeting

15. ITEMS FROM DIRECTORS

A. Criteria for Funding (Beshara)

B. Croell Construction Permit Status Update (Mueller)

C. Policy and By Law Amendments (Richer)

D. Monthly Meetings (Richer)

E. Hydrology Conference (Steinken, Deurloo, Akers)

F. Legal and H2E Contract (Rogers)

16. ITEMS FROM ADMINISTRATION

A. District 6 Notice

17. ITEMS FROM THE PUBLIC

18. ADJOURNMENT

Means of Finance

Revenue		Projected
		\$216,200.00
Property Tax Levy*	\$19,004.90	
Interest	\$63.91	
Grants	\$0.00	
<hr/>		
Total Revenue to date 2016	\$19,068.81	

Funds on Hand May 10 2016 \$473,446.82

Intergovernmental Revenue	\$0.00
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Total Intergovernmental Revenue	\$0.00

Projected Funds for 2016 \$689,646.82

Checking	10-May	\$1,021.68
Outstanding Checks	Mar 8	-\$12.04
		\$1,009.64

Miscellaneous Funds

Programmed Budgeted Funds (2016 Projects)

Rapid Creek DNA Testing	\$20,000.00
Hill City Schools Storm Drainage	\$30,000.00
Hisiga Water System	\$160,000.00
USGS Monitoring	\$31,300.00
SDSMT Study	
Dakota Water Watch	\$500.00
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	\$241,800.00

Total Programmed Funds
Total Programmed Funds

Appropriations

1 Board of Directors

Salary/Per Diem	\$3,000.00
Travel	\$274.56
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Total Director Expenses	\$3,274.56

2 Administration

Insurance	\$0.00
Legal Notices	\$188.43
Rentals	\$2,000.00
Misc	\$2,105.00
Phone	\$178.95
Subscriptions, Dues and admin	\$914.57
Election Expenses/board	\$0.00
<hr/>	
Total Administration Expenses	\$5,386.95

3

Technical Assistance

WQ Environmental Analysis	\$0.00
WQ Equipment and Supplies	\$0.00
<hr/>	
Total Technical Assistance	\$0.00

4

Legal and Consultants

Professional Services Fees	\$24,720.22
Legal Fees	\$0.00
<hr/>	
	\$24,720.22

5 Project Expenditures

		Proposed 2016 Project budget
Canyon Lake Restoration		\$100,000.00
USGS Flow Model 0034	\$5,000.00	\$15,000.00
Canyon Lake Matching Funds		\$50,000.00
Canyon Lake - Black Matting		
Rapid Creek DNA Testing		\$20,000.00
USGS-Streamflow Gages 0029	\$0.00	\$16,300.00
Hisiga Water system	\$40,000.00	\$2,417.00
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Total Project Expenditures	\$45,000.00	\$203,717.00

Total Expenditures to date 2016 \$78,381.73



Draft Minutes for of **March 8, 2016**

An audio recording was not made for this meeting.

CALL TO ORDER: The West Dakota Water Development District convened for its regular board meeting at West River Electric, 3250 SD Hwy. 44 Rapid City, SD. Chairperson Mueller called the meeting to order at 6:01 pm by leading the Pledge of Allegiance. Director Deurloo gave an opening prayer. Directors present: Kenn Moss (District 1), Dan Richer (District 2), Mike Mueller (District 3), Robert Akers (District 5), Tim Rogers (District 6), Ken Steinken (District 7), Sandra Beshara (District 8), Jeannette Deurloo (District 9).

Director absent: Lavern Koch (District 4). A quorum was declared.

Employees present: Emily Martinez (Administrative Manager), Leon Ewert (Parliamentarian).

Others in attendance: Lisa Kunza (SDSMT), Jay Gilbertson (East Dakota WDD), Matt Davalos (SDSMT), Larry Deibert (Hisega Meadows Water), Mike Blumer (Hisega Meadows Water), Scot Licht (Hisega Meadows Water), Bill Eldridge (Citizen), Nathan Gjovik (Citizen), and Joanne Noyes (DENR Geological Survey Program).

APPROVAL OF AGENDA – Moved by Rogers and seconded by Beshara to approve the agenda. Motion passed.

APPROVAL OF PREVIOUS MEETING MINUTES – Moved by Richer and seconded by Rogers to approve minutes from the previous meeting. Motion passed.

- January 12, 2016

TREASURERS REPORT

2015 Annual Report - Moved by Richer and seconded by Deurloo to approve the 2015 Annual Report with the addition of the phrase “Professional Services” to the line reading “Legal” in Exhibit II. Motion passed.

Approval of payment of bills - Moved by Deurloo and seconded by Richer to pay ‘Bills Requiring a Vote’ as presented by the Treasurer. Motion passed.

NEWTON FORK CREEK – OLD DEERFIELD ROAD DISTRICT

Richer reported that the representative from the Old Deerfield Road District was unable to attend the meeting and that the group is talking with the Army Corps of Engineers about the possibility

of replacing the culvert damaged by the June 2015 flooding of Newton Fork Creek. Richer or a representative of the group will provide an update at the WDWDD May meeting.

AQUATIC INVASIVE SPECIES PRESENTATION

Jake Davis of South Dakota Department of Game Fish and Parks narrated a slide presentation on Aquatic Invasive Species in South Dakota. Davis explained that GF&P defines 'Aquatic Invasive Species' (AIS) as those which are nonnative to SD and have a negative impact on ecosystems and/or human users. AIS have the potential to collapse existing food webs from the bottom up. GF&P is focusing on educating the public as regulations enacted in other states have not been effective in preventing the spread of AIS. More information about AIS in the state including interactive maps can be found at: www.sdleastwanted.com.

HISEGA MEADOWS WATER PROJECT (continued)

Mick Blumer of Hisega Meadows Water (HMW) provided an update of the Pump House Safety Upgrade project including a detailed 28-page plan with design sketches and photos.

Moved by Moss and seconded by Rogers for the second vote to approve a \$40,000 to Hisega Meadows Water for the Pump House Safety Upgrade with the stipulation that a legal agreement outlining the terms of the grant be signed by both parties. Motion passed. Akers opposed.

Moved by Richer and seconded by Moss to put \$20,000 in a contingency fund to be held for possible future expenses incurred by Hisega Meadows Water relating to the Pump House Safety Upgrade with the stipulation that any additional funds beyond the \$40,000 level would require a first and second vote for approval by the WDWDD board. Chair Mueller called for a roll call vote. Motion passed 5-3. Rogers, Akers and Steinken opposed.

Moved by Rogers, seconded by Moss that the grant funds be given directly to HMW with agreement attached. Motion passed. Akers opposed.

HAWTHORNE DITCH - CONCERNED CITIZENS OF THE VALLEY

Tina Mullaly asked questions about WDWDD's Onsite Wastewater Treatment System Grant Program for low income homeowners. Richer reported that since the program began in 2010 five applications had been received with only one being approved. Mullaly asked that a discussion of the grant program continue at the WDWDD May meeting to include a review of state low-income guidelines. Rogers suggested adding a stipulation to include a condition that would allow for grants for system failures caused by external environmental factors. Beshara emphasized the importance of keeping some income level requirement to prevent the program from being abused.

SDSMT REQUEST FOR FUNDS

SDSMT professor Dr. Lisa Kunza gave a presentation to request funds for a new research project “to examine water quality and nutrient dynamics in Rapid Creek relative to the abundance of *Didymosphenia geminata* present throughout the year.”

Moved by Rogers and seconded by Steinken to supply \$39,704 over two-year period for a research project to study the effects of Didymo on water quality and nutrient dynamics in Rapid Creek as proposed and presented by Dr. Kunza. Chair Mueller called for a roll call vote. - Motion passed 6-2. Deurloo & Moss opposed. A second vote for approval of funds will take place at the WDWDD May meeting.

ITEMS FROM DIRECTORS

Rogers recommended that the WDWDD Executive Committee discuss the Hawthorne Ditch issues at its meeting in April.

ITEMS FROM ADMINISTRATION

Rapid Creek DNA Sampling Plan – Martinez reported on a meeting with USGS, DENR, SDSMT and City to coordinate efforts on the DNA Sampling Plan. Constructive criticism received at the meeting will create minor changes in the plan include moving some sampling sites. Martinez will report on details after changes are made.

ITEMS FROM THE PUBLIC

Jay Gilbertson of East Dakota Water Development District gave a SD Legislative Session and Senate Bill 116 Update.

Meeting adjourned at 9:40 pm.

Respectfully Submitted,

Ken Steinken, Secretary

***Didymosphenia geminata* coverage and nutrient dynamics in Rapid Creek**

WDWDD Proposal -Dr. Lisa A. Kunza

Project Description

Didymosphenia geminata has become an alga of concern to natural resource management agencies globally beginning in the early 2000s. Since the increase of thick algal mats formed by *D. geminata* in low nutrient ecosystems, much of the scientific research has focused on potential controls on *D. geminata* and minimizing spread between watersheds. Yet, less is known about the impacts *D. geminata* has on the stream ecosystems it inhabits. Streams/ivers in the United States are often managed to support fisheries to increase economic gains via tourism. *D. geminata* is not just an eye sore that tangles the hooks of anglers, the thick mats shift macroinvertebrate and fish abundance in many ecosystems. The present proposal seeks funding to examine the impacts of *D. geminata* seasonally on stream water quality and nutrient dynamics in Rapid Creek, SD. Approaching this from a stream food web perspective is of particular importance as; 1) *D. geminata* may greatly alter the resources available for higher trophic levels (macroinvertebrates & fish), and 2) understanding the alterations in nutrient dynamics with high biomass in low nutrient conditions may be necessary for management decisions regarding this species.

Our main objective is to examine water quality and nutrient dynamics in Rapid Creek relative to the abundance of *D. geminata* present throughout the year. When *D. geminata* mats dominate the available resources, it may influence higher trophic levels. In addition, how does *D. geminata* mat presence alter the resources available downstream?

Background and significance

Didymosphenia geminata (Lyngbye) Schmidt is increasing in prevalence in streams and rivers of North America (Spaulding and Elwell 2007, Kumar et al. 2009). Although *D. geminata* was once thought to be quite rare (Patrick and Reimer 1975), reports of streams with dense mats covering the substrate have increased (Spaulding and Elwell 2007, Blanco and Ector 2009). The mats are composed of cells and the mucopolysaccharide stalks they produce and associated microbial assemblages. *D. geminata* is now considered an aquatic nuisance species with ecosystem, community, and economic impacts on streams and rivers globally (Spaulding and Elwell 2007, Kumar et al. 2009, Reid et al. 2012), including below dams (Kirkwood et al. 2009) and lakes (Schweiger et al. 2011). Understanding the distribution of *D. geminata* and the effects on the ecosystem it inhabits has not been fully addressed.

The proposed study is motivated by the observations that *D. geminata* mats are shifting resources within the periphyton, biofilm composed of algae and microbes, which ultimately influences benthic macroinvertebrate and fish assemblages. Several studies have reported shifts in composition and abundance of algal, invertebrate (Larned et al. 2007, Kilroy et al. 2009, Gillis and Chalifour 2010), and fish populations (James et al. 2010), as a result of *D. geminata*. Yet, mechanisms driving these shifts are less understood. Specifically, it remains unclear how *D. geminata* alters water quality and nutrient dynamics within a stream/river.

An increase in nuisance mats of *D. geminata* globally, has put this microscopic organism in the spotlight. Whether *D. geminata* is considered native or invasive, reducing the spread and examining the controls on the distribution is crucial for management decisions now and in the future (Elwell et al., 2014). By examining the water quality, nutrient dynamics, and mapping the coverage of *D. geminata* in Rapid Creek, we will be filling a crucial gap in understanding *D. geminata* mat influence on ecosystem processes and foodweb dynamics.

Bibliography of pertinent literature- Entire literature cited available upon request

- BLANCO S. & ECTOR L. 2009. Distribution, ecology and nuisance effects of the freshwater invasive diatom *Didymosphenia geminata* (Lyngbye) M. Schmidt: a literature review. *Nova Hedwigia* 88:347-422.
- ELWELL L.C., GILLIS C.A., KUNZA L.A., & MODLEY M.D. In press. Management challenges of *Didymosphenia geminata*. *Diatom Research*.
- JAMES D.A., MOSEL K. & CHIPPS S.R. 2013. The influence of light, stream gradient, and iron on *Didymosphenia geminata* bloom development in the Black Hills, South Dakota. *Hydrobiologia* DOI 10.1007/s10750-013-1654-y.
- KELLY H.A.W., ROSI-MARSHALL E.J., KENNEDY T.A., HALL R.O., CROSS W.F., & BAXTER C.V. 2013. Macroinvertebrate diets reflect tributary inputs and turbidity-driven changes in food availability in the Colorado River downstream of Glen Canyon Dam. *Freshwater Science* 32:397-410.
- KUMAR S., SPAULDING S.A., STOHLGREN T.J., HERMANN K.A., SCHMIDT T.S & BAHLS L.L. 2009. Potential habitat distribution for the freshwater diatom *Didymosphenia geminata* in the continental US. *Frontiers in Ecology and the Environment* 7:415-420.
- SPAULDING S.A. & ELWELL L. 2007. Increase in nuisance blooms and geographic expansion of the freshwater diatom *Didymosphenia geminata*: Recommendations for response. Denver, CO: US Environmental Protection Agency Region 8. Open File Report 2007-1425.



OFFICE OF SPONSORED PROGRAMS

SDSM&T PROPOSAL BUDGET

0

Year One: April 1, 2016 - March 31, 2017

		A. Grant Expenses					
		Annualized Base Salary	Acad	% Effort	Sum r	% Effort	Requested Salary/Fringe
A. SENIOR PERSONNEL							
	PI ~ Kunza, Lisa A.	\$100,528			0.50	100%	\$4,189
	Fringe @ 22.73%						\$952
TOTAL SENIOR PERSONNEL							\$5,141
B. OTHER PERSONNEL							
	1 Undergraduate Student	\$21,424	9.00	25%	3.00	50%	\$6,695
	Fringe @ 7.76%						\$520
TOTAL OTHER PERSONNEL							\$7,215
C. EQUIPMENT							
TOTAL EQUIPMENT							\$0
D. TRAVEL							
1. Domestic Travel		Rate	# of Nights	per travelers	trip		
	Conference						
	Flight	\$750					\$0
	Lodging	\$175					\$0
	Per Diem	\$45					\$0
	Ground Travel	\$150					\$0
Subtotal Domestic Travel							\$0
TOTAL TRAVEL							\$0
E. PARTICIPANT/TRAINEE SUPPORT COSTS							
TOTAL PARTICIPANT/TRAINEE SUPPORT COSTS							\$0
F. OTHER DIRECT COSTS							
1. Materials & Supplies							
							\$1,000
Subtotal Materials & Supplies							\$1,000
6. Equipment/Facility Rental Fees							
Sample Analyse							\$800
Subtotal Equipment/Facility Rental Fees							\$800
TOTAL OTHER DIRECT COSTS							\$1,800
G. TOTAL ALL DIRECT COSTS (A. ~ F.)							\$14,156
H. INDIRECT COSTS							
SDSM&T Facility & Administration Cost Base Calculations							
Total Direct Costs							\$14,156



OFFICE OF SPONSORED PROGRAMS

SDSM&T PROPOSAL BUDGET

0

Year One: April 1, 2016 - March 31, 2017

		A.
		Grant Expenses
Less Exclusions*		\$0
Net SDSM&T Indirect Cost Base		\$14,156
SDSM&T Indirect @ 39.0%		\$5,521
SDSM&T Unrecovered Indirect @ 0.0%		\$0
SDSM&T Indirect Recovered @ 39.0%		\$5,521
TOTAL ALL INDIRECT COSTS		\$5,521
I. TOTAL DIRECT + INDIRECT (G. + H.)		\$19,677
* Subcontract amounts above the \$25,000 allowable base; Tuition Remission		
J. SPECIFIED INDIRECT COST		\$0
K. TOTAL REQUEST		\$19,677



OFFICE OF SPONSORED PROGRAMS

SDSM&T PROPOSAL BUDGET

0

Year Two: April 01, 2017 - March 31, 2018

		A.					
		Grant Expenses					
	Annualized	Acad	% Effort	Sum	%	Requested	
	Base			r	Effort	Salary/Fringe	
	Salary						
A. SENIOR PERSONNEL							
PI ~ Kunza, Lisa A.	\$103,544			0.25	100%	\$2,157	
Fringe @ 22.73%						\$490	
TOTAL SENIOR PERSONNEL						\$2,647	
B. OTHER PERSONNEL							
1 Undergraduate Student	\$22,067	9.00	25%	3.00	50%	\$6,896	
Fringe @ 7.76%						\$535	
TOTAL OTHER PERSONNEL						\$7,431	
C. EQUIPMENT							
TOTAL EQUIPMENT						\$0	
D. TRAVEL							
1. Domestic Travel	Rate	Nights	# of	per			
Conference			travelers	trip			
Flight	\$500		2	1		\$1,000	
Lodging	\$150	6	2	1		\$1,800	
Per Diem	\$45	7	2	1		\$630	
Ground Travel						\$0	
Subtotal Domestic Travel						\$3,430	
TOTAL TRAVEL						\$3,430	
E. PARTICIPANT/TRAINEE SUPPORT COSTS							
TOTAL PARTICIPANT/TRAINEE SUPPORT COSTS						\$0	
F. OTHER DIRECT COSTS							
1. Materials & Supplies							
						\$500	
Subtotal Materials & Supplies						\$500	
6. Equipment/Facility Rental Fees							
Sample Analyse						\$400	
Subtotal Equipment/Facility Rental Fees						\$400	
TOTAL OTHER DIRECT COSTS						\$900	
G. TOTAL ALL DIRECT COSTS (A. ~ F.)						\$14,408	
H. INDIRECT COSTS							
SDSM&T Facility & Administration Cost Base Calculations							
Total Direct Costs						\$14,408	
Less Exclusions*						\$0	



OFFICE OF SPONSORED PROGRAMS

SDSM&T PROPOSAL BUDGET

0

Year Two: April 01, 2017 - March 31, 2018

		A.
		Grant Expenses
Net SDSM&T Indirect Cost Base		\$14,408
SDSM&T Indirect @ 39.0%		\$5,619
SDSM&T Unrecovered Indirect @ 0.0%		\$0
SDSM&T Indirect Recovered @ 39.0%		\$5,619
TOTAL ALL INDIRECT COSTS		\$5,619
I. TOTAL DIRECT + INDIRECT (G. + H.)		\$20,027
* Subcontract amounts above the \$25,000 allowable base; Tuition Remission		
J. SPECIFIED INDIRECT COSTS		\$0
K. TOTAL REQUEST		\$20,027



OFFICE OF SPONSORED PROGRAMS

SDSM&T PROPOSAL BUDGET

#VALUE!

Total Proposal: April 01, 2016 - March 31, 2018

	Year One: April 1, 2016 - March 31, 2017	Year Two: April 01, 2017 - March 31, 2018	Total Proposal: April 01, 2016 - March 31, 2018
	Requested Salary/Fringe	Requested Salary/Fringe	Requested Salary/Fringe
A. SENIOR PERSONNEL			
PI ~ Kunza, Lisa A.	\$4,189	\$2,157	\$6,346
Fringe @ 22.73%	\$952	\$490	\$1,442
TOTAL SENIOR PERSONNEL	\$5,141	\$2,647	\$7,788
B. OTHER PERSONNEL			
Undergraduate Student	\$6,695	\$6,896	\$13,591
Fringe @ 7.76%	\$520	\$535	\$1,055
TOTAL OTHER PERSONNEL	\$7,215	\$7,431	\$14,646
C. EQUIPMENT			
TOTAL EQUIPMENT	\$0	\$0	\$0
D. TRAVEL			
1. Domestic Travel			
Conference			
Flight	\$0	\$1,000	\$1,000
Lodging	\$0	\$1,800	\$1,800
Per Diem	\$0	\$630	\$630
Ground Travel	\$0	\$0	\$0
Subtotal Domestic Travel	\$0	\$3,430	\$3,430
TOTAL TRAVEL	\$0	\$3,430	\$3,430
E. PARTICIPANT/TRAINEE SUPPORT COSTS			
TOTAL PARTICIPANT/TRAINEE SUPPORT COSTS	\$0	\$0	\$0
F. OTHER DIRECT COSTS			
1. Materials & Supplies			
0	\$1,000	\$500	\$1,500
0	\$0	\$0	\$0
Subtotal Materials & Supplies	\$1,000	\$500	\$1,500
6. Equipment/Facility Rental Fees			
Sample Analyse	\$800	\$400	\$1,200
Subtotal Equipment/Facility Rental Fees	\$800	\$400	\$1,200
TOTAL OTHER DIRECT COSTS	\$1,800	\$900	\$2,700
G. TOTAL ALL DIRECT COSTS (A. ~ F.)	\$14,156	\$14,408	\$28,564
H. INDIRECT COSTS			



OFFICE OF SPONSORED PROGRAMS

SDSM&T PROPOSAL BUDGET

#VALUE!

Total Proposal: April 01, 2016 - March 31, 2018

	Year One: April 1, 2016 - March 31, 2017	Year Two: April 01, 2017 - March 31, 2018	Total Proposal: April 01, 2016 - March 31, 2018
SDSM&T Facility & Administration Cost Base Calculations			
Total Direct Costs	\$14,156	\$14,408	\$28,564
Less Exclusions*	\$0	\$0	\$0
Net SDSM&T Indirect Cost Base	\$14,156	\$14,408	\$28,564
SDSM&T Indirect @ 39.0%	\$5,521	\$5,619	\$11,140
SDSM&T Unrecovered Indirect @ 0.0%	\$0	\$0	\$0
SDSM&T Indirect Recovered @ 39.0%	\$5,521	\$5,619	\$11,140
TOTAL ALL INDIRECT COSTS	\$5,521	\$5,619	\$11,140
I. TOTAL DIRECT + INDIRECT (G. + H.)	\$19,677	\$20,027	\$39,704
* Subcontract amounts above the \$25,000 allowable base; Tuition Remission			
J. SPECIFIED INDIRECT COSTS	\$0	\$0	\$0
K. TOTAL REQUEST	\$19,677	\$20,027	\$39,704
SDSM&T Match	\$0	\$0	\$0



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

REF: EPR-EP

Ms. Emily Martinez
Administrative Manager
H2E, Incorporated
722 N. Main Street Ste. 9
Spearfish, SD 57783

Re: Announcement Number EPA-OW-IO-15-01: Urban Waters Small Grants

Dear Ms. Martinez:

Thank you for your proposal for Urban Waters Small Grants funding in response to the Request for Proposals EPA-OW-IO-15-01. Nationally, EPA received nearly 300 proposals and EPA Region 8 received 12 proposals for a limited amount of competitive funding. A review panel ranked and scored each proposal after evaluating them against the ranking and selection factors in Section V of the above-referenced announcement. As a result of this review, we regret to inform you that your proposal was not selected for award.

You may obtain a more detailed briefing regarding the strengths and weaknesses of your proposal and the basis for our decision that your proposal was not selected for award, by making a request for a debriefing to Cynthia Gonzales, your Region 8 contact, within 15 calendar days of the date you receive this letter. Upon receipt of a timely debriefing request, an oral debriefing via conference call will be scheduled.

For further information about the debriefing process and your dispute rights with respect to competition-related issues under the subject announcement; please refer to Section VI of the announcement. All assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR 3629, 3630 (January 26, 2005), which can be found at [Dispute Resolution Procedures](#). These procedures were also referenced in Section VI of the competitive announcement of this funding opportunity. If you have any questions about the debriefing or disputes process, you may contact Cynthia Gonzales at 303-312-6569 or e-mail at gonzales.cynthia@epa.gov.

We appreciate the effort that went into the preparation of your proposal. We encourage you to join the Urban Waters Network, where members are notified about new funding opportunities, other available resources for local efforts, and success stories about communities reclaiming their urban waters. To join, please go to www.epa.gov/urbanwaters and click on "Get Email Updates."

Thank you for your interest, and we look forward to your participation in future competitions.

Sincerely,

Karen Hamilton
Acting Program Director, Ecosystem Protection Program

May 3, 2016

West Dakota Water Development District
PO Box 6365
Rapid City, South Dakota 57709

Subject: Water Conservation Research Project

Dear Board Members,

I have been working to secure funding to conduct research on the conservation of water in irrigation districts through the use of compost to increase the natural soils organic structure. The theory being that if water is more readily absorbed, less water needs to be applied to achieve adequate water for crop production. If this is proven, what is the potential in water conservation, not only in the irrigation districts in western South Dakota, but the nation?

We had hoped to apply for a grant from the Natural Resources Conservation Service or the Bureau of Reclamation. Their deadlines of earlier this year, and May 10, did not allow us to secure matching funds to achieve a grant. Ultimately, I expect the grant application, project management, to be under the Civil and Environmental Department at the School of Mines and we will pursue grant funding. I have also applied to attend and conduct graduate research on this very subject using my Post 9/11 GI Bill to pay my expenses.

This request is written by me, I am not acting in any official way, other than to personally seek research funding in hopes of expanding the involvement of several agencies, local government, the State, and our colleges. Greater detail is available in the draft proposal that is attached to this document. I am looking forward to the opportunity to visit with you on May 10, to discuss details and answer your questions. I sincerely hope you will support our funding needs, as potential benefit is water conservation. I can be reached at jerry.wright@rcgov.org, or cell 605-415-2788, or home 605-348-6549.

Sincerely,

Jerome "Jerry" Wright
2036 Stirling St.
Rapid City, South Dakota 57702

ATTACHMENT A - Draft Research Proposal

Draft Research Proposal – Water Conservation with Compost added to soils. April 25, 2016 JTW Compost and Water Conservation

The two most important elements on earth for our growth and survival are provided by the air we breathe and the water we drink and use for life support. It is proposed by this project to study the conservation of water through the use of compost as additional organic matter into our agricultural soils and the potential of water conservation through such efforts. A community's ability to survive and grow is directly based upon the availability of usable water. If there is a shortage of water or no water to support development, a community will only be able to sustain the status quo. If there is a need to meet food supplies for a growing population, economic growth to sustain a growing population, then available water is absolutely necessary. Additional water, unless imported, because of the transpiration process, is simply not available. Water conservation and protection of existing water resources is paramount. Reasonable and cost effective conservation methods must be implemented as soon as possible.

The population and commerce of any urban area, in addition to requiring water, also produces approximately 1 ton per year of municipal waste per person. Approximately 20% of this waste is organic matter, 10% is yard waste, and 40% is paper products. All of these items are compostable. The City of Rapid City, with a current yard waste composting and a current municipal solid waste composting with bio-solids, is in an excellent position, along with irrigated properties in the Rapid Valley area, to support a field applied analysis of the question, "Does increasing the organic matter of agricultural soil, by the incorporation of compost, conserve significant amounts of water?". Additional research may result from this project in the area of bio-solid composting and trace elements in the bio-solids.

If water is conserved by the above methods, how would this finding assist in better water usage, higher potential for quality growth, economic development through better crop production? If water is conserved, what is the savings in infrastructure and or source development, for needed water? What is the value of landfill storage and bio-solid application/disposal? What is water worth?

This project would use the City of Rapid City as a source of compost product and water production value and technical support, and the South Dakota School of Mines and South Dakota State University would serve as technical support and provision of student/faculty research and analysis.

Literature searches have shown significant information on water availability through compost incorporation, but very little significant information on water conservation and resulting benefits related to irrigation.

Support of this project will further the understanding, application, and use of compost as a soil amendment and the benefits derived thereof in water conservation.

DRAFT COPY

THESIS

Determine if amending soil with compost will alter the soil structure so that water is conserved by better absorption, retention and availability in irrigation operations. How will this, if proven, help in solving water availability and quality issues. Municipal solid waste, yard waste and other organic composting processes solve solid waste disposal issues. Other areas of concern such as bio-solid disposal, phosphate removal, etc. may be an expanded part of this research.

SCOPE

Adequate land area, soil types, utilizing flood and sprinkler irrigation, will be identified. Base data on soil structure and organic content, moisture conditions, cost of water, value of water, crop yield, crop quality, water availability, waste diversion, water conservation, value of competing water demands, will be analyzed.

The following budget is proposed with narratives included:

Expenses	hourly	hours/year	Detailed
RESPEC			
Staff Project manager	\$75	200	\$15,000
research engineer			\$0
research technician	\$30	200	\$6,000
Report Compilation	\$50	100	\$5,000
Subtotal RESPEC			\$26,000
SDSM&T			
Professorial Research	\$150,000	10%	\$15,000
Research Students			
BSCE			
Tuition	\$5,315	1	\$5,315
Subsistence	\$12,000	1	\$12,000
Books	\$1,000	1	\$1,000
MSCE			
Tuition	\$5,315	1	\$5,315
Subsistence	\$12,000	1	\$12,000
Books	\$1,000	1	\$1,000
PhD			
GI Bill Tuition	\$5,315	1	\$5,315
Subsistence	\$12,000	1	\$12,000
Books	\$1,000	1	\$1,000
Laboratory	\$10,000	1	\$10,000

Field Data

Institutional Administrative Charge

Subtotal SDSM&T **\$79,945**

SDSU

Professorial Research \$150,000 10% \$15,000

Research Students

MSCE Tuition \$5,315 1 \$5,315

Subsistence \$12,000 1 \$12,000

Books \$1,000 1 \$1,000

Laboratory \$0

Institutional Administrative Charge \$0

Field Data \$0

\$0

Subtotal SDSU **\$33,315**

City of Rapid City

+/-6 Acre total with 1 acre plots, 2 control, 1 w/o compost flood, 1 w/o compost sprinkler,
1 with compost flood, 1 with compost sprinkler

Approximately 50 to 100 ton of compost per acre, \$25 per ton, there may be repeated applications, or additional sites selected.

	units	unit price	total
Provision of compost	400	\$25	\$10,000
Provision of compost delivery	400	\$15	\$6,000
Spreading of compost	400	\$25	\$10,000
Incorporation of compost	400	\$30	\$12,000
Provision of land for research	6	\$100	\$600
Laboratory			
Sample Testing			
soils structure Initial	60	\$30	\$1,800
Quarterly	240	\$30	\$7,200
Moisture	300	\$30	\$9,000
City Staff			
WRF	\$100,000	5%	\$5,000
Solid Waste	\$100,000	10%	\$10,000

Sub-total by City of Rapid City **\$71,600**

Annual costs per entity:

Subtotal RESPEC	\$26,000
Subtotal SDSM&T	\$79,945
Subtotal SDSU	\$33,315
<u>Sub-total by City of Rapid City</u>	<u>\$71,600</u>
Annual total	\$210,860
Two year study	\$421,720
Three year study	\$632,580

Annual Soft match	3 year study
PhD research costs GI Bill at 60%	Annual
Tuition \$5,315 X.6	\$3,189
Books \$1,000 X.6	\$600
Subsistence \$12,000 x.6	\$7,200
Provision of land	\$600
Value of compost	\$3,300
Transportation of compost	\$2,000
Spreading of compost	\$3,300
Incorporation of compost	\$4,000
Laboratory testing	\$18,000
WRF staff	\$5,000
<u>Solid Waste Staff</u>	<u>\$10,000</u>
Total soft match - Annual	\$57,189

	Total	Annual
Soft match	\$171,567	\$57,189
West Dakota Water District	\$25,000	\$8,325
Economic Development	\$50,000	\$16,650
City of Rapid City	\$50,000	\$16,650
<u>SDDENR</u>	<u>\$50,000</u>	<u>\$16,650</u>
Sum of local funding	\$346,567	\$115,464
Sum of anticipated Federal Grants	\$316,290	\$105,430

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January 12, 2016

Tim Rogers
West Dakota Water Development District
525 University Loop #102
Rapid City, SD 57701

Re: West Dakota Water Development District - General Advice
GPNA File No. 11319.0002

Dear Tim:

Thank you for your email request for a fee agreement. The following is the fee agreement that was sent to Jeannette Deurloo on October 15, 2015. We have not received a signed copy yet so if it meets with your approval, please sign and return it to my office.

This letter is to confirm our understanding of the representation Gunderson, Palmer, Nelson & Ashmore, LLP, have undertaken on your behalf, its scope, and the terms of our engagement. Experience has shown that a letter such as this is useful both to the client and to the firm to express our respective expectations and undertakings.

We ask that you carefully review this letter as it provides guidance on what procedures will be followed. WDWDD is encouraged to review this contract with outside counsel.

1. Scope of Engagement:

We understand the scope of our engagement is to be limited to representing the West Dakota Water Development District by providing legal services to WDWDD, its board, director, or other officials and, when acting within the scope of their employment, employees. On behalf of the firm, Sara Frankenstein will serve as General Counsel. Nathan Chicoine, an associate, will serve as Assistant General Counsel to serve and assist in emergency situations or other situations where attorney Frankenstein is unavailable or requires assistance.

2. Assumption of Files

989171 / 11319.0002

GUNDERSON, PALMER, NELSON & ASHMORE, LLP

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We understand that you will:

- provide us with such factual information and documents as we require to perform the services;
- make decisions and determinations as are appropriate to facilitate the rendering of our services;
- be available to assist us in the progress of our representation; and
- remit payment of our invoices in accordance with the terms set forth below.

3. **Progress:**

As with any professional relationship, close cooperation and frequent communications between us will improve our ability to be of assistance and to complete our task. To that end, we will want to discuss regularly the matters facing WDWDD. In addition, it is our practice to forward to our clients copies of significant correspondence, filings, etc. so you may keep track of any WDWDD matters under our advisement progress. If you have any questions or concerns as we go along, please bring them up promptly so that they may be addressed right away.

The firm recognizes the instantaneous nature of communication, including email, fax, and voice mail correspondence. Please understand that an instantaneous response is not always possible to an instantaneous request. However, the attorney(s) will try to respond to WDWDD requests via these modes of communication with the same sort of timeliness of response he or she would give to more "traditional" methods of communication. The same fee structure will apply to these instant messages as would apply to regular postal correspondence.

No guarantee can be made regarding the security of email and fax correspondence. Please let this caution reflect in your use of those methods. Finally, the firm will conduct all business based on Mountain Time, unless otherwise pre-arranged.

4. **Policies and Procedures on Fees and Costs:**

The Rules of Professional Conduct governing the legal profession require that a lawyer's fee be reasonable and they set forth the following factors to be included in considering the reasonableness of a fee:

- a. time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- b. the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- c. the fee customarily charged in the locality for similar legal services;

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May 3, 2016

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- d. the amount involved and the results obtained;
- e. the time limitations imposed by the client or by the circumstances;
- f. the nature and length of the professional relationship with the client;
- g. the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- h. whether the fee is fixed or contingent.

Having those considerations in mind, the following sets forth our agreement with respect to fees and expenses in this matter, the payment of disbursement items, the timing and content of billing statements, and the expected payment period. You understand that these fees are not set by law, but are an enforceable negotiated agreement between WDWDD and Gunderson, Palmer, Nelson & Ashmore, LLP.

(1) Fee Basis

We will undertake this representation on the following basis. For work performed by partners, an hourly rate of \$200.00 will be charged for document review, additional document preparation, meetings with clients, and other matters unique to WDWDD's representation, plus our expenses and disbursements on your behalf, as described below. For work performed by associate attorneys, an hourly rate of \$185.00 will be charged for any and all work done on this case. Also, an hourly rate of \$100.00 will be charged for paralegal work. We will not charge for travel time to attend regular meetings, but will charge for mileage for travel at the federal rate at the time of travel. The firm will not charge for such things as secretarial services, stationery, supplies, and equipment, except as listed in section "(2)" below. Rather, the firm will restrict any cost charges to out-of-pocket expenditures.

Our fee arrangement is open for renegotiation in one year's time.

(2) Costs and Expenses

During the course of this engagement it will likely become necessary for us to advance funds on your behalf for costs and other disbursements for outside services. It is generally easier for us to do this on minor items rather than ask you to pay a succession of small invoices. Since we will be billing you on a monthly basis and you will be remitting payment within 30 days, we expect to make advances for such invoices that do not exceed \$50. Larger items may be forwarded to you with the request that you pay them directly. Those advances, plus the firm's charges for long-distance telephone calls, photocopying, on-line database retrieval charges (i.e., Lexis, Westlaw) etc., will be included in our monthly invoices and details on those matters will be available on request.

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(3) Payment of Invoices

Gunderson, Palmer, Nelson & Ashmore, LLP, invoices are due upon receipt by the WDWD, and are considered past due 30 days after the date they bear. Late charges will be added at the rate of 1.25% per month on an invoice for which the firm has not received payment by the 31st day after the date it bears. The firm reserves the right to decline to perform further services and withdraw from representation if any account is 60 days or more past due. You agree that the firm may terminate its legal services and withdraw from this engagement subject to our ethical and professional obligations. You will continue to be responsible to pay any outstanding accounts with the firm. Undisputed amounts may be deducted from any litigation or settlement proceeds belonging to you that come into Gunderson, Palmer, Nelson & Ashmore, LLP's possession.

We look forward to representing West Dakota Water Development District and thank you for looking to us to assist you. If at any time you have questions concerning our representation or this contract, please let me know promptly.

Sincerely,

Sara Frankenstein

APPROVED AND AGREED BY:

Dated: _____, 2016.

SF:bmp