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[WWW.WESTDAKOTAWATER.COM](http://WWW.WESTDAKOTAWATER.COM)

**WEST DAKOTA WATER  
DEVELOPMENT DISTRICT MEETING  
PACKET FOR TUESDAY, JULY 08,  
2025 3PM REGULAR MEETING  
RAPID VALLEY SANITARY DISTRICT  
(LARRY D. STETLER, ADMIN)**

# **West Dakota Water Development District (WDWDD) Regular**

## **MEETING DRAFT AGENDA for July 8, 2025**

1. Pledge of Allegiance. (Chair)
2. Roll Call of Members (Admin)
3. Approval of Agenda (The board cannot take official action on any item not on the agenda)  
(Chair)
4. Conflict of interest disclosure. (Admin)
5. Approval of minutes from May 13, 2025 meeting. (chair)
6. Treasurer's report (Koth)
  - a. Ledger report
  - b. Projects report
7. Preliminary Budget discussion
  - a. Pennington County levi request
  - b. Approval of preliminary 2026 budget and Penn Co 2025 Tax Levi
  - c. Authorization to publish
8. Keystone project update (Mulally)
9. WDWDD liability insurance (Executive Committee/Admin)
10. ECC report (ECC Committee), address ExComm letter – information
  - a. Discuss funding of up to \$5,000 for collaborative erosion-control project with Cornerstone Mission. (Driscoll and E-C committee)
  - b. Discuss funding of up to \$25,000 for collaborative erosion-control project with SD Mines. (Driscoll and E-C committee)
  - c. Discuss additional funding of \$25,000 for continuation of our Star Village erosion control project with the City of Rapid City and Tzadik Property Management. (Driscoll and E-C committee) *(Note: there are separate proposals for each of the two property owners; however, we've always handled it with a single agenda item because it is treated as a single collaborative effort.)*
11. Discuss volunteer expenses
12. Discuss proposed bylaws change (Driscoll)
13. Pennington County Conservation District report (Mack)
14. BOR WaterSMART grant update (Koth)
15. Chair's comments.
16. Items from directors.

17. Items from admin. 1. Westdakotawater.com transferred to Hover for 4 years. .gov domain does not appear to be used outside of federal and state offices. 2. Change of office hours from the current 1-5PM to 10AM-2PM. (Admin)

18. Items from public.

19. Adjournment

**AGENDA ITEM 1. Pledge of Allegiance. (Chair)**

**AGENDA ITEM 2. Roll Call of Members (Admin)**

**AGENDA ITEM 3. Approval of Agenda (The board cannot take official action on any item not on the agenda) (Chair)**

**AGENDA ITEM 4. Conflict of interest disclosure. (Admin)**

Any directors with a conflict of interest for any agenda item will so state.

The WDWDD bylaws were amended on 12 Feb 2019 to include defining conflict of interest disclosure

as follows:

**ARTICLE V – DISCLOSURE OF CONFLICT OF INTEREST**

Any director who is present at a meeting at which is discussed any matter in which that director has, directly or indirectly, a private financial or property interest shall disclose such interest to the Board. Any such director shall refrain from advocating for or against the matter and shall disqualify himself/herself from voting on such matter. The Board may adopt a separate policy specifically, regarding ethical standards and practices.

**AGENDA ITEM 5. Approval of minutes from May 13, 2025 meeting in blue. (chair)**

**Draft Minutes for regular board meeting on May 13, 2025, 3 PM**

*An audio recording for this meeting is available at [www.westdakotawater.com](http://www.westdakotawater.com) (Note time in lower right corner of the video is 24-hour format and is Mountain Time zone.)*

**CALL TO ORDER:** The West Dakota Water Development District (WDWDD) convened for a regular board meeting at the Rapid Valley Sanitary District, Rapid City, SD. Chair Mack called the meeting to order at 3:00 PM (Mountain Time).

**AGENDA ITEM 1. Pledge of Allegiance. (Chair) (3:00 PM)**

**AGENDA ITEM 2. Roll Call of Members. (Admin) (3:00 PM)**

Directors present: Ron Koth (Area 1), Roy Boschee (Area 2), Dan Driscoll (Area 3), Scott McGregor (Area 4), William Young (Area 6), Thomas Mack (Area 7), Mark Kline (Area 8), Craig Kjar (Area 9).

Directors absent: Area 5 is vacant at meeting start.

A quorum was declared.

Administration present: Larry Stetler (Program Administrator)

Others in attendance (as per sign-in sheet): Barry Muxen (CWA, BHEC, Sierra Club), Robin Witkop (Ranch at Black Gap), Jim Hayward.

**AGENDA ITEM 3: Approve and swear-in Dan Mulally as Director, Area 5. (Chair)**

**Motion 1 by Driscoll seconded by Kjar to approve the swearing in of Dan Mulally as Director, Area 5.**

**Motion 1 carries unanimously on a voice vote. (3:06 PM)**

**AGENDA ITEM 4: Approval of Agenda (3:07 PM)**

**Motion 2 by McGregor seconded by Young to approve agenda.**

**Motion 2 carries unanimously on a voice vote. (3:07 PM).**

**AGENDA ITEM 5: Conflict of interest disclosure. (Admin)**

**McGregor recused for agenda item 15**

**AGENDA ITEM 6: Approval of minutes from Mar. 11, 2025 meeting. (Chair)**

**Motion 3 by Kline and seconded by Boschee to approve the minutes from Mar 11, 2025 meeting with the following changes: Correct name spelling—'Jamie' to 'Jaime' on attendees.**

**Motion 3 carries. (3:09 PM)**

**AGENDA ITEM 7: Treasurer's Report. (Koth)**

**a. Ledger Report**

Year to date: including bank and investment accounts: \$902,094.80

Total non-project expenditures are \$19,723.82.

Total project expenditures are \$66,059.45.

Total expenditures are \$85,783.27.

**b. Projects report**

Total project unpaid obligations are \$720,496.39.

Expected tax levy payable in 2025 is \$264,775.

Koth stated that Raymond James CDs have matured and the total investment balance is in a single interest-earning account. Koth and Stetler stated that new reporting options for these reports are being developed with available tools in QuickBooks.

**Motion 4 by Driscoll seconded by McGregor to approve the treasurer's report.**

**Motion 4 carries unanimously on a voice vote. (3:17 PM)**

**AGENDA ITEM 8: Acquisition of the treasurer surety bond as per SD codified law 46A-3B-11 acquired with Western Surety Company, Apr 29, 2025 (Koth). Bond obtained with Western Surety Company effective Apr. 29, 2025. Annual premium is \$375.**

**AGENDA ITEM 9: Admin approval for renewing 'westdakotawater.com' web domain.**

Stetler briefed the Directors on Tout Advertising suggestions on securing the domain name using a new provider, Hover, instead of the current GKG

**Motion 5 by McGregor seconded by Koth to approve renewing the westdakotawater domain name.**

**Substitute motion by Mulally to allow admin to secure the best option for WDWDD for both .com and/or .gov domains. Second by Driscoll. Young commented on positive aspects of a .gov domain.**

**Substitute motion 5 carries. (3:36 PM)**

**AGENDA ITEM 10: Discussion of a priority ranking systems based on water quality for erosion control projects. (Boschee)**

It was noted, for example, people living on streams might receive a higher priority based on sediment yield reduction.

**AGENDA ITEM 11: Discussion by erosion control committee (ECC) of current erosion projects and looking toward future projects. (Driscoll, ECC)**

Driscoll reviewed current activities at Raider Park, Star Village, and LaCroix Links. Koth raised potential WDWDD liability concerns with erosion projects using rented equipment and volunteers. Stetler mentioned that WDWDD is currently covered by SD Assurance for equipment up to \$75,000. WDWDD is not covered for personal liability/injury.

**Motion 6 by McGregor seconded by Young directing the Executive Board to explore the expanded scope of liability insurance for WDWDD.**

**Motion 6 carries. (4:30 PM)**

**AGENDA ITEM 12: Discussion of water quality, quantity, security. (Young) (4:31 PM)**

Provided information about projects in riparian areas of Paha Sapa (Black Hills) using beaver dam analogues.

**AGENDA ITEM 13: Earth Day review, sponsorship by WDWDD. (McGregor/Driscoll) (4:43 PM)**

Discussion of booth activities at Earth Day and overview of public interest and providing information about WDWDD and projects. It was reported to have been a successful venture with recommendation to continue our involvement.

**AGENDA ITEM 14: Discuss Pennington Conservation District work on Rapid Creek restoration project. (Mack) (4:50 PM)**

Representatives from Pennington Conservation District were unable to be at the meeting. They are being rescheduled to provide an update on activities at the July 2025 meeting.

**AGENDA ITEM 15: Discussion of activities at the Ranch at Black Gap. (Driscoll) (4:56 PM)**

Report by Driscoll and Robin Witkop on recent construction activities at the Ranch at Black Gap. Future plans and permitting discussed with updates to be provided to WDWDD at appropriate times.

**AGENDA ITEM 16: Chair's Comments. (5:06 PM)**

Mack reported on recent informational meetings attended including the Western South Dakota Hydrology Conference and a BOR WaterSMART meeting.

**AGENDA ITEM 17: Items from directors. (5:07 PM)**

Young reported on several items including a) planning to attend a range conservation camp in June, b) a meeting with Rapid City and the potential plans to develop restoration/sustainability plans for Rapid Creek, c) planning a series of public seminars and field trips with many agencies and groups, the 1<sup>st</sup> to be June 18 at the Journey, and d) monthly creek cleanups. June 14<sup>th</sup> is the next event.

Koth noted that Rapid Creek restoration and water management plans are ongoing.

Mulally noted that the Keystone project has culminated and will make a presentation during the July meeting.

**AGENDA ITEM 18: Items from admin. (5:20 PM)**

Stetler commented on ongoing efforts to obtain access to government websites required for management of Federal grant monies.

**AGENDA ITEM 19: Items from public. (5:24 PM)**

**AGENDA ITEM 20: Adjournment. (5:25 PM)**

Meeting was adjourned by Chairman Mack.

Respectfully submitted:

Larry D Stetler, Program Administrator

Craig Kjar, Secretary

**AGENDA ITEM 6: Treasurer's Report**

- a) Figure 1. Treasurer's Ledger Report
- b) Figure 2. Projects Report
- c) Figure 3. Project Timeline

a)				West Dakota Water Development District - Treasurer Report Short ver. (WDWDD2025.xlsx)			
Means of Finance						6/27/2025	
Revenue						2025	
	Property Tax Levy Received					\$146,955.92	
	+ Interest					\$231.33	
	+ Grants					\$62,208.72	
	Revenue received to date:					\$209,395.97	
Projected tax revenue payable 2025 (based on 2024)					\$264,775.00		
BHC Savings PennCo Levi (1.49%) + checking					\$147,654.46		
BHCB BOR ASAP Federal Grant 65.7% Checking +\$100					\$100.00		
BHCB BOR non-Federal WaterSmart Grant 34.3% Match Checking +\$100					\$62,620.63		
BHCB Business Savings					\$647.62		
Raymond James savings account (4.15% interest)					\$803,089.56		
Total Funds 6/27/2025					\$1,013,464.65		
Non-project Expenditures							
Board of Directors					Disbursed 2025		
Total Director Expenses					\$2,606.17		
Administration							
Total Administration Expenses (no legal)					\$5,721.53		
TOUT website		\$588.38					
Insurance					\$375.00	Non-project Expenditures	
Legal Services					\$0.00	budget:	\$66,288.00
Professional Admin Services Contract					\$15,487.25	spent ytd:	\$24,189.95
non-project Expenditures spent year to date					\$24,189.95	remaining in non-project expenditure budget:	\$42,098.05
Water Projects					Disbursed 2025		
						2025 projects budget:	
Collaborative project for erosion control Star Village, RC Parks, 22_006_STRRC					\$573.50		
Collaborative project for erosion control Star Village, Tzadik, 22_007_STRTZ					\$0.00		
Hydrology Conference					\$2,000.00	\$2,000.00	
Earth Day					\$1,000.00		
USGS Streamflow gages					\$8,921.25	\$18,000.00	
SDGFP, boat inspections AIS, 24_002_GFPXX					\$0.00	\$20,000.00	
Green Valley Sanitary (20_008_GVSDW) Available 2022 (in 2025 budget)					\$0.00	\$125,000.00	
Raider Park Stevens, 23_006_RAIDE					\$1,952.70		
Rapid Creek Restoration Penn Conservation District, 22_003_PCDXX					\$7,500.00	\$30,000.00	
Erosion Control Project at LaCroix Golf Course, 21_003_RCXXX 21					\$0.00	\$1,891.38	
Barr Water Management Modeling of Deerfield/Pactola, 24_004_BARRX					\$97,760.57	NA	
BOR cooperative agreement Dakota Areas office Pactola modeling					\$0.00	\$50,000.00	
Barr Pactola/Deerfield model					\$0.00	\$66,666.67	
EPA section 319 project Watershed Improvement project in partnership with SDDANR					\$0.00	\$50,000.00	
Total 2025 project budget						\$363,558.05	
						projects spent ytd:	\$119,708.02
						remaining in Projects Budget	\$243,850.03
Total Water Projects expenditures ytd					\$119,708.02	Remaining in Budget total	\$285,948.08
Total Expenditures YTD					\$143,897.97		

Figure 1. Treasurer's Ledger Report.

b)

WDWDD Project Assistance Summary, projectSummaryWdwd.xlsx, LD Stetler		6/24/2025		
Name	WDWDD Proj. number	Grant Amount	current paid amount	Balance remaining
2025 Projects				
2025 Western Dakota Hydrology Conf. (closed)	25_001_USGSX	\$2,000.00	\$2,000.00	\$0.00
2025 Earth Day Expo (closed)	25_002_EDAYX	\$1,000.00	\$1,000.00	\$0.00
2024 Projects				
2024 Western Dakota Hydrology Conf. (closed)	24_001_USGSX	\$2,000.00	2,000.00	\$0.00
GFP Invasive Species Boat Inspections (closed)	24_002_GFPXX	\$20,000.00	20,000.00	\$0.00
Barr manage through the finalization of the BOR grant (closed)	24_003_BARRX	\$7,500.00	7,399.00	\$101.00
Barr Water Management Modeling of Deerfield/Pactola-system	24_004_BARRX	\$349,721.00	127,102.41	\$222,618.59
USGS Stream Gauges 2024-2027	24_005_USGSX	\$35,685.00	8,921.25	\$26,763.75
WDRWS Grant for Matching SWRMS (closed)	24_006_WDRWS	\$25,000.00	25,000.00	\$0.00
EPA Section 319 DANR Watershed Improvement Project	24_007_DANRX	\$133,333.00	0.00	\$133,333.00
2023 Projects				
USGS Stream Gauges 2023 (closed)	23_001_USGSX	\$16,080.00	\$16,080.00	\$0.00
GFP Invasive Species Boat Inspections (closed)	23_002_GFPXX	\$20,000.00	\$20,000.00	\$0.00
Rotating Basins Rotation 2023 DANR (closed)	23_003_DANRX	\$26,500.00	\$26,500.00	\$0.00
2023 Western Dakota Hydrology Conf. (closed)	23_004_USGSX	\$2,000.00	\$2,000.00	\$0.00
WDRWS Grant for Matching SWRMS (closed)	23_005_WDRWS	\$25,000.00	\$25,000.00	\$0.00
Collaborative Project for Erosion Control Raider Park	23_006_RAIDE	\$15,000.00	\$8,482.70	\$6,517.30
Keystone Removal of Sediment Winter Street Bridge (closed)	23_007_KEYST	\$10,000.00	\$10,000.00	\$0.00
Barr BOR Grant Application Pactola/Deerfield Model (closed)	23_008_BARRX	\$8,538.00	\$8,538.00	\$0.00
Medicine Mountain Boy Scouts Water (closed)	23_009_BOYSC	\$25,000.00	\$25,000.00	\$0.00
WaterSmart BOR Pactola/Deerfield Study	23_010_BORXX	\$100,000.00	\$0.00	\$100,000.00
USGS Stream Gauges 2024 (closed)	23_011_USGSX	\$16,450.00	\$16,450.00	\$0.00
2022 Projects:				
USGS Stream Gauges 2022 (closed)	22_001_USGSX 21	\$15,760.00	\$15,760.00	\$0.00
Rotating Basins Rotation 2 DANR (closed)	22_002_DANRX	\$22,000.00	\$22,000.00	\$0.00
Rapid Creek Restoration Penn Conservation District	22_003_PCDXX	\$50,000.00	\$7,500.00	\$42,500.00
2022 Western Dakota Hydrology Conf. April. (closed)	22_004_USGSX	\$2,000.00	\$2,000.00	\$0.00
GFP Invasive Species Boat Inspections (closed)	22_005_GFPXX	\$20,000.00	\$20,000.00	\$0.00
Collaborative project for erosion control Star Village, RC	22_006_STRRC	\$15,000.00	\$13,340.85	\$1,659.15
Collaborative project for erosion control Star Village, Tzadik	22_007_STRTZ	\$9,000.00	\$2,536.35	\$6,463.65
2020/2021 Projects:				
Trinity Eco Park Drainage Improvement (closed)	20_006_TRINI 20 AO	\$24,500.00	\$24,500.00	\$0.00
SDSMT Impervious Areas in RC (closed)	20_003_SDSMT 20 AO	\$24,871.00	\$20,965.57	\$0.00
USGS Stream Gauges (closed)	20_001_USGSX 19 AZ	\$15,600.00	\$15,600.00	\$0.00
USGS Water Quality Monitoring of Canyon Lake (closed)	20_002_USGSX 19 AO	\$18,000.00	\$18,000.00	\$0.00
Town of Keystone (closed)	20_007_KEYSTO 20 AO	\$25,000.00	\$25,000.00	\$0.00
Revegetation Exposed Soils on SDSMT (closed)	20_005_SDSMT 20 AO	\$24,800.00	\$24,800.00	\$0.00
Banner Next Steps for Missouri River Water (closed)	20_004_BANNE 20 AZ	\$24,500.00	\$24,500.00	\$0.00
Banner Missouri Water Needs Assessment task 1 (closed)	20_009_BANNE 21 AO	\$79,030.00	\$79,030.00	\$0.00
USGS Stream Gauges 2020 (closed)	20_010_USGSX	\$15,600.00	\$15,600.00	\$0.00
Green Valley Sanitary District (Interstate Engineering)	20_008_GVSDW 20 AO	\$125,000.00	\$0.00	\$125,000.00
2021 Western SD Hydrology Conf. (closed)	21_001_USGSX 21 AZ	\$1,000.00	\$1,000.00	\$0.00
GFP Invasive Species Boat Inspections (closed)	21_002_GFPXX 21 AO	\$10,000.00	\$10,000.00	\$0.00
Erosion Control Project at LaCroix Golf Course	21_003_RCXXX 21	\$12,000.00	\$10,108.62	\$1,891.38
Erosion Control of Exposed Soils N. of Star Village, Weger (closed)	21_004_STRWE 21	\$10,000.00	\$8,746.64	\$0.00
Erosion Control of Exposed Soils N. of Star Village, Tzadik (closed)	21_005_STRTZ 21	\$15,000.00	\$7,516.18	\$0.00
Repair of Living Lab SDSMT (closed)	21_006_SDSMT	\$5,000.00	\$4,336.52	\$0.00
Phase II TerraSite Inventory Impervious Areas in RC (closed)	21_007_TERRA	\$24,950.00	\$24,950.00	\$0.00
<b>TOTAL PROJECT OBLIGATIONS</b>				<b>\$666,847.82</b>

Figure 2. Projects Report

ndaA.docx



c)

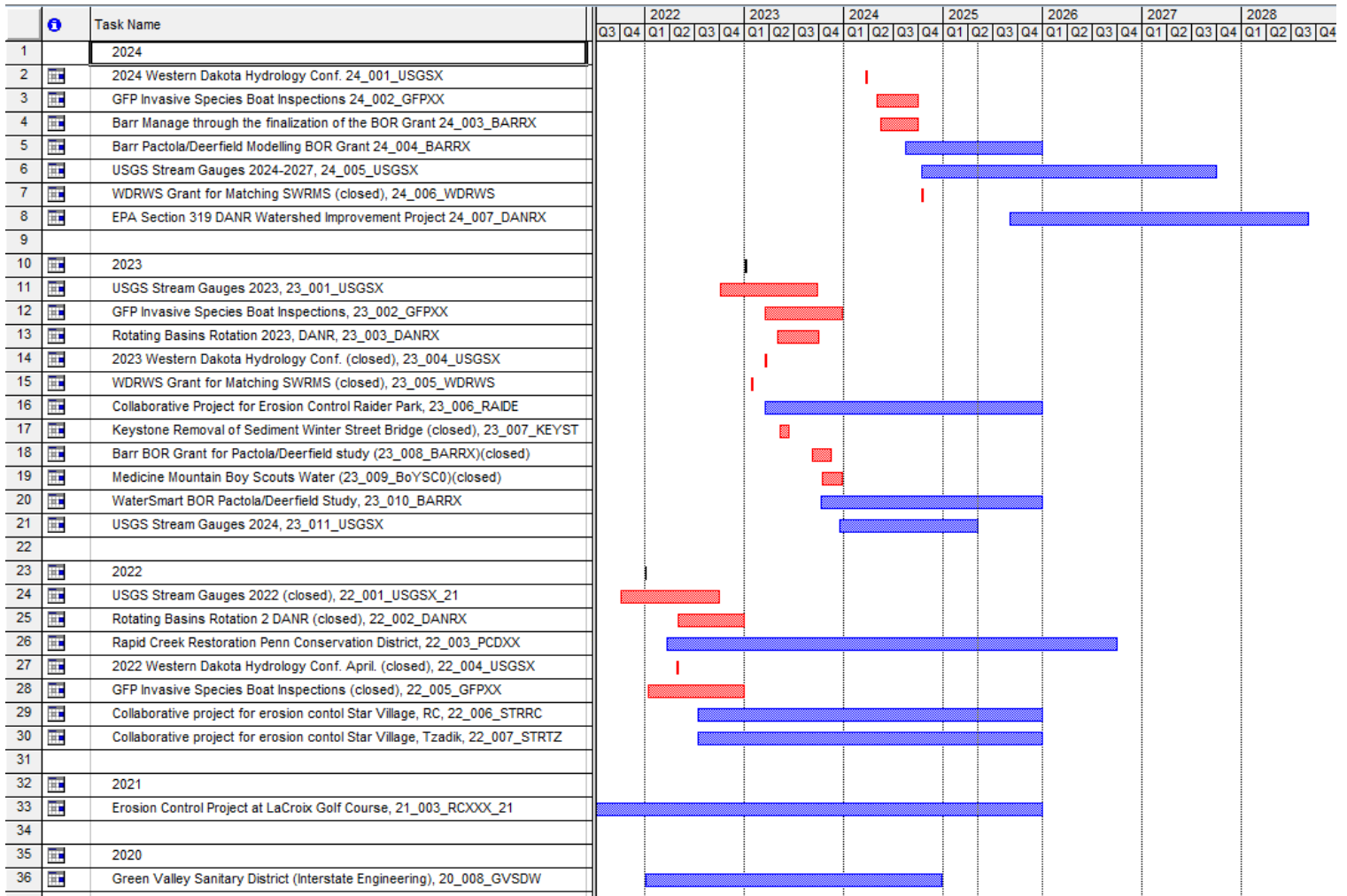


Figure 3. Project Timeline (Red = Closed).

## AGENDA ITEM 7: Preliminary 2026 Budget discussion

- a) Approval of preliminary 2026 budget and Penn Co 2025 Tax Levy
  - 1) Figure 4. 2026 Pennington County levy request (based on 2025 taxes)
  - 2) Figure 5. 2026 proposed financial means.
  - 2) Figure 6. 2025 and 2026 budget detail.
- b) Authorization to publish

# 2025 Tax Levy Request

## Due By: 10/01/2025

West Dakota Water District  
Thomas Mack  
314 E Tallent St  
Rapid City SD 57701

Daytime Phone #: (605) 850-3677

District Email: wdwdd0@outlook.com

**Check box or boxes below to levy maximums allowable:**

☐ Estimated max tax dollars available: \$274,359

☐ Opt Out Dollars available: \$0

Opt Out Expires in:

OR

**Write in specific dollar amounts below if different than above:**

General Fund: \$

Other Fund: \$

Impose New Tax: \$ Approve Date:

Opt Out Tax \$'s: \$

New Opt Out: \$ Approve Date:

Total: \$

West Dakota Water District - D

Signature

Date

Figure 4. 2026 Pennington County levy request.

**West Dakota Water Development District - 2026 (WDWDD2026.xlsx)**

Proposed Means of Finance				
Revenue			2025	2026
Property Tax Levy Received YTD (2024 payable in 2025)			\$147,155.92	\$274,359.00
+ Interest (savings acct)			\$231.33	
Revenue received YTD		6/23/2025	\$147,387.25	
Projected tax revenue for 2024, payable in 2025			\$264,755.00	
Funds on Hand (savings, check and CDs)				
6/23/2025			\$1,008,339.76	
+ Projected revenue not received for 2024			\$117,599.08	
Projected Funds end of 2025 (plus interest)			\$1,125,938.84	
- Project liabilities			\$718,543.69	
- non-disbursed Budgeted Admin Costs			\$42,021.98	
Projected Carry-over for 2026				\$365,373.17
+ Projected 2026 Tax Revenue (2025 payable in 2026)				\$274,359.00
+ Interest income estimate				\$30,000.00
+grants estimate				\$50,000.00
	Total 2026 projected revenue			\$354,359.00
2025 Projected Funds Available				\$719,732.17
				TOTAL 2026 NON-PROJECT EXPENDITURES BUDGET
				\$68,200.00
				TOTAL 2026 PROJECT BUDGET
				\$335,668.97
				TOTAL 2026 BUDGET
				\$403,868.97
				REMAINING FUNDS AT END OF 2026
			assuming current project liabilities	\$315,863.20

Figure 5. 2026 proposed financial means.

Budget Data				24-Jun-25	
Expenditures		2025	2025	2026	
Board of Directors		Budget	Disbursed to date	Proposed Budget	
Salary/Per Diem		\$7,200.00	\$2,400.00	\$7,200.00	
Travel		\$1,000.00	\$206.17	\$1,000.00	
<b>Total Director Expenses</b>		\$8,200.00	\$2,606.17	\$8,200.00	
Administration					
Insurance		\$2,000.00	\$375.00	\$2,000.00	
Legal Notices		\$500.00	\$0.00	\$500.00	
Legal Services		\$5,000.00	\$0.00	\$5,000.00	
Office Rent		\$6,000.00	\$3,000.00	\$6,000.00	
Memberships,Conferences		\$6,000.00	\$0.00	\$6,000.00	
Admin (Furniture, Equipment, Office Supplies, travel, web site, misc.)		\$4,000.00	\$4,510.98	\$4,000.00	
Utilities (Phone)		\$500.00	\$198.62	\$500.00	
<b>Total Administration Expenses</b>		\$24,000.00	\$8,084.60	\$24,000.00	
Contingency Fund					
Admin. Contingency Fund		\$5,000.00	\$0.00	\$5,000.00	
Professional Services Fees					
Administration contract (Mulally/Stetler)		\$31,000.00	\$15,487.25	\$31,000.00	
<b>Total Expenditures (non-project)</b>		\$68,200.00	\$26,178.02	\$68,200.00	
<b>Admin Unspent Budget to date</b>		<b>\$42,021.98</b>			
Projects		2025 Budget	2025 disbursed project	Proposed Budget 2026	
Hydrology Conference		\$2,000.00	\$2,000.00	\$2,000.00	
Earth Day			\$1,000.00	\$1,000.00	
USGS Streamflow gages 24 005 USGSX		\$18,000.00	\$8,921.25	\$11,985.00	
Green Valley Sanitary (20 008 GVSDW) Available 2022 (in 2026 budget)		\$125,000.00	\$0.00	\$125,000.00	
Raider Park Stevens, 23 006 RAIDE		\$15,000.00	\$1,952.70	\$6,517.30	
Rapid Creek Restoration Penn Conservation District, 22 003 PCDXX		\$50,000.00	\$7,500.00	\$42,500.00	
Barr Water Management Modeling of Deerfield/Pactola, 24 004 BARRX		\$50,000.00	\$97,760.57	\$50,000.00	
EPA Section 319 Watershed Improvement Project in partnership with SDDANR.				\$50,000.00	
<b>Total 2026 project budget</b>				<b>\$289,002.30</b>	
<b>Total Projects</b>		<b>\$260,000.00</b>	<b>\$117,755.32</b>	<b>\$289,002.30</b>	
			<b>Total 2026 budget</b>	<b>\$357,202.30</b>	

Figure 6. 2025 and 2026 budget detail.

**AGENDA ITEM 8:** Keystone project update (Mulally)

**AGENDA ITEM 9:** WDWDD liability insurance (Executive Committee)

**AGENDA ITEM 10:** Information-ECC planning document addressing Executive Committee letter

Dear E & C Committee

The proposed projects presented to the Executive Board have raised some concerns, and the Executive Board would like some further clarification before proceeding to move the items to a general board meeting.

Concerns to be clarified:

- Sponsorship of the project
- Questions on agreements for future maintenance of project areas
- Agreements and promises with our Project Partners on the project
- Organization of the project and long-term vision
- The implementation of the 319 parts of the erosion control project within these proposed projects
- A method of showing the benefit of the project for sediment reduction to Rapid Creek

A majority of the new projects have entities that could request funding to lead the project. Both Cornerstone Mission and the School of Mines have maintenance personnel that could come before the board and the landed partner could request the funding themselves for the projects. West Dakota could use its expertise to help implement the plans in addition to help fund the project. By having the owner of the property be the lead on the project, it would put maintenance and upkeep with the property owner and not West Dakota.

Second upon review of the projects, the proposals show that West Dakota is the primary organizer of the project. It also shows that West Dakota is responsible for implementing the project by finding the volunteers/workers, acquiring equipment, and paying for all materials for the project. The other partners at best is providing in-kind or material contributions. Reviewing the documentation nothing is guaranteed from the other partners.

Lastly, the organizing and planning of our 319-program grant has proposals for erosion control, and in the proposals, it is stated that this is part of that program. Wouldn't we wait until the engineering assessments are done with that before moving forward on any larger project with erosion control?

We believe a good next step would be to meet as a committee and answer these questions. The Executive Board are not against the projects, but feel that more information is needed before moving forward.

Thomas

**Erosion Control Planning Document**  
**Prepared by:**  
**West Dakota Water Development District Erosion Control Committee**  
**June 21, 2025**

**Background information**

This document was prepared by the Erosion Control (EC) Committee in response to an email of May 8 from Chairman Thomas Mack that identified various questions and concerns raised by West Dakota's Executive Committee. This document is intended to go beyond just addressing the questions/concerns by providing additional documentation and addressing other issues that may not have been directly identified in the May 8 email.

**Implications relative to 319 planning**

The pending EPA Section 319 award has various implications relative to future planning. Our current project implementation plan (PIP) runs from September 1, 2025 through August 31, 2028. It includes development of a watershed improvement plan for Rapid Creek from Canyon Lake to downstream of Rapid City and development of a design plan for our ongoing erosion control project at Star Village. However, it currently includes no plans for implementation of erosion control activities, which would occur in a future 319 phase. Although it may be possible to submit a revised plan under which implementation could occur sooner, there is no guarantee on this, or that EPA's 319 program will continue to be funded by Congress in the future.

An updated "interim" proposal/work plan for our ongoing star Village project that will be applicable for the interim between now and 319 implementation has been developed in conjunction with the project partners (City of Rapid City and Tzadik Property Management. The interim plan focuses on continuing to retain sediment on site, preventing enlargement of the erosional area (we've actually been shrinking the erosive area), preventing blowout of partially eroded areas that are in danger of enlarging, and generally reducing the overall cost of future revegetation of the project area.

The EC Committee sees no reason to incorporate our other ongoing erosion control projects at LaCroix Links and Raider Park as part of future 319 implementation. These projects are well along and there is no perceived benefit to inclusion in the 319 project.

In the interim before 319 implementation, the EC Committee believes it would useful to implement other small erosion control projects such as the proposed projects with the Cornerstone Mission and South Dakota Mines (SD Mines). Again, there is no guarantee of future 319 funding, and such projects would elevate visibility for future erosion control projects, regardless of whether future 319 funding survives.

The Cornerstone Mission project is very small and could be accomplished in a matter of several days at most. Cornerstone Mission has agreed to provide the manual labor, which is a major contribution.

The SD Mines project is somewhat larger than the Cornerstone, but still a relatively small effort and probably constitutes less than 10% of the overall similar erosive areas on the SD Mines



properties. The other SD Mines erosive areas would be a good candidate for a future 319 implementation project; however, it is completely unknown how far in the future that might occur. The proposed project would substantially reduce future costs by addressing a number of small labor-intensive areas in advance.

Our PIP includes an engineered design plan for implementing future erosion control measures at our Star Village project. An engineered plan (or perhaps a plan by a landscape architect) would be a standard component for a 319 project before implementing a project of this magnitude and complexity. Such planning is needed for development of cost estimates and also for bidding and contractor selection.

However, the EC Committee sees no need for engineered plans for small projects such as the proposed Cornerstone Mission and SD Mines projects, which will not require bidding and contracting. Our ongoing efforts at Star Village and other locations have well demonstrated our capabilities for effective implementation without engineered plans. Tours of mitigated areas could easily be provided, if West Dakota board members would like to see things for themselves.

Each project is unique and may or may not require engineering plans depending on site specific conditions. Based on the engineering experience of members on the Erosion Control Committee the Cornerstone Mission Site and the School of Mines Site may be stabilized with vegetation and “soft engineering” practices such as erosion control blanket, wattles or the like. Limited private erosion control design companies exist within the immediate area, however, the EC committee has reached to Natural Resource Conservation Service as a potential engineering source and partnership for assistance in engineering and vegetation establishment.

### **Project sponsorship**

West Dakota's first erosion control project was a research project with SD Mines that focused on testing the effectiveness of various methods for erosion control. SD Mines took the lead on the project proposal in 2020 at the invitation of West Dakota and the project was fully implemented by SD Mines. Besides funding, several West Dakota directors volunteered limited manual labor.

The LaCroix links, Star Village, and Raider Park projects were proposed as collaborative projects, with West Dakota taking the lead on proposal preparation. West Dakota has been the lead for implementation on the LaCroix and Star Village projects; however, Raider Park volunteers have led project implementation, and a cadre of volunteers has assisted with work efforts.

Five years ago, West Dakota began erosion control work by proposing and implementing projects. Research and experimentation has resulted in developing some techniques to reclaim eroded shale areas as well as forge partnerships with landowners and the city. Only the collaborators at Raider Park have taken a leadership role in a project. Recognition of West Dakota's efforts by the Rapid City Sustainability Committee and publicity of our successes has not resulted in other landowners expressing interest in erosion control. West Dakota leadership in this program using our knowledge, connections, and resources is still necessary to demonstrate the value of erosion control to landowners and their neighbors. Demonstrating the benefits of

successful projects may bring landowners, civic groups, and conservation organizations to understand the benefits of these projects and take leadership roles.

#### **Future maintenance**

West Dakota has made no commitments regarding future maintenance for any of our ongoing projects, nor do we intend to begin doing so. Our experience has shown that many of our projects may require several years or more for completion and ongoing maintenance can be a routine part of project implementation, because in many cases our approach is not necessarily a “one-and-done” construction approach. Although this can require more time, costs typically are exponentially lower than a typical contracted construction approach. Once West Dakota “closes out” a project by declaring it complete, we have no intention of bearing any responsibility for future maintenance. Furthermore, once we consider a project complete, we really don’t anticipate that future maintenance by the landowner will be needed, although it will take us some time to gain experience in this arena.

#### **Method for showing sediment reduction**

At the recommendation of SDDANR staff, our PIP specifically avoided an exercise of estimating anticipated reductions in sediment loading. Grassed slopes in the proximity of our projects have sediment loads that are essentially negligible, which would be the anticipated outcome when revegetation efforts are completed. In contrast, the massive sediment loads occurring from the steep erosive areas on Star Village are well demonstrated by silt fences that have been installed, and where very large sediment deposits have accumulated very quickly.

#### **Insurance needs**

Although insurance needs were not mentioned in chairman Mack’s email, the topic was discussed at our May 13, 2025 board meeting. There was widespread agreement that we definitely need to obtain insurance coverage adequate to cover all exposures that can be identified. The committee also has developed a draft of a liability waiver/release form to be signed by volunteers that is patterned after one that is used by the Rapid City Parks Department.

#### **Development of ranking method**

The concept of developing a method for ranking potential erosion control projects was discussed at our May 13 board meeting. Such a method could have utility for our upcoming 319 project and could also be useful before then. Further consideration will be given to this concept. The EC committee anticipates beginning to develop such methodology in the months to come.

#### **Long-term vision**

The long-term vision for our erosion-control efforts (and also for stormwater mitigation) goes well beyond simply beginning to reduce sediment loading. With 319 funding assistance, many of the most severe erosion problems could be mitigated relatively quickly. Sediment loading from erosive areas is but a small fraction of the massive urban stormwater loading to Rapid Creek. Mitigating stormwater runoff from all of the currently un-mitigated urban impervious areas would require massive funding over a very long period. A broader vision is that West Dakota’s efforts will begin to effect a community-wide change in mindset and culture to recognize the many values of reducing sediment loading to our waterways. Mechanisms to obtain the large-



scale funding that would be needed to begin addressing un-mitigated impervious areas currently are not visible; however, small initial steps may eventually lead to bigger things.

Our efforts to date have begun to make small differences that reach beyond the water resource arena. The gifting of the 15-acre Weger property for a future park area was never anticipated when we began our partnership with the Wegers. It definitely was a game changer for us when our initial pilot-level erosion control projects resulted in an invitation from SDDANR staff to submit a 319 application. The March 2023 award from Rapid City's Sustainability Committee tells us that our efforts are not unnoticed. We have not yet had a chance to test the community's IGNITE program as a labor source, but this program holds excellent potential to provide a substantial resource for projects with entities such as the Rapid City Parks Department or SD Mines who are strapped to provide resources.

A shorter-term vision of the erosion control committee is to continue implementing, where possible, small-scale erosion control projects while waiting to see how the 319 project plays out.

a) Proposal for Revegetation of Exposed Erosive Soils on Cornerstone Mission Women's Shelter Campus

A collaborative proposal prepared by:  
West Dakota Water Development District  
And Cornerstone Mission

February 17, 2025

The West Dakota Water Development District (West Dakota) has identified erosion control as an effective way to improve water quality in Rapid Creek by reducing sedimentation. There are exposed shale soils on a steep slope on the campus of the Cornerstone Mission Women's Shelter (1220 East Boulevard) where substantial sediment transport is occurring (figs. 1 and 2).

West Dakota and the Cornerstone Mission (Cornerstone) propose to collaborate on a small erosion control project to accomplish revegetation of the erosive area. Decisions regarding project implementation will be made jointly by consensus of West Dakota and Cornerstone. Area 3 Director Dan Driscoll will act as a lead coordinator for West Dakota, with input from other members of West Dakota's erosion control committee. Cornerstone's lead coordinator will be Facilities Director Jim Jones.

Revegetation efforts will be accomplished by topsoiling of the erosive area, followed by seeding, fertilizing, and installation of erosion control blanket. A tracked skid steer will be used to place topsoil as far up from the bottom of the slope as possible, which likely will amount to no more than about 20% of the erosive area. The rest of the area will require manually moving topsoil down from the top of the slope, which will be accomplished by using tarps or large sleds. Erosion control blanket will be installed after topsoiling, seeding, and fertilizing.

West Dakota will be responsible for rental and operation of the tracked skid steer, rental of any other equipment that may be needed, and procuring all necessary materials and supplies. Cornerstone will provide the manual labor and also will provide and install fencing to restrict foot traffic until the grass cover is well established. A project budget is provided in table 1.

It is proposed that West Dakota will allocate a maximum of \$5,000 for project costs (table 1). Preliminary plans will be to complete the project as early as possible in the spring of 2025, to allow favorable conditions for germination.

Table 1. Project budget.

Budget item	Cost	Notes
Dirt with trucking	\$600	Estimating 30 cubic yards; 2 loads @ \$300/load
Tracked skid steer rental	\$1,000	2 days; includes delivery and fuel
Erosion blanket and staples	\$1,000	
Wattles and stakes	\$500	
Seed	\$100	
Fertilizer	\$100	
Misc supplies	\$500	Includes snacks/refreshments for Cornerstone workers
Contingency	\$1,200	
<b>Total</b>	<b>\$5,000</b>	

Figure 1. Property boundaries for Cornerstone Mission (north is up). Red oval shows erosive area.

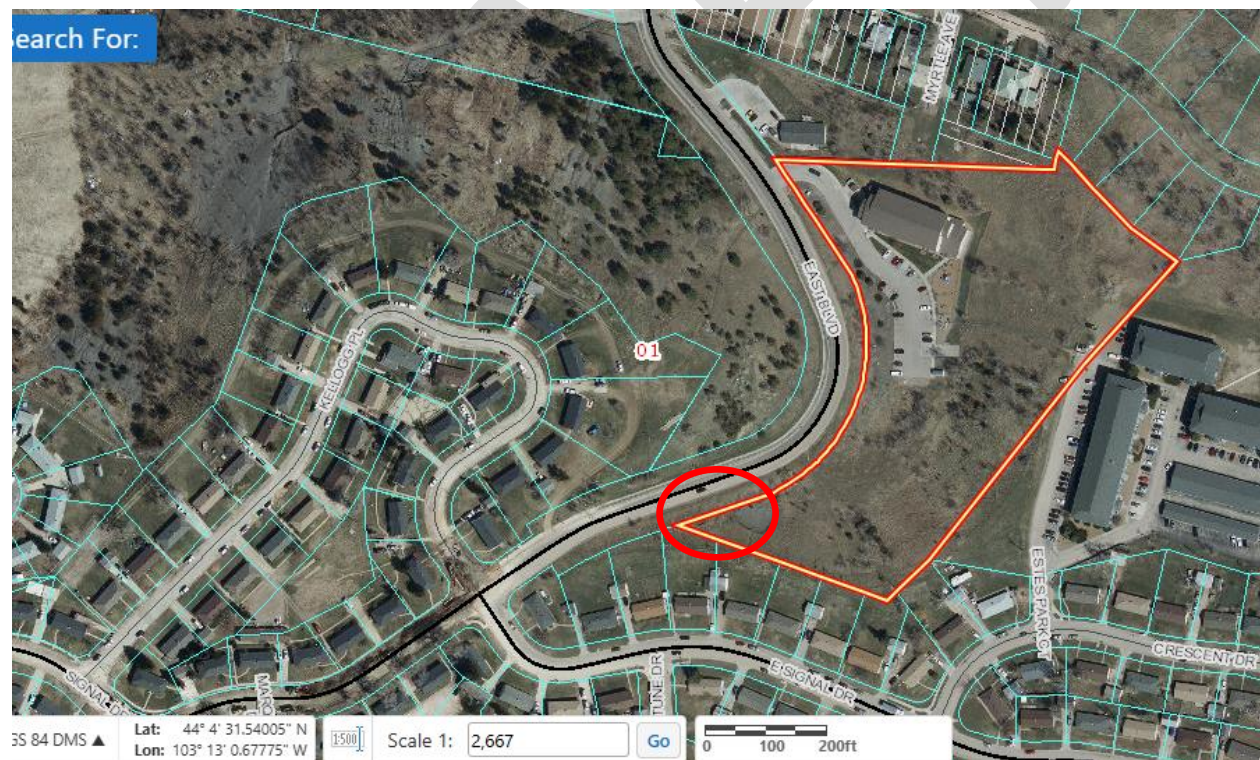




Figure 2. Erosive slope on Cornerstone Mission property.



**Signature page:**

Signatures by authorized entities for both parties constitute an agreement to implement the proposed collaborative project as set forth within this proposal.

Signatures for West Dakota Water Development District:

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Thomas Mack, Chairman

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Date

Signatures for Cornerstone Mission (**please add printed name and title below signature line**)

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Date

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Date

## **Proposal for Revegetation of Exposed Erosive Soils on the South Dakota Mines Campus**

- b) A collaborative proposal prepared by:  
West Dakota Water Development District  
and  
South Dakota Mines

April 27, 2025

The West Dakota Water Development District (West Dakota) has identified erosion control as an effective way to improve water quality in Rapid Creek by reducing sedimentation. There are exposed shale soils on steep slopes at various locations on the South Dakota Mines (Mines) campus where substantial sediment transport from severe erosion is ongoing.

The South Dakota Department of Agriculture and Natural Resources recently approved an application by West Dakota for an EPA Section 319 project for reduction of nonpoint source pollution along Rapid Creek. One focus of the planned project will be to improve water quality by reducing sediment transport by revegetating areas with ongoing erosion. Section 319 funding for implementation of large-scale erosion control activities likely will be at least several years into the future because the project will initially focus primarily on planning activities. Thus, West Dakota and Mines propose to initially collaborate on a small-scale erosion control project that will address a number of relatively small areas (Figs. 1 - 4) that can be accomplished with relatively minor funding. Additionally, test areas may be selected along the Mines hiking trails to test effectiveness of trail edge stabilization and revegetation efforts. Revegetation efforts will be accomplished primarily by topsoiling the erosive areas, followed by seeding, fertilizing, and installing erosion control blanket. Trail edge stabilization may require additional materials or temporary protection (barriers, additional staking, signage, etc.) due to trail use.

To investigate the effectiveness of the revegetation over time, photogrammetry data will be obtained using the available drones at Mines. By using drones, a complete aerial view can be quickly captured across the study areas. Initial imagery obtained prior to the revegetation efforts will serve as a baseline of current conditions. Previous data were obtained for the proposed test areas in late 2023 and late 2024 that will help illustrate changes related to erosion that have occurred within the past two years. An additional data set will be recorded for each location immediately after revegetation to identify how the revegetation efforts have affected the topography and sediment transport. Imagery will then be captured on a routine basis to monitor the changes that occur after the installation of the aforementioned methods and to determine if the methods prevent the sites from experiencing eventual failure.

Collaboration with Pennington County's IGNITE program is a key factor in the decision to pursue a small-scale erosion control project. The IGNITE program (<https://pennco.org/?SEC=24596AE0-9757-4421-87F4-2EC1152EFE53>) is seeking community service projects where supervised inmate labor can be provided for qualifying projects at no charge. The availability of low-cost labor will enable the project team to address small actively eroding areas where mitigation efforts will be labor intensive but would directly reduce stream sedimentation. Larger-scale erosion control needs can be considered later as the planned 319 project evolves.

It is proposed that West Dakota will allocate a maximum of \$25,000 for project costs (Table 1). It is expected that most of the manual labor will be provided through the IGNITE program; however, some additional volunteer labor for the installation processes may be recruited through Mines or

West Dakota, if needed. The Rapid City Wildfire Mitigation Crew has collaborated with West Dakota on several other erosion control projects and may be able to contribute a tracked skid steer and operator, contingent on availability. However, project costs in Table 1 include costs for rental of a tracked skid steer, as the Wildfire Mitigation Crew cannot guarantee availability.

Decisions regarding project implementation will be made jointly by consensus of West Dakota and Mines. Area 3 Director Dan Driscoll will act as a lead coordinator for West Dakota, with input from other members of West Dakota's Erosion Control Committee. Mines' lead coordinator will be Assistant Professor, Julia Loshelder. Julia will work with Mines Facilities Project Manager Bryce Miner to clear project plans prior to location-specific plan finalization. Project completion is planned by the end of 2025, contingent on availability of laborers and weather conditions. Scheduling of work efforts will be contingent on coordination among involved entities and likely will consist of several different work periods. Work may be paused due to campus activities in the immediate area or when a large number of visitors will be on campus, such as during the Reunion. Campus Safety will be notified when and where IGNITE laborers will be on campus and when and where equipment will be used off-road. Work may be temporarily delayed if Campus Safety identifies a safety risk until a safer alternative can be developed and implemented.

West Dakota will be responsible for the bulk of project operations. This will include (1) coordination with the IGNITE program for manual labor and the Rapid City Wildfire Mitigation Crew for assistance; (2) procurement of materials and supplies; and (3) arrangements for rental equipment and contracting, when needed.

Mines will be responsible for traffic control while working in areas such as 2B, 3A, and 3B and for installation of short-term fencing and signage, where needed, to prevent foot traffic until grass cover is established. Mines also will provide a rubber-tired skid steer for use in areas 2B, 3A, and other potential areas, as needed, and possibly a utility vehicle for transporting dirt and supplies to difficult locations. Equipment will be operated by authorized and trained South Dakota Mines staff. The drone-based photogrammetry data will be obtained by personnel from Mines.

Area 2A includes the site of a demonstration project that was a collaborative effort between Mines and West Dakota that was used as a research site to test various approaches for revegetating exposed shale soils, along with other erosion control measures. The site may be rehabilitated and updated for future research efforts, which would result in exclusion of Area 2A from this proposed erosion control project. Challenging site conditions here likely will require contracting for a front end loader and excavator for soil placement.

Table 1. Project budget.

<b>Budget for SD Mines revegetation project</b>	<b>Cost</b>	<b>Notes</b>
Dirt with trucking	\$6,000	Estimating 300 cubic yards; 20 loads @ \$300/load
Tracked skid steer rental	\$1,000	For area 1; 2 days; includes delivery
Excavator and front end loader (contracted)	\$6,000	For area 2A; 2 days; includes mobilization
Excavator rental	\$600	For area 3B; 1 day; includes delivery
Erosion blanket	\$3,500	
Landscaping staples for blanket	\$220	



Seed	\$500	
Fertilizer	\$500	
Wattles and stakes	\$1,000	
Rock riprap for toe of slope	\$1,000	
Misc supplies	\$1,000	Includes snacks/refreshments for IGNITE workers
Contingency	\$3,680	
<b>Total</b>	<b>\$25,000</b>	

Figure 1. Three general areas on South Dakota Mines properties where erosion control efforts are planned. Additional details are shown in Figures 2, 3, and 4.

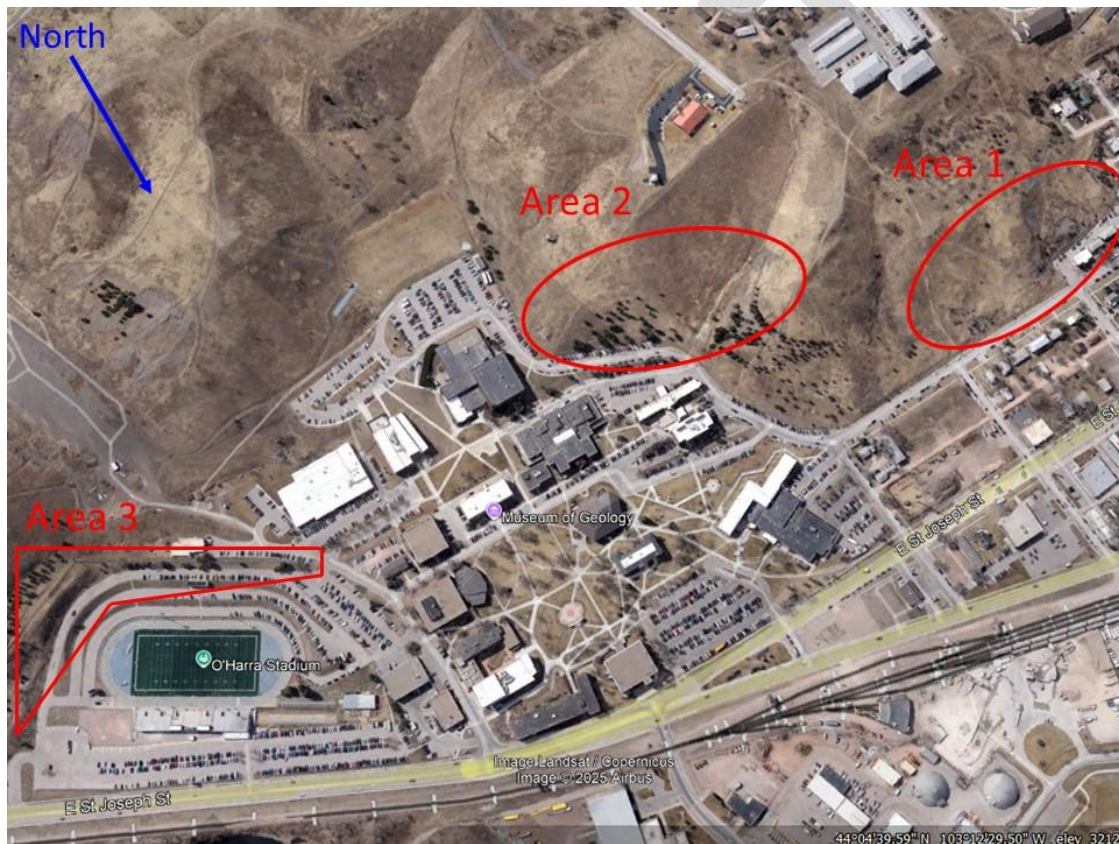


Figure 2. Erosive areas 1A through 1E in northwestern corner of South Dakota Mines properties.





Figure 3. Erosive areas 2A and 2B on western side of South Dakota Mines campus.



Figure 4. Erosive areas 3A and 3B near O'Hara stadium on South Dakota Mines campus.





Signature page:

Signatures by authorized entities for both parties constitute an agreement to implement the proposed collaborative project as set forth within this proposal.

Signatures for West Dakota Water Development District:

\_\_\_\_\_  
Thomas Mack, Chairman

\_\_\_\_\_  
Date

Signatures for South Dakota Mines (please add printed name and title below signature line)

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Date

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\_\_\_\_\_  
Date

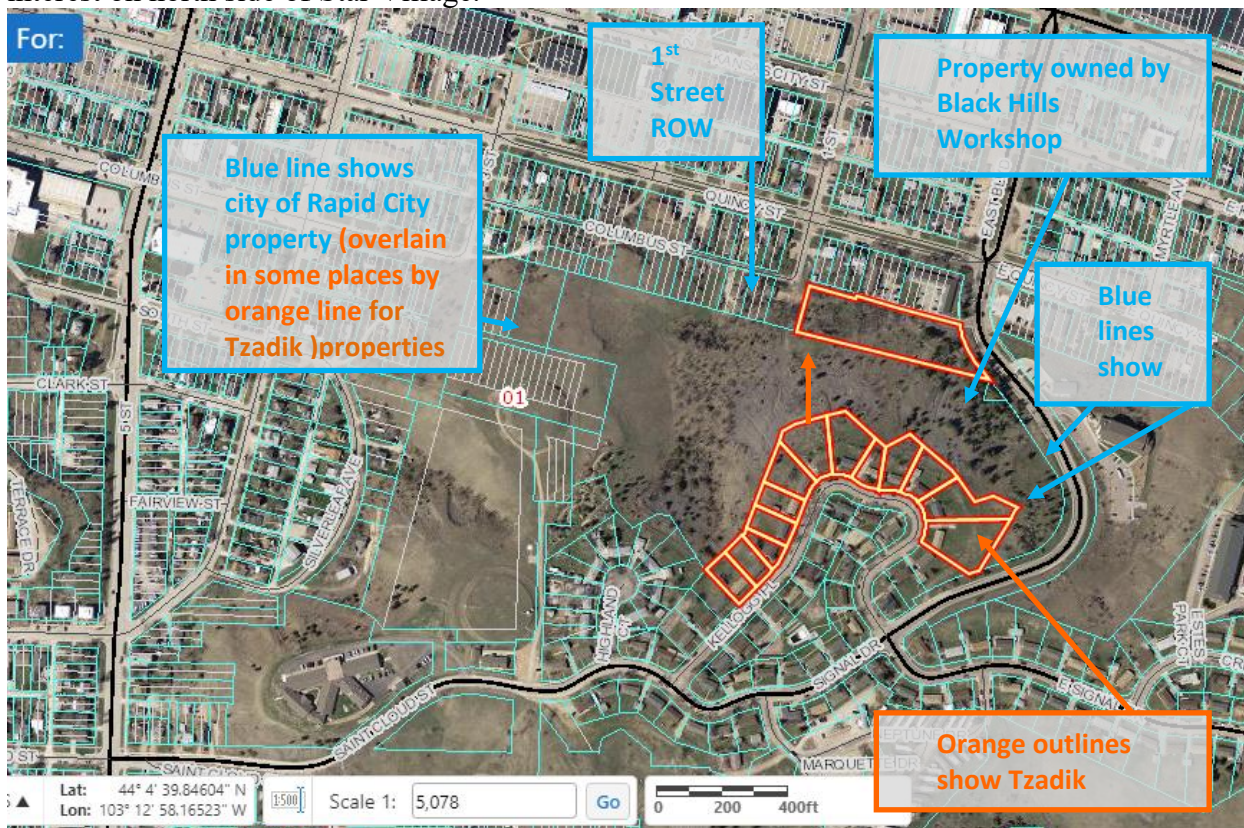
c) Proposal for Continuation of Collaborative Project Erosion Control on the North Side of Star Village

West Dakota Water Development District  
And Rapid City Parks Department

April 24, 2025

The West Dakota Water Development District (West Dakota) and the Rapid City Parks Department (Parks) propose to continue a collaborative project for revegetation of exposed erosive soils and other erosion-control measures on the city of Rapid City property north of Star Village (fig. 1). Efforts will be guided by an Interim Erosion-Control Plan for Star Village Project Area that is provided as Attachment 1. The project area includes the Rapid City parcel (14.94 acres) and a number of parcels owned by Tzadik Rapid City Portfolio I LLC (Tzadik). Because of intertwined erosional areas and access between the Rapid City and Tzadik properties, this project will be a collaborative effort between West Dakota, Parks, and Tzadik. As part of this collaborative effort, Parks will grant full access, as needed, for any and all efforts on adjacent Tzadik properties, with reciprocal access rights granted by Tzadik. The project area also includes a very small parcel owned by Black Hills Workshop Foundation Inc., which has granted permission for efforts within that parcel.

Figure 1. Screen capture from RapidMap showing property boundaries for properties of primary interest on north side of Star Village.



West Dakota proposes to provide funding of up to \$25,000 for all expenditures on both the Parks and Tzadik parcels from the date of this agreement through December 31, 2025. Additional funding increments can be provided later, if needed, contingent on approval by the West Dakota Board of Directors. It is envisioned that new agreements will be enacted annually until future larger-scale implementation can begin with EPA Section 319 funding that is anticipated within the next several years, as explained in more detail in Attachment 1.

West Dakota will be responsible for procurement of supplies, equipment rental when needed, and any contractual arrangements that may be needed. West Dakota also will be the lead for coordinating for labor from outside sources such as volunteer services or from other collaborating entities.

Parks will not be asked to contribute any direct funding; however, when possible, Parks will contribute in-kind services as available and applicable, such as (1) compost and topsoil, including transport when possible; (2) small equipment such as skid steers or mini excavators; (3) technical assistance and oversight in planning and implementation; (4) labor; and (5) any other in-kind services that may be appropriate and feasible.

Decisions regarding methods to be employed and prioritization of efforts on the city of Rapid City property will be made by consensus of West Dakota and Parks. Area 3 Director Dan Driscoll will

act as a lead coordinator for West Dakota, with input from other interested Directors, in working with staff designated by Parks.

An accounting of total funding that has been expended to date is provided here for informational purposes. The first collaborative agreements involved Phil and Yvonne Weger, who later gifted the property to the city of Rapid City, and Tzadik. Agreements were in place for both parties from May 21, 2021 through July 6, 2022, and expenditures for the two parties totaled \$7,502.35 and \$8,746.64, respectively. Starting July 7, 2022, the collaborative agreements have involved Tzadik and the city of Rapid City, subsequent to gifting of the property by the Wegers. Expenditures to date have since totaled \$2,536.35 for Tzadik and \$12,767.35 for the city.

Signature page:

Signatures by authorized entities for both parties constitute an agreement to implement the proposed collaborative project as set forth in this proposal and the associated “Erosion-Control Plan for Star Village Project Area.”

Signatures for West Dakota Water Development District:

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Thomas Mack, Chairman                      Date

Signatures for Rapid City Parks Department, 515 West Boulevard, Rapid City, SD 57702 **(please add printed name and title below each signature line; add more lines, if needed)**

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Date

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Date



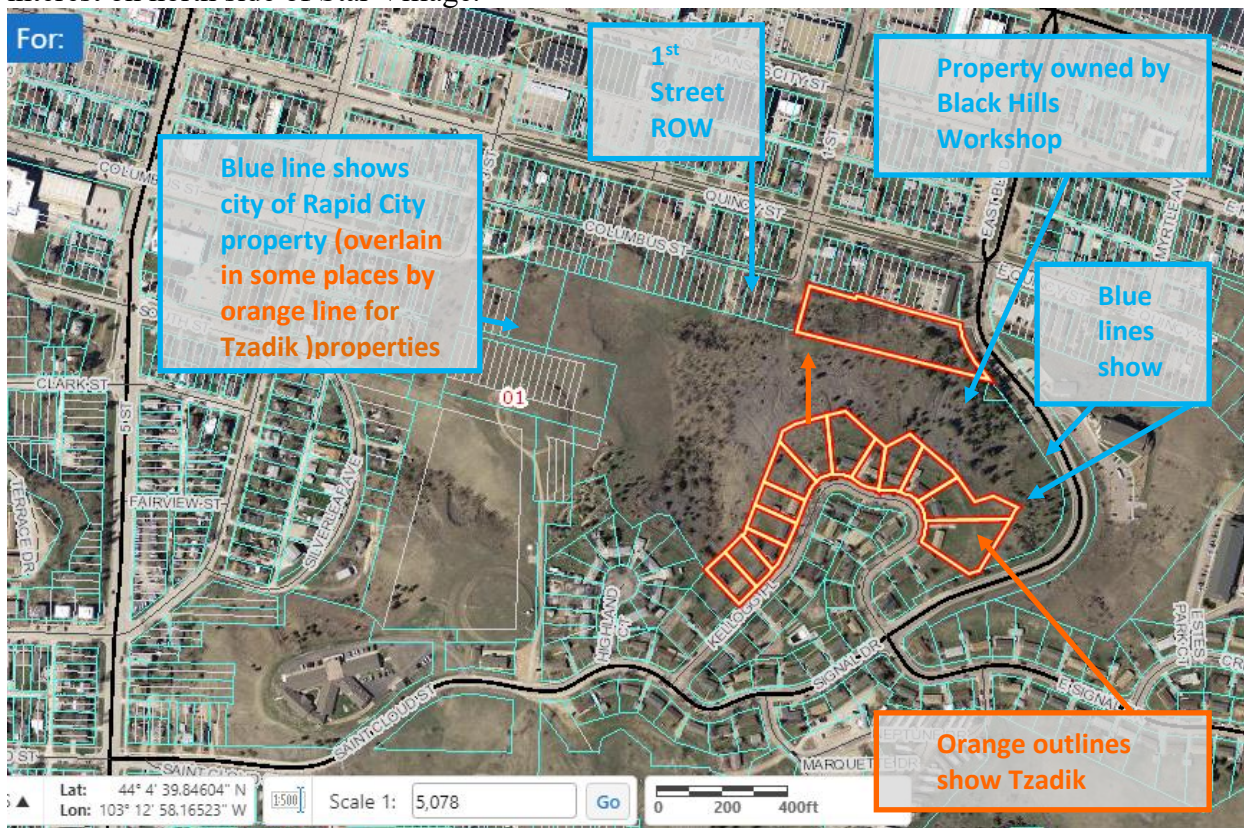
## Proposal for Continuation of Collaborative Project Erosion Control on the North Side of Star Village

West Dakota Water Development District  
And Tzadik Rapid City Portfolio I LLC

April 24, 2025

The West Dakota Water Development District (West Dakota) and Tzadik Rapid City Portfolio I LLC (Tzadik) propose to continue a collaborative project for revegetation of exposed erosive soils and other erosion-control measures on the Tzadik property north of Star Village (fig. 1). Efforts will be guided by an Interim Erosion-Control Plan for Star Village Project Area that is provided as Attachment 1. The project area includes a number of parcels owned by Tzadik and a 14.94-acre parcel managed by the Rapid City Parks Department (Parks). Because of intertwined erosional areas and access between Parks and Tzadik, this project will be a collaborative effort between West Dakota, Tzadik, and Parks. As part of this collaborative effort, Tzadik will grant full access, as needed, for any and all efforts on the adjacent Parks property. The project area also includes a very small parcel owned by Black Hills Workshop Foundation Inc., which has granted permission for efforts within that parcel.

Figure 1. Screen capture from RapidMap showing property boundaries for properties of primary interest on north side of Star Village.



West Dakota proposes to provide funding of up to \$25,000 for all expenditures on both the Parks and Tzadik parcels from the date of this agreement through December 31, 2025. Additional funding increments can be provided later, if needed, contingent on approval by the West Dakota Board of Directors. Tzadik will reimburse West Dakota for 10 percent of expenditures on the Tzadik parcels through December 31, 2025, up to a maximum of \$1,000 (10 percent of \$10,000, which is the maximum estimated expenditure for the Tzadik parcels). A breakdown of expenditures between the Tzadik and Parks parcels will be provided to Tzadik. It is envisioned that new agreements will be enacted annually until future larger-scale implementation can begin with EPA Section 319 funding that is anticipated within the next several years, as explained in more detail in Attachment 1.

West Dakota will be responsible for procurement of supplies, equipment rental when needed, and any contractual arrangements that may be needed. West Dakota also will be the lead for coordinating for labor from outside sources such as volunteer services or from other collaborating entities.

Decisions regarding future methods to be employed and prioritization of efforts on the Tzadik parcels will be made by consensus of West Dakota and Tzadik. Area 3 Director Dan Driscoll will act as a lead coordinator for West Dakota, with input from other interested Directors, in working with a coordinator designated by Tzadik.

The erosion-control plan identifies a component for installation of used power poles as terracing material on the north side of the northernmost Tzadik property (fig. 1). Tzadik agrees that if they would elect to use commercial terracing materials instead of used power poles, Tzadik would pay all costs for purchase and installation of the terracing materials.

An accounting of total funding that has been expended to date is provided here for informational purposes. The first collaborative agreements involved Phil and Yvonne Weger, who later gifted the property to the city of Rapid City, and Tzadik. Agreements were in place for both parties from May 21, 2021 through July 6, 2022, and expenditures for the two parties totaled \$7,502.35 and \$8,746.64, respectively. Starting July 7, 2022, the collaborative agreements have involved Tzadik and the city of Rapid City, subsequent to gifting of the property by the Wegers. Expenditures to date have since totaled \$2,536.35 for Tzadik and \$12,767.35 for the city.

Signature page:

Signatures by authorized entities for both parties constitute an agreement to implement the proposed collaborative project as set forth in this proposal and the associated “Short-Term Erosion-Control Plan for Star Village (North) Project Area.”

Signatures for West Dakota Water Development District:

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Thomas Mack, Chairman

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Date

Signatures for Tzadik Rapid City Portfolio I LLC (**please add printed name and title below signature line**) 11098 Biscayne Blvd, Suite 203, Miami FL 33161

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Date

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Date

City of Rapid City, Parks and Recreation Department  
**Release, Assumption of Risk, Hold Harmless and Indemnity Agreement**

On behalf of myself, my heirs, personal representatives, agents and assigns, I do hereby declare as follows:

I am aware and understand that my voluntary participation for the Parks and Recreation Department may expose me and/or my property to potential injury, loss, or damage, up to and including my death. I choose to participate in the program voluntarily and with full knowledge of such risks. I assume full responsibility for myself and my property and any injury or damage thereto.

In consideration of permission which I have received to participate for the Parks and Recreation Department, I voluntarily release the City of Rapid City ("City"), its public officials, employees, and agents from any and all liability, claims, actions, demands, and causes of action that I may hereafter have on account of any and all injuries and damages to myself or my property arising from or related to my participation in any activity of the Program or my presence at any facilities owned or provided by the City in connection with the Program. For the same consideration, I voluntarily agree to indemnify, defend, and hold harmless City and said persons for any and all claims, suits, damages, expenses, and attorney's fees arising from or related to my participation in any activity of the Program or my presence at any facilities owned or provided by the City in connection with the Program.

The terms hereof shall be of full force and effect on the date that I sign below. I understand this Release, Assumption of Risk, Hold Harmless and Indemnity Agreement is to be interpreted as broadly and inclusively as permitted by law and, if any part hereof be held unenforceable, the remainder shall continue in full effect.

*\*By signing on behalf of a minor participant, I assume responsibility of the Participant minor and declare that I have authorization to act on the minor's behalf for all purposes contemplated herein.*

I HAVE CAREFULLY READ THIS DOCUMENT AND FULLY UNDERSTAND WHAT IT MEANS. I INDICATE MY VOLUNTARY ACCEPTANCE OF THE TERMS OF THIS RELEASE, ASSUMPTION OF RISK, HOLD HARMLESS AND INDEMNITY AGREEMENT BY SIGNING MY NAME BELOW.

Participant Name (Print)	Participant/Guardian Signature *	Date
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**AGENDA ITEM 11:** Discuss volunteer expenses

**AGENDA ITEM 12:** Discuss proposed bylaws change

**AGENDA ITEM 13:** Pennington County Conservation District report (Mack)

**AGENDA ITEM 14:** BOR WaterSMART grant update (Koth)

**AGENDA ITEM 15:** Chair's comments.

**AGENDA ITEM 16:** Items from directors.

**AGENDA ITEM 17:** Items from admin. 1. Westdakotawater.com transferred to Hover for 4 years. .gov domain does not appear to be used outside of federal and state offices. 2. Change of office hours from the current 1-5PM to 10AM-2PM. (Admin)

**AGENDA ITEM 18:** Items from public

**AGENDA ITEM 19:** Adjournment