

Yankton County Drainage Commission
July 24, 2018

The monthly public meeting of the Yankton County Drainage Commission was called to order by Chairperson Paul Dummer at 7:00 p.m. on July 24, 2018.

Members present at call to order: Kirschenman, Epp, Gunderson, Hansen (phone), Healy, and Dummer.

Members absent: Kralicek Jr. and Kruse.

Action 72418A: Moved by Kirschenman, second by Epp to approve the May 22, 2018, Drainage Commission minutes as written.

By voice vote, all members present voted aye.

Motion carried.

This is the time and place for discussion with Nelson Family Partnership. Applicant is requesting a Drainage Permit to install tile drainage in Yankton County. Said property is legally described as S1/2, NW1/4, NW1/4, S32-T94N-R55W and Jim Lane Tract 1, NE1/4, NW1/4, S32-T94N-R55W and S1/2, NW1/4, S32-T94N-R55W and N229', S1/2, NW1/4, SW1/4 & S266', N1/2, NW1/4, SW1/4, S32-T94N-R55W and N1/2, SW1/4, exc N229', S1/2, NW1/4, SW1/4 & exc S266', N1/2, NW1/4, SW1/4 & SW1/4, SW1/4, exc Lots A & B, Thieman's Addition, S32-T94N-R55W hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota.

Darrell Nelson, representing Nelson Family Partnership, discussed the drainage proposal. The outlet will be on the surface to existing retaining dams then a solid tile to the "blue line" stream. The tile system will need to deal with the NuCor and Keystone pipelines in the property. The tile is flowing to the natural waterway and meets the easement requirement.

Mr. Jim Lane, easement landowner, discussed the project and stated the system is designed for this watershed. Mr. Lane stated the tile system will benefit the drainage of the entire area.

The Drainage Commission discussed the site plan and noted the application has a completed site plan and easements from the required parcels. The Drainage Commission requested clarification of the easement to define the area for surface drainage and the area for tile drainage. The watershed capacity is present and the application meets all requirements and should proceed as presented.

No other comments were received at the meeting or to the Drainage Administrator.

Yankton County Drainage Commission

Meeting date: July 24, 2018

Yankton County Drainage Ordinance #19

Article III

Section 3.09 Section 3.10

FINDINGS OF FACT

Applicant: Nelson Family Partnership

Parcel Number: 06.032.400.100 and 06.032.300.210 and 06.032.400.200 and 06.032.325.100
and 06.032.300.200

Legal description: S1/2, NW1/4, NW1/4, S32-T94N-R55W and Jim Lane Tract 1, NE1/4,
NW1/4, S32-T94N-R55W and S1/2, NW1/4, S32-T94N-R55W and N229', S1/2, NW1/4,
SW1/4 & S266', N1/2, NW1/4, SW1/4, S32-T94N-R55W and N1/2, SW1/4, exc N229', S1/2,
NW1/4, SW1/4 & exc S266', N1/2, NW1/4, SW1/4 & SW1/4, SW1/4, exc Lots A & B,
Thieman's Addition, S32-T94N-R55W

Physical Address: Peninah Street and East 39th Street

SECTION 3.09

1. The flow or quantity of water to be drained will not overburden the water course into which the water will be drained. The watershed in the area is design with retention dams and surface drainage improvements. The multiple property parcels have an easement to reach the "blue line" stream.
2. The drainage will not flood or adversely affect the land of the lower proprietors, or in the case of an impediment to drainage whether such an impediment will not flood or adversely affect upstream land owners. The drainage outlet, eight (8) inches, is in a "blue line" stream and will not adversely affect downstream landowners as shown with topography maps and Lidar (elevation) data. The slope is greater than .3% and Natural Resources Conservation Service (NRCS) Water Management Guide 650 states surface water will flow with slopes greater than .1% slope, with .2% recommendation.
3. Easements will be granted where required. The easement are completed.
4. The drainage will not negatively affect agricultural productivity. The drainage will not affect agricultural productivity.
5. The land affected or the land drained is and will remain rural in character. The land is rural in character and will remain rural in character.
6. When the land to be drained is rural land, the presumption and factors set forth in SDCL 46A-10A-20 will be satisfied. All legal controls for drainage as stated are in compliance. All landowners with "blue line" streams are responsible for proper management to facilitate proper drainage.
7. Adequate precautions have been taken to ensure that roadways will not be negatively impacted. Adequate precautions are in place with sufficient infrastructure to handle water impact with .2% to .3% slope identified from Lidar data and topographic map. All erosion issues will be mitigated by the applicant.
8. Recommendations from the Drainage Commission in the "Findings of Fact". N/A
9. Such other factors the Drainage Board determines to be pertinent to the application. No other comments were received at the meeting or to the Drainage Administrator.

SECTION 3.10.

1. Drainage into receiving watercourses which do not have sufficient capacity to handle the additional flow and quantity of water shall be considered to have an adverse effect. The applicant shall be responsible to provide sufficient evidence with third party verification when requested by the Drainage Commission or the Drainage Board. The property has easements completed to a "blue line" stream. The property has developed a watershed with retention dams providing sufficient capacity.

2. Whether drainage is accomplished by reasonably improving and aiding the normal and natural system of drainage according to its reasonable carrying capacity, or in the absence of a practical natural drain, a reasonable artificial drain system is adopted. Subsurface agriculture tile drainage (14,000 feet) will be installed with an eight (8) inch outlet to properly drain legally described agriculture property.
3. The amount of water proposed to be drained. The amount of water to be drained is reasonable and easements are complete.
4. The design and other physical aspects of the drain. The design and physical aspects of the tile drainage project meets current standards as provided by Drainage Design & Water Management, South Dakota State University / North Dakota State University / University of Minnesota.
5. The impact of sustained flows. The sustained flows will not produce adverse conditions with an eight (8) inch outlet in this application. The reference material for the determination is 2012 Drainage Design and Water Management Workshop.
6. Recommendations from the Drainage Commission in the “Findings of Fact. The Drainage Commission further finds that the reasons set forth in the application and hearing for the drainage proposal does satisfy all Yankton County requirements for this drainage request. The Drainage Commission recommends to approve the permit.

Action 72418B: Moved by Epp, second by Healy to recommend to approve the drainage permit, based on Findings of Fact dated July 24, 2018. The property is legally described as S1/2, NW1/4, NW1/4, S32-T94N-R55W and Jim Lane Tract 1, NE1/4, NW1/4, S32-T94N-R55W and S1/2, NW1/4, S32-T94N-R55W and N229’, S1/2, NW1/4, SW1/4 & S266’, N1/2, NW1/4, SW1/4, S32-T94N-R55W and N1/2, SW1/4, exc N229’, S1/2, NW1/4, SW1/4 & exc S266’, N1/2, NW1/4, SW1/4 & SW1/4, SW1/4, exc Lots A & B, Thieman’s Addition, S32-T94N-R55W hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota.

By roll call vote, all members present voted aye.

Motion carried.

The agenda having been exhausted:

Action 72418C: Moved by Epp, second by Kirschenman for adjournment.

By voice vote, all members present voted aye.

The next meeting of the Yankton County Drainage Commission will be held 7:00 pm, September 25, 2018.

Respectfully submitted:
Patrick Garrity AICP
Drainage Administrator