



WATER MANAGEMENT BOARD

October 29 - 31, 2019
LRC Conference Room 414
State Capitol Building
500 E Capitol Avenue
Pierre SD

Scheduled hearing times are Central Time

Scheduled times are estimates only. Agenda items may be delayed due to prior scheduled items.
Live audio of the meeting can be heard at <http://www.sd.net/room414>

October 29, 2019

8:30 AM Call to Order
Adopt Final Agenda
Conflicts Disclosures and Requests for State Board Waivers
September 11, 2019 Board Minutes
October 3 – 4, 2019 Board Minutes
Set December 4 – 5, 2019 Meeting Date and Location

Public comment period in accordance with SDCL 1-25-1

Consider Approval of Prehearing Officer's Orders Issued on Motions

- Elizabeth Lone Eagle's Motion to Schedule Witnesses
- MniWakan Nakicijinpi's Motion to Schedule Witnesses
- Dakota Rural Action's Motion to Compel Discovery from Chief Engineer
- Dakota Rural Action's Motion to Compel Discovery from Tom and Lori Wilson
- Dakota Rural Action's Motion to Compel Discovery from Wink Cattle Company
- Chief Engineer's Motion in Limine - TransCanada Keystone Pipeline applications
- Chief Engineer's Motion in Limine - Application No. 1963A-1, Tom and Lori Wilson
- Chief Engineer's Motion in Limine – Application No. 1975A-1, Wink Cattle Company
- TransCanada's Motion to Streamline Witness Testimony and Confirm Deadline to Complete Evidentiary Hearing – Application Nos. 1986-1, 2792-2 and 2793-2
- Dakota Rural Action's Motion for Subpoenas Duces Tecum to the Chief Engineer – Application Nos. 1986-1, 2792-2 and 2793-2
- Yankton Sioux Tribe's Motion for Time Certain for Witness Testimony – Application No. 1963A-1
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Continue with Witnesses and Testimony Regarding:

- Water Permit Application No. 1986-1, TransCanada Keystone Pipeline LP
- Water Permit Application No. 2792-2, TransCanada Keystone Pipeline LP
- Water Permit Application No. 2793-2, TransCanada Keystone Pipeline LP

Water Permit Application No. 1975A-1, Wink Cattle Company

Water Permit Application No. 1963A-1, Tom and Lori Wilson

(continued)

The hearing will be conducted in accordance with the Prehearing Officer's Amended Order on Hearing Procedure.

The Board will recess for breaks, lunch and for the evening at their discretion. The Board meeting will continue on October 30th and 31th as needed to complete testimony.

ADJOURN

Board members are reminded they are subject to SDCL 3-23-1 to 3-23-5 (Disclosure Laws) which address the disclosure of any conflicts of interest a member may have regarding contracts with the State of South Dakota. Board members should report any potential conflicts to the board and seek a waiver where appropriate.

Notice is given to individuals with disabilities that this meeting is being held in a physically accessible location. Please notify the Department of Environment and Natural Resources at (605) 773-3352 at least 48 hours before the meeting if you have a disability for which special arrangement must be made.