



2024 South Dakota Legislature
House Bill 1031
ENROLLED

AN ACT

ENTITLED An Act to update the development and implementation of conservation district standards.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 38-8A-3 be AMENDED:

38-8A-3. The commission shall develop comprehensive state erosion and sediment control guidelines. These guidelines are to be developed with full opportunity for citizen participation in accordance with chapter 1-26.

Section 2. That § 38-8A-6 be AMENDED:

38-8A-6. The supervisors of each district in the state, in cooperation and consultation with counties, municipalities, and other affected units of local government shall, within twelve months after the adoption of the state guidelines, develop proposed district conservation standards. These standards may designate, as fragile land, any area of the district that:

- (1) Is Class IVe, VI, VII, or VIII, according to the United States Department of Agriculture classification system, as described in Title 430, National Soil Survey Handbook, Part 622 Interpretive Groups, Land Capability Classification, (June 2020); and
- (2) Is so erosive as to cause a public hazard when converted to cropland use.

Section 3. That § 38-8A-23 be AMENDED:

38-8A-23. If the board of supervisors of any district is advised, in a written or electronic form, that soil is blowing from any land, or if any land in the county, roads, or public property, is being damaged, as the result of blowing soil, the board must inspect the land. If the board finds soil is blowing from the land, in excess of local conservation district standards, to the point that it is injurious to other land, roads, or public property,

the board must determine what can be done to prevent or lessen the blowing of soil from the land. If the board finds, after consulting with the commission, if appropriate, that the blowing can be prevented or lessened by treatment of the soil, the board must issue an order to the owner of record, and to the operator, if known to the board, stating the treatment required, and the date the treatment is to be started and completed.

An Act to update the development and implementation of conservation district standards.

I certify that the attached Act originated in the:
House as Bill No. 1031

Received at this Executive Office this ____ day of _____, 2024 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this ____ day of _____, A.D., 2024

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2024 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1031
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State