

# **Legislation of Interest to Agriculture Groups**

January 12, 2021

## **Ten Year State Permit: [Senate Bill 52](#)**

DENR is asking the legislature to change the length of time a state permit for CAFOs can be issued from five years to ten years. If passed by the legislature and signed into law, this would allow a ten-year state general permit to be issued when the current permit expires. This change will save resources for producers and DENR. Minnesota has a 10-year state permit for CAFOs and have not had additional threats to their state's natural resources because of the change. If you have any questions, please contact Kent Woodmansey at (605) 773-5559.

## **Meat Processing Grant: [House Bill 1040](#)**

Governor Noem's goal of the proposed grant program is to assist South Dakota's small meat processors responding to market and workforce disruptions due to COVID-19 by providing \$5 million to make immediate increases on the state's capacity to process or store South Dakota raised protein products. Many of our small processing plans are booked for months or even years into the future – the grant program will help increase local meat processing capacity, thus providing additional market opportunities for livestock producers and jobs in rural communities. The final criteria for the grant program are still being developed, however, the following small meat processors would be able to apply: state inspected “equal to” slaughter or processing plants; licensed custom-exempt slaughter plants; or small and very small federally inspected plants. Eligible expenses would include items such as coolers/freezers, temporary cold storage, portion cutters, processing equipment, slaughter equipment, or animal holding equipment. The funding will be allocated by tiers – final tiers and funding amounts are still being developed. If the program is approved, we plan to move forward quickly with the application and award process so the funds can be used in 2021. For more information contact Jason Simmons at (605) 773-5559.

## **Change to Petition Requirements and the Criteria for Issuance of a Water Right Permit: [House Bill 1028](#)**

DENR is asking the legislature to focus contested case hearings for water rights applications to matters under the jurisdiction of the Water Management Board. Currently, anyone can oppose any application for any reason; the proposed legislation requires a petitioner to allege unique injury if a contested application is approved. Under the current petitions filed, there can be several months delay of projects for matters that are under the purview of county commissions and planning and zoning boards. A second goal of the legislation is to limit the criteria the board uses to approve an application to only matters falling within the board's regulatory authority. Matters unrelated to the water use such as the siting of a CAFO, property values, roads, odors, dust, etc. could be excluded from board consideration since the board has no authority to regulate those matters. For more information contact Eric Gronlund at (605) 773-3352.

## **Revise Certain Provisions Regarding Riparian Buffer Strips: [House Bill 1042](#)**

DENR is asking the legislature to make the voluntary enrollment of buffers more attractive by:

- Increasing the tax incentive by changing the assessment from sixty percent of its agriculture income value to fifty percent; and
- Changing the annual enrollment requirement to a ten-year enrollment.

The proposed legislation increases incentives for landowner participation in the buffer strip program. Riparian buffer strips have a proven track record of improving water quality. For more information contact Bill Smith at (605) 280-4839.

**Make an Appropriation from the Coordinated Natural Resources Conservation Fund to the State Conservation Commission and to Declare an Emergency: [House Bill 1038](#)**

SDDA is asking the legislature to provide the State Conservation Commission with the authority to spend the funds that are deposited into the coordinated natural resources conservation fund. The coordinated natural resources conservation fund was established by the State Legislature in 1992. The fund receives \$500,000 on July 1st of each year (SDCL 10-47B-149(5)). The fund is used to assist the state's sixty-nine conservation districts in promoting conservation practices that reduce soil erosion, improve cropland and grazing land condition, improve surface and ground water quality, and enhance wildlife habitat. For more information contact Bill Smith at (605) 280-4839.

**Authorize the Department of Agriculture to Contract for the Construction of a Livestock and Equestrian Complex on the South Dakota State Fairgrounds, to Make an Appropriation Therefore, and to Declare an Emergency: *Bill Not Yet Introduced***

SDDA is requesting \$12,000,000 in one-time funds for the DEX: Dakota Events CompleX at the State Fair. A fire caused by a faulty electrical cord on a refrigerator occurred in the early morning hours of October 31, 2020. No people or animals were hurt but the building was a total loss

**The DEX will feature:**

- 200,000 square foot, one-of-a-kind, livestock and equestrian facility that will set a new standard for hosting local and national events.
- 7,000 seats will hold spectators from around the globe, as they witness events brought to South Dakota never thought possible.
- The capacity to host two full size equestrian arenas, larger livestock shows, concerts, auto thrill shows, and events throughout the year make this complex unmatched.

The footprint will encompass the area abandoned by the Beef Complex, that is scheduled to be demolished by February of 2021, and retire the 37,000 square foot Sheep Barn, that has long outlived its useful life.

**Funding:**

- Estimated project cost is \$19 million
- Insurance payments (final amounts pending)
- Discover the DEX Fundraising - \$4 million

More information, including information on how to make a pledge, can be found at [www.sdstatefair.com](http://www.sdstatefair.com). For more information contact Peggy Besch at (605) 353-7340.