

# AGENDA

## Interim Rules Review Committee



Representative Jon Hansen, Chair  
Senator Jean Hunhoff, Vice Chair

Three hundred ninety-sixth meeting  
Tuesday, April 6, 2021

Room 414 – State Capitol  
Pierre, South Dakota

*In accordance with COVID-19 guidance, in-person attendees should be spaced at least six feet apart and are encouraged to wear face coverings.*

***Those wishing to testify must register by April 2, 2021, by email to [Kelly.Thompson@sdlegislature.gov](mailto:Kelly.Thompson@sdlegislature.gov).***  
*Testifiers should provide their full names, whom they are representing, city of residence, which proposed rules they will be addressing, whether they are a proponent or opponent, and if they will be testifying remotely or in person.*

10:00 a.m. CT:

Call to order, roll call, approval of minutes, and staff report

Agency Assignments: Reorganization of Department of Agriculture and Natural Resources

Review of proposed rules

### **Representative Hansen**

**Water Management Board (Department of Environment and Natural Resources):** Amend rules to implement a tiered, annual fee system for various industrial stormwater sectors, in order to cover the costs of the industrial stormwater permitting program.

**Water Management Board (Department of Environment and Natural Resources):** Amend rules to:

- Update Ammonia criteria and toxic pollutant criteria;
- Adopt cyanobacteria cyanotoxin criteria;
- Remove the conductivity criteria for irrigation waters;
- Modify the approval procedure for water restoration and enhancement projects;
- Modify the required information to obtain water quality certifications;
- Modify the public notice requirements for water quality certifications;
- Update legal references;
- Make editorial changes to tables;
- Remove lakes with duplicate names;
- Add additional names for certain lakes;
- Add state lake identifier information for each lake;
- Add the immersion recreation use for a segment of Fall River;
- Correct typographical errors and legal locations; and
- Update names of certain streams.

## Representative Cwach

### South Dakota Board of Education Standards (Department of Education): Amend rules to:

- Clarify the procedure regarding the final determination in warning, denial, suspension, or removal of accreditation actions; and
- Update the National Association for School Psychologists (NASP) standards edition year in the current language to "2020" and change language recommended by NASP regarding elements of program completion.

## Representative Jensen

### Department of Game, Fish and Parks: Amend rules to:

- Extend the "no wake zone" at the St. Francis Boat Ramp;
- Create a process to establish a transportation lane to a nonmeandered body of water;
- Create a list of transportation lanes and requirements for access of the transportation lane;
- Remove several sections of property from the Antelope Lake State Waterfowl Refuge;
- Create a definition of what constitutes an "expanding bullet";
- Add language to the rule that would provide flexibility of when a license is valid;
- Adjust the daily bag limit for duck hunting;
- Modify the open area for the August Management Take;
- Correct nomenclature of a refuge on Waubay Lake;
- Adjust the start date of the early fall Canada goose season;
- Adjust the daily bag limit and possession limit for the early fall Canada goose season; and
- Remove the requirement that certain documents be provided in the application process to the Department.

### Department of Transportation: Amend rules to:

- Reduce the speed limit from 65 miles per hour to 55 miles per hour on U.S. Highway 18 through Dallas;
- Extend the current 55 miles per hour speed limit in a northerly direction for approximately one mile on State Trunk Highway 1804 in Hughes County;
- Implement a 55 miles per hour speed zone on State Trunk Highway 34 in Moody County between the existing 65 miles per hour speed zone outside of Egan and the 35 miles per hour speed zone through Egan; and
- Lengthen the existing 35 miles per hour speed zone and shift the location of the 45 miles per hour transition speed zones on U.S. Highway 12 in and around Selby.

## Senator Johns

South Dakota Commission on Gaming (Department of Revenue): Amend rules to add Dakota Duel Draw to the types of poker authorized for play in Deadwood and to adopt a rule to authorize the game as a variation of poker.

Public Testimony

Adjourn

\* Breaks will be at the call of the chair.

**NOTE: A copy of the proposed rules being reviewed at the meeting may be obtained without charge by contacting the department, board, or commission; or by downloading them at [rules.sd.gov](http://rules.sd.gov).**

**Members:** Representative Jon Hansen, Chair; Senator Jean Hunhoff, Vice Chair; Representatives Ryan Cwach and Kevin Jensen; and Senators Troy Heinert and Timothy Johns.

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