



## 2023 South Dakota Legislature

# Senate Bill 17

*Introduced by: The Senate Committee on Appropriations at the request of the Department of Agriculture and Natural Resources*

1 **An Act to make appropriations for water and environmental purposes and to declare**  
 2 **an emergency.**

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

4 **Section 1. That § 46A-1-2.1 be AMENDED:**

5 **46A-1-2.1.** The Legislature finds that the following water resources projects are  
 6 necessary for the general welfare of the people of ~~the State of South Dakota~~this state and  
 7 authorizes the projects, pursuant to § 46A-1-2, to be included in the state water resources  
 8 management system, to serve as the preferred, priority objectives of the state:

9 (1) Belle Fourche irrigation upgrade project;

10 (2) Big Sioux flood control study,~~hydrology;~~

11 (3) Hydrology and water management studies, to manage and protect state water  
 12 resources for current and future generations;

13 (4) Cendak irrigation project;

14 (5) Gregory County pumped storage site;

15 (6) Lake Andes-Wagner/Marty II irrigation unit;

16 (7) Lewis and Clark rural water system;

17 (8) Sioux Falls flood control project,~~and;~~

18 (9) Vermillion basin flood control project;

19 (10) Water Investment in Northern South Dakota project; and

20 (11) Western Dakota Regional Water System study.

21 **Section 2.** That section 2 of chapter 224 of the 2015 Session Laws be AMENDED:

22 ~~Section 2.~~ There is hereby appropriated from the South Dakota water and  
 23 environment fund ~~established pursuant to § 46A-1-60,~~ the sum of seven million seven  
 24 hundred thousand dollars ~~(\$7,700,000), or so much thereof as may be necessary, to~~

1 ~~provide funds to the South Dakota Board of Water and Natural Resources for the purpose~~  
2 ~~of providing a no-interest loan grant to local project sponsors as an advance on federal~~  
3 ~~funds for the construction of facilities included in the Lewis and Clark Rural Water System,~~  
4 ~~as authorized in § 46A-1-13.10.~~

5 Notwithstanding § 46A-1-61, the board may provide the grant for up to one  
6 hundred percent of the nonfederal share of expenditures.

7 ~~Funds shall~~ Monies must be provided according to terms and conditions established  
8 by the Board of Water and Natural Resources. ~~The board shall provide the funds based~~  
9 ~~upon the expectation that the federal government will appropriate funds up to the federally~~  
10 ~~authorized ceiling and that federal funding will be the repayment source.~~

11 **Section 3.** There is hereby appropriated from the South Dakota water and environment fund  
12 the sum of \$200,273 to the Board of Water and Natural Resources for the purpose of providing  
13 a grant to local project sponsors for a feasibility level study update of the Big Sioux flood  
14 control study, in Watertown and the vicinity.

15 The study update is to be completed by the United States Army Corps of Engineers.  
16 Monies must be provided according to the terms and conditions established by the  
17 Board of Water and Natural Resources.

18 **Section 4.** There is hereby appropriated from the South Dakota water and environment fund  
19 the sum of \$5,000,000 to the Board of Water and Natural Resources for the purpose of  
20 providing a grant to local project sponsors for the engineering design, preconstruction  
21 activities, and construction of the facilities included in the Water Investment in Northern South  
22 Dakota project.

23 Monies must be provided according to the terms and conditions established by the  
24 Board of Water and Natural Resources.

25 **Section 5.** There is hereby appropriated from the South Dakota water and environment fund  
26 the sum of \$1,000,000 to the Board of Water and Natural Resources for the purpose of  
27 providing a grant to local project sponsors for a feasibility level study, system startup, and  
28 administration of the Western Dakota regional water system study.

29 Monies must be provided according to the terms and conditions established by the  
30 Board of Water and Natural Resources.

1 **Section 6.** There is hereby appropriated from the South Dakota water and environment fund  
2 the sum of \$7,425,000 to the Board of Water and Natural Resources for the purpose of  
3 providing grants and loans to project sponsors under the state consolidated water facilities  
4 construction program, established pursuant to § 46A-1-63.1.

5 Monies must be provided according to the terms and conditions established by the  
6 Board of Water and Natural Resources.

7 **Section 7.** There is hereby appropriated from the South Dakota water and environment fund  
8 the sum of \$2,450,000 to the Board of Water and Natural Resources for the purpose of  
9 providing grants and loans to project sponsors under the state solid waste management  
10 program, established pursuant to § 46A-1-83.

11 Monies must be provided according to the terms and conditions established by the  
12 Board of Water and Natural Resources.

13 **Section 8.** There is hereby appropriated from administrative expense surcharge fees  
14 deposited in the state water pollution control revolving fund program subfund the sum of  
15 \$2,200,000 to the Board of Water and Natural Resources for the purpose of providing water  
16 quality grants under the state water pollution control revolving fund program, established  
17 pursuant to § 46A-1-60.1.

18 Monies must be provided according to the terms and conditions established by the  
19 Board of Water and Natural Resources.

20 **Section 9.** There is hereby appropriated from administrative expense surcharge fees  
21 deposited in the state drinking water revolving fund program subfund the sum of \$2,000,000  
22 to the Board of Water and Natural Resources for the purpose of providing grants for the  
23 construction of drinking water facilities under the state drinking water revolving fund program,  
24 established pursuant to § 46A-1-60.1.

25 Monies must be provided according to the terms and conditions established by the  
26 Board of Water and Natural Resources.

27 **Section 10.** There is hereby appropriated from administrative expense surcharge fees  
28 deposited in the state water pollution control revolving fund program subfund the sum of  
29 \$750,000 to the Board of Water and Natural Resources for the purpose of contracting for the  
30 preparation of applications and the administration of clean water state revolving fund loans

1 under the state water pollution control revolving fund program, established pursuant to  
2 § 46A-1-60.1.

3 Monies must be provided according to the terms and conditions established by the  
4 Board of Water and Natural Resources.

5 **Section 11.** There is hereby appropriated from administrative expense surcharge fees  
6 deposited in the state drinking water revolving fund program subfund the sum of \$750,000  
7 to the Board of Water and Natural Resources for the purpose of contracting for the preparation  
8 of applications and the administration of drinking water state revolving fund loans under the  
9 state drinking water revolving fund program, established pursuant to § 46A-1-60.1.

10 Monies must be provided according to the terms and conditions established by the  
11 Board of Water and Natural Resources.

12 **Section 12.** There is hereby appropriated from federal funds deposited in the state drinking  
13 water revolving fund program subfund the sum of \$485,000 to the Board of Water and Natural  
14 Resources for the purpose of providing small system technical assistance and local assistance  
15 set-aside grants, or contracts, to eligible entities under the state drinking water revolving  
16 fund program, established pursuant to § 46A-1-60.1.

17 Monies must be provided according to terms and conditions established by the  
18 Board of Water and Natural Resources.

19 **Section 13.** There is hereby appropriated from federal funds deposited in the state water  
20 pollution control revolving fund program subfund the sum of \$200,000 to the Board of Water  
21 and Natural Resources for the purpose of providing small system technical assistance set-  
22 aside grants, or contracts, to eligible entities under the state water pollution control revolving  
23 fund program, established pursuant to § 46A-1-60.1.

24 Monies must be provided according to terms and conditions established by the  
25 Board of Water and Natural Resources.

26 **Section 14.** The secretary of the Department of Agriculture and Natural Resources shall  
27 approve vouchers and the state auditor shall draw warrants to pay expenditures authorized  
28 by this Act.

1 **Section 15.** Any amounts appropriated in this Act not lawfully expended or obligated shall  
2 revert in accordance with the procedures prescribed in chapter 4-8.

3 **Section 16.** Whereas, this Act is necessary for the support of the state government and its  
4 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
5 full force and effect from and after its passage and approval.