



SOUTH DAKOTA FARM BUREAU[®]

July 14, 2020

South Dakota Transportation Commission
700 E. Broadway Ave
Pierre, SD 57501

RE: Proposed rules change to ARSD 70:04:06:06

Dear Transportation Commission members,

South Dakota Farm Bureau (SDFB) appreciates the opportunity to provide comments on the South Dakota Transportation Commission's proposed rule change to ARSD 70:04:06:06. SDFB is opposed to the proposed rule change and requests that the Commission not move forward with the proposal.

SDFB policy states, "We support eliminating S.D. DOT regulations which restricts mowing of state highway rights-of-way before a certain date to improve highway safety, weed control, and hay quality." This rule change would add three additional counties to the list of counties where mowing of rights-of-way, unless done by the South Dakota Department of Transportation (DOT), is restricted until June 15th.

While we understand the desire to maintain habitat within rights-of-way during the nesting season, many producers in South Dakota rely on adjacent rights-of-way as a feed source for livestock, particularly in dry years where hay production is limited. Especially during dry years, early access to this feed source is critical to maximize quality. The June 15th start date of any mowing activity not conducted by the DOT places additional burden on producers in these areas at a time when they are least equipped to shoulder that burden.

For this reason, we would ask the Commission to not move forward with this proposed change to ARSD 70:04:06:06. Additionally, we would ask the Commission to consider the ways in which current administrative rules establish different requirements for producers and the DOT when it comes to use of feedstuffs in rights-of-way. The current practice of allowing the DOT to destroy feed by mowing during the period when producers are not allowed to hay the rights-of-way has long been a source of frustration for all in the agriculture community and merits consideration.

Thank you for your consideration of these comments.

Sincerely,



Scott VanderWal, President
South Dakota Farm Bureau



Krystil Smit, Executive Director
South Dakota Farm Bureau