

South Dakota Weed & Pest Control Commission  
Notice of Public Hearing to Adopt Rules

A public hearing will be held via teleconference on April 30, 2020 at 1:00 pm CT, to consider the adoption and amendment of proposed rules numbered

§§ 12:62:03:01.06 and 12:62:03:01.07

The effect of the rules will be to add absinth wormwood to the statewide noxious weed list so it will be enforceable in all counties in South Dakota and to remove Russian knapweed from that list due to the lack of acres in South Dakota. With the addition of absinth wormwood to the statewide noxious weed list, it would be removed from the locally noxious weed and declared pest listing. At a county request, palmer amaranth would be added to the listing of locally noxious weeds and pests.

The reason for adopting the proposed rules is to add absinth wormwood to the statewide noxious weed list. Absinth wormwood has the characteristics of a noxious weed as set forth in ARSD 12:62:03 and the Commission has determined that it is sufficiently detrimental to the state to warrant enforcement control measures. Adding absinth wormwood to the statewide noxious weed list would allow South Dakota counties to require landowners to control the weed and, if the landowners failed to do so, take enforcement actions against them. With low reported acres of Russian knapweed, the Commission determined it was no longer needed as a statewide noxious weed and wants to remove it. With the addition of absinth wormwood to the statewide noxious list, it would be removed from the listing of locally noxious weeds and pests. At the request of two county weed boards, the Commission determined that palmer amaranth does meet the characteristics of a locally noxious weed set forth in ARSD 12:62:07:01, and would add it to the listing of locally noxious weeds and pests. This would allow counties to take enforcement actions against landowners who chose not to control palmer amaranth.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may submit written testimony. Any written comments must be mailed to the South Dakota Department of Agriculture, Division of Agricultural Services, 523 East Capitol, Pierre, South Dakota 57501. Material sent by mail must reach the Department of Agriculture by April 29, 2020, to be considered. Persons interested in providing oral comments on the proposed rule should contact Brenda Sievers no later than April 29, 2020 at 1 pm at (605) 280-4463 to arrange call-in information to participate in the teleconference. In lieu of providing oral telephonic comment, persons may also email their comments to [brenda.sievers@state.sd.us](mailto:brenda.sievers@state.sd.us) no later than 1:00 p.m. CT on April 30, 2020. Any email comments received will be considered by the public body and will be included in the record of this hearing.

After the public hearing, the Commission will consider all written and oral comments it receives on the proposed rules. The Commission may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Copies of the proposed rules may be obtained without charge from:

South Dakota Department of Agriculture  
Division of Agricultural Services  
Weed & Pest Program  
523 East Capitol Ave., Foss Bldg.  
Pierre, South Dakota 57501

Published at the approximate cost of \$\_\_\_\_\_.