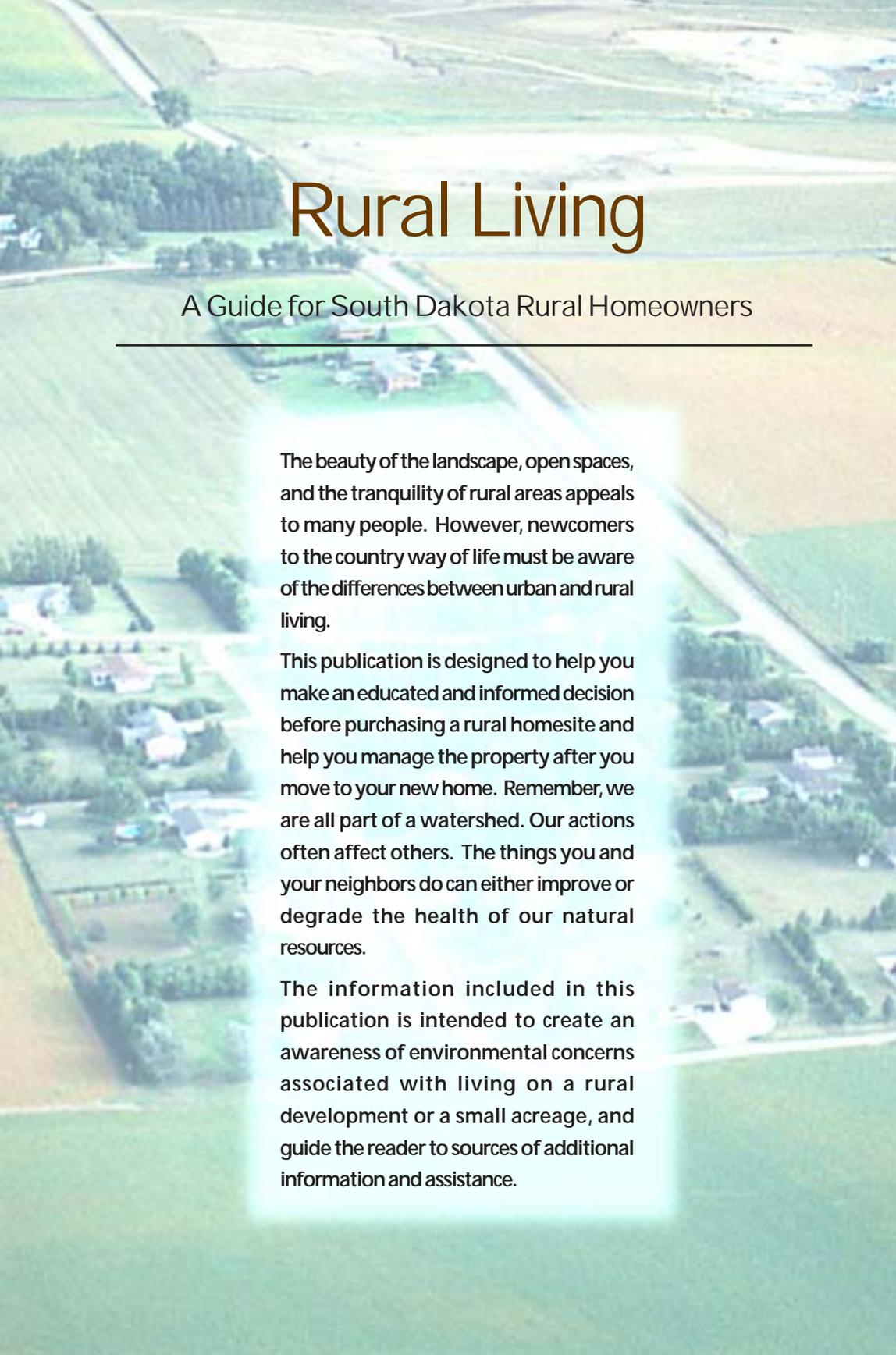
An aerial photograph of a rural landscape. The foreground is dominated by a large field of golden-brown crops, likely corn. To the right, a small town or village is visible, featuring several houses with red and grey roofs, surrounded by green lawns and trees. In the background, there are more fields, some green and some brown, and a line of trees. The sky is not visible.

Rural Living

A guide for South Dakota
rural homeowners

An aerial photograph of a rural landscape in South Dakota. The scene features a mix of green and brown agricultural fields, a winding road, and a small cluster of buildings and trees. The overall tone is bright and natural.

Rural Living

A Guide for South Dakota Rural Homeowners

The beauty of the landscape, open spaces, and the tranquility of rural areas appeals to many people. However, newcomers to the country way of life must be aware of the differences between urban and rural living.

This publication is designed to help you make an educated and informed decision before purchasing a rural homesite and help you manage the property after you move to your new home. Remember, we are all part of a watershed. Our actions often affect others. The things you and your neighbors do can either improve or degrade the health of our natural resources.

The information included in this publication is intended to create an awareness of environmental concerns associated with living on a rural development or a small acreage, and guide the reader to sources of additional information and assistance.

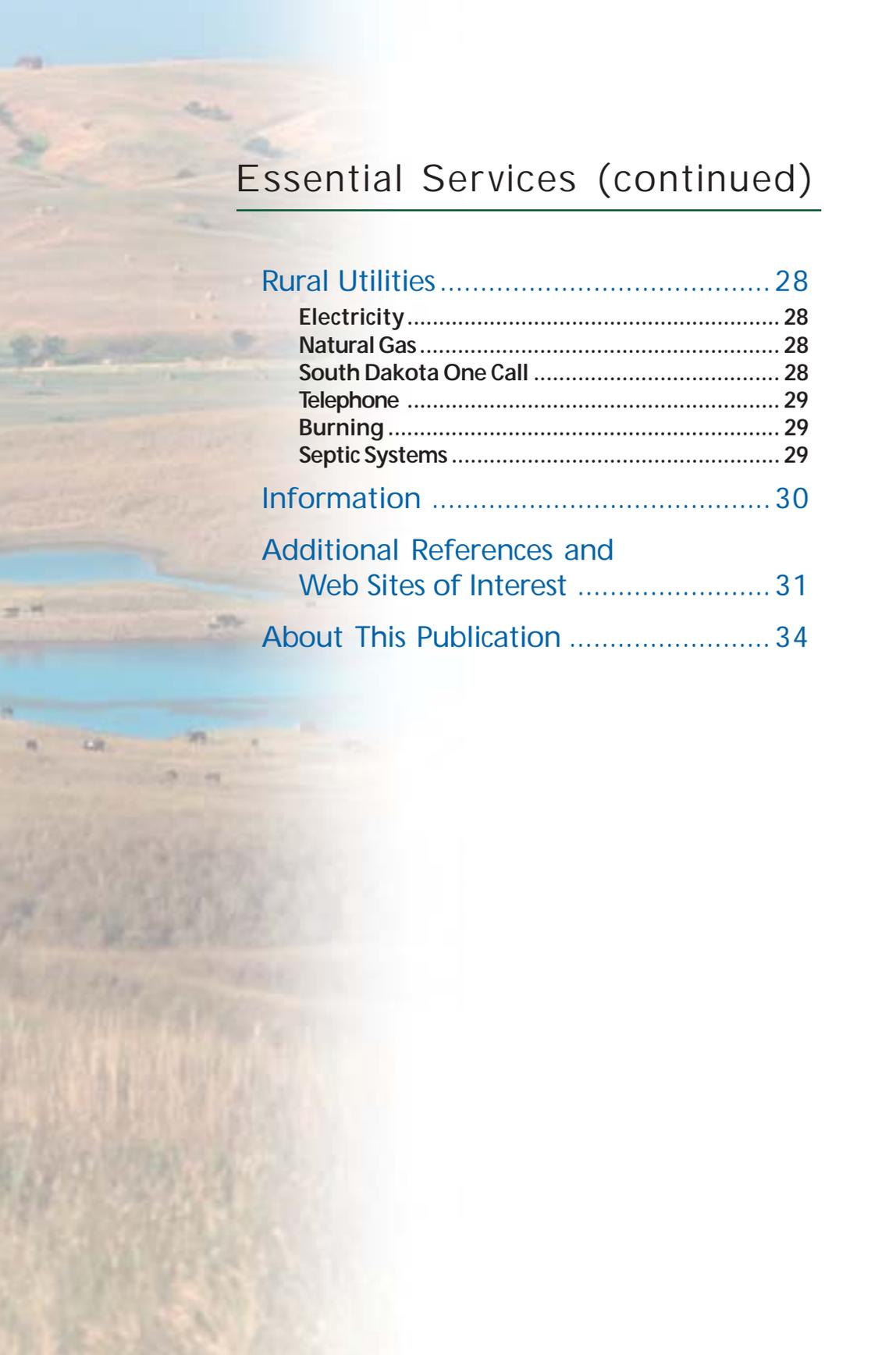
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Nature's Neighborhood



Nature's Neighborhood

Just as the houses on a city block make up a neighborhood, your yard or acreage and those of your neighbors together are part of a natural community or ecosystem. And the health of that ecosystem depends on the actions of you and your neighbors.

Manicured lawns might be normal for most urban areas, but they're a far cry from the diverse natural communities that existed in rural areas prior to development. To help keep our land and other natural resources healthy, you can start in your own back yard.

Mother Nature's Zoning Codes

Whether planning landscaping, planting a garden or considering a small-scale agricultural operation, we need to operate within the guidelines Mother Nature has established for us. Knowing and understanding these "zoning codes" is very important for success. South Dakota is a beautiful place to live; however, there can be challenges. For example, growing plants in our state can sometimes be difficult and frustrating. Temperature fluctuations with alternating freezing and thawing is very hard on many plants—cracking tender tree bark, killing twigs on shrubs and eliminating marginal plants from yards.

Detailed information on climate, topography, temperature (daytime, winter and summer), growing season, hardiness zones, elevation, and precipitation can be found online (see back for web addresses). Your local resources professionals can also help you obtain this information.



Look at Your Land

So, you want to live in the country! The first questions to ask yourself are what do you have and what do you want to do? What are your goals and plans for your rural home site or acreage?

Before purchasing a rural home site or small acreage, prospective buyers should identify and inventory existing assets and liabilities of the property. When prospective purchasers realize the extent and potential of the parcel and the limits and responsibility these properties carry, they are better prepared to set and apply reasonable goals for their property.



Some aspects of the property to consider are:

- location
- soil type
- topography
- vegetation (including trees and shelterbelts)
- available water (wells, rural water line)
- type of roads serving the area (gravel, paved, or dirt),
- fences or other boundary lines
- water table

Soil Type

The kind of soils your land has will greatly affect what you can build and grow on it. Soil scientists, working cooperatively with and through the USDA Natural Resources Conservation Service (NRCS), have identified over 650 different soils in South Dakota. An NRCS soil survey publication contains extensive soils resource information. All counties in South Dakota have detailed soil survey information that is available from your local conservation district, the NRCS or Cooperative Extension Service office. Office personnel can help explain the type of soil(s) that occur on the property that you plan to purchase or have purchased and the capabilities of that soil.



The type of soil on the property will influence:

- Which type and the amount of grass or crops your land can produce.
- What kind of trees will survive.
- How quickly water moves through the soil.
- How well a septic system will function: Will the soil filter out human and animal wastes before they reach groundwater?
- How much fertilizer, if any, is needed.
- Foundations for buildings.
- If the area is a wetland.

Knowing the type of soil(s) is very important when making decisions about your property. Soils can vary greatly—even across a small acreage.

In general, there are three major soil textures:

- **Medium textured soils** (loams, sandy loams) are the best soils for all around use. Water goes in at an average rate, and is held with medium strength.
- **Heavy textured soils** (clays, shale) have a slow infiltration rate and shrink and swell. Water goes in slowly, but is held tightly. They can be difficult to build on.
- **Sandy soils** have a rapid rate of infiltration; tend to be droughty and are poor for gardens and plants unless large amounts of organic matter are added. They are, however, good soils to build on. Water goes in quickly and is held poorly.



Soil Fertility

Soil is alive and, like us, works best when it's healthy. A soil test lets you know what nutrients your soil needs to produce healthy plants. The cost of soil testing is minor compared to the cost of dealing with the problem after planting.

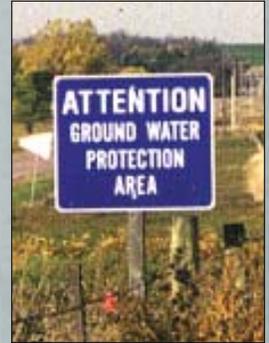
Soil tests from a laboratory, such as the one at South Dakota State University, are more reliable and detailed than home test kits. In addition to the test results, professional lab results provide recommendations for the application of nutrients.



The soil lab will send you a summary report that will state if your soil needs amendments such as nitrogen or phosphorus, and recommended application dates. Apply according to the recommendations. It makes economic and environmental sense!

Water Table

Some areas of South Dakota have a very shallow water table. This may influence many development activities.



Make a Plan for Your Land

Once you have inventoried the land and identified your goals, develop a plan to accomplish your goals. Even if you want to maintain things the way they are, you may need to do something to keep undesirable plants from invading and to protect surface and ground water.

Develop the Plan

1. **Make a sketch** of the property, or if you have an acreage, get a copy of an aerial photo from the USDA Farm Service Agency or NRCS. The photo will be small but can be enlarged on a copy machine. Also get a copy of the soils information for your property (See the preceding section on Soil Type for resources). Note unique features of your property such as views or sites of historical significance. Culturally significant sites may fall under historic preservation laws. Contact the State Historic Preservation Office before disturbing the site.



2. **Your plan should include:**

- ***Windbreaks or Shelterbelts***

Unless trees are already present, you will want to establish a shelterbelt of trees to provide protection from the winds, especially in the winter. Plantings





established to protect structures and livestock also provide wildlife habitat, improve aesthetics, reduce wind erosion, protect growing crops and forage, and manage snow.

Windbreaks are investments in the future value of your property. Properly designed windbreaks reduce wind speed and can lower heating costs by 25 percent. Shade trees can lower cooling costs up to 50 percent. A successful planting depends on proper planning and maintenance. The height of the tallest row and overall density of foliage and branches influence the size of the area protected. A belt of six or seven rows should stop the snow from reaching the buildings. The ground should be prepared the year before the trees will be planted. The windbreak should be primarily of conifers with some shrubs on the north and south sides of the belt. If possible, the inside row should be no closer than 100 feet to the nearest building.

Time spent on site preparation, weed control, and replanting will be repaid many times during the lifetime of the windbreak. While planning a windbreak, check with the local planning and zoning department regarding laws affecting tree plantings. Another important reminder when disturbing the earth is "Call Before You Dig." South Dakota One Call works with the local utility companies to mark buried lines and cables before work on the site begins.

• ***Managing Runoff Water***

Does the water drain from or pool on the property? While you may want or need to alter the drainage of water from your land, man made alterations to the natural drainage may create adverse effects that were not intended. Drainage that affects a wetland could be a violation of the law (see Wetlands section). Altering the flow of water could also affect your downstream neighbor. South Dakota Law gives some protections to downstream landowners from damages caused by upstream drainage activities. Check with NRCS to ensure that you are in compliance with Federal rules and with the County Planning and Zoning Office to determine whether a permit is required for your proposed activity.



- **Vegetation**

Is the land protected by grass or other perennial plants or is there a need to establish ground cover?

- **Noxious Weeds Control**

Are there noxious weeds on the property? If so, they must be controlled. Good neighbors control noxious weeds. Plants declared as State Noxious Weeds by the South Dakota State Weed and Pest Control Commission include Field bindweed, Canada thistle, Leafy spurge, Perennial sow thistle, Hoary cress and Russian knapweed. Local noxious weeds include Musk thistle, Plumeless thistle and Absinth wormwood.

Noxious weeds spread rapidly and are difficult to eradicate. They often start in soil disturbed by construction, recreation and other human activities, and are then spread by wildlife, livestock, machinery and vehicles, people, wind and water. Noxious weeds are capable of spreading by underground plant parts as well as by seed dispersal, and require special cultural or chemical practices for control.



The South Dakota State Weed and Pest Control Commission is responsible for developing and implementing a state-wide control program, and South Dakota statutes require landowners to control noxious weeds on their land. The laws and administrative rules are enforced by the South Dakota Department of Agriculture. While every landowner should voluntarily control the spread of noxious weeds, state law provides enforcement procedures to be used when landowners fail to comply. Uncontrolled noxious weeds should be reported to the county weed and pest officials. Failure to comply initiates a formal process that could result in fines or liens against the land. Contact: County Weed Supervisor, Cooperative Extension Service or the South Dakota Department of Transportation.

- **Property Lines**

You may possess a map of your property, but unless the land has been surveyed and pins placed by a licensed surveyor, you should not assume that either the map or apparent boundary fences accurately reflect your property boundary. A survey of the land by a licensed surveyor is recommended before finalizing purchase of the property.

- **Buried Utility/Water Line Locations**

Before digging, call South Dakota One Call: (800)-781-7474.

- **Water Source**

Consideration must be given to water availability and water quality.

If municipal or rural water is not available, a well may need to be dug. The cost of installing a well varies with the depth to a dependable aquifer. Aquifer information is available from either the United States Geological Survey (USGS) (for most counties) or local well drilling contractors.

State law requires that new wells must have a water quality analysis completed by the State Health Laboratory—existing wells should have an analysis completed periodically to ensure that the water is safe for its intended use.

Get Assistance

Assistance in developing and implementing your plan is available from local resource entities such as the NRCS, local conservation districts or the Cooperative Extension Service.

Tips for Planning a Home Site

Location Considerations:

- **Economics related to distance** are important. An acreage that is too far from a city or schools could be very expensive when the cost of driving back and forth or needing an extra vehicle is considered.



- **Locate buildings, lawn and any garden** on your property so as to minimize wildlife disturbance and allow for future tree/windbreak plantings. Your property may already include high-quality habitat such as native grasses, shrubs, trees, wetlands or stream corridors. To preserve habitat, landowners should consider natural landscaping that minimizes water use and mowing. Ground cover in the form of native grasses provides habitat for many birds and mammals.
- **Locate your home** so as to maximize the benefits of sunshine and shade.
- **Plan for minimum impact** on the land and the environment before building.
- **Locate roads** on stable soils away from streams. Avoid steep slopes and areas where drifting snow may accumulate.
- **Maintain or plant** suitable vegetation. Planting shrubs or grasses along streams and around corrals and pens provides a buffer to trap and absorb pollution-laden runoff before it reaches surface or groundwater.
- **Check carefully** before buying to be sure the property is located a reasonable distance from livestock operations. Keep the direction of prevailing winds in mind.

Nature's Neighborhood: Other Considerations

Country living often exposes rural residents to a broad range of environmental considerations. Understanding some of the aspects of a rural environment can lead to appropriate conservation practices and effective stewardship of your land.

Wetlands

A wetland is an area with saturated soils that will host water-loving vegetation. Because wetlands store floodwater, trap nutrients and sediment, help re-



charge groundwater, and provide habitat for wildlife, they are vital to a healthy environment.

Whether an area is a wetland or not is determined by specific soil, vegetation and hydrologic conditions. Federal law regulates activities that may affect wetlands. Become familiar with regulations before you consider draining, filling or otherwise altering a wetland. In some cases, a drainage permit may also be required by the county.

There are voluntary programs that help landowners protect and preserve wetlands by providing financial incentives. State and federal agencies can provide information regarding these programs and the regulations that help preserve these valuable resources.

Erosion Control

Soil provides a foundation for life, and erosion is its enemy. Erosion reduces soil productivity and is the largest source of stream and waterway pollution. Although erosion is a natural process, some activities greatly increase erosion rates by leaving the ground unprotected. Road and building construction and some farming practices can lead to excessive erosion if proper management practices and precautions are not taken. Over grazing pastures can lead to erosion by leaving the vegetation too weak to protect the soil—stream banks are particularly susceptible.

Installing erosion control and conservation practices helps maintain soil productivity and reduces fertilizer costs while reducing silt, chemicals and excessive nutrients that enter our waterways and lakes. These practices also reduce costs for road maintenance, waterway dredging, and the maintenance of recreation areas. Franklin Roosevelt said, "The history of every nation is eventually written in the way in which it cares for its soil."

Fence Laws in South Dakota

Robert Frost's poem, "The Mending Wall" states, "Good fences make good neighbors." South Dakota State Law (SDCL 43-23) recognizes the need for good fences and includes provi-



sions for ensuring that proper partition fences are erected. Costs for erecting and maintaining partition fences are shared equally by adjoining landowners. The law states that "each owner of adjoining lands shall build that half of the fence which shall be upon his right hand when he stands upon his own land and faces the line upon which the proposed fence is to be built." A legal fence is any fence that adjoining landowners can mutually agree upon. If they can't agree, state law defines the description and specifications of a legal fence. Fence your property to keep range livestock out and your animals in. It is unlawful for pets to harass, kill, or wound livestock or wildlife.



Leave the Animals Wild

Country dwellers share space with wild animals and encounters with those animals can occur frequently. Some animals that commonly inhabit or visit rural developments or acreages are deer, raccoons, skunks, opossum, rabbits, fox, coyotes, and many types of birds and snakes. Help them to remain wild by giving them space and not touching them. Doing so will reduce the possibility of harm to the animal or to you. Some animals may frequent trash piles, garbage bins or gardens. You can minimize or eliminate this problem by covering or fencing these areas while keeping them clean.

Although you may encounter baby wild animals, you should understand that wild babies are rarely abandoned. Many wild animals leave their young unattended for short periods of time. It is common for baby birds to fall out of nests before they are ready to fly. The parents will continue to feed the young on the ground. If you need to move a baby wild animal, the parents will still care for it even though it was handled. This is true of all birds and mammals. Parent animals can be very protective of their young and may attack if they feel threatened—for the protection of both you and the animals, keep a safe distance. Enjoy them with your eyes, not your hands!



Creating Wildlife Habitat

Work with resource professionals in your area to develop a habitat plan that provides food, water and cover for the species you are interested in attracting to your property.

Water Resources and Fishing

Landowners with water over their property or those considering installing a dugout or pond should check with their local South Dakota Game, Fish, and Parks officer for information and technical assistance. Subjects that need to be considered include: *water ownership* (not all water over private land is private water), *stocking fish* (permits may be required) and the *management of private waters*. Restrictions may apply to stream and lakeshore modification, placement of fill into lakes and ponds and how the water can be used—requiring appropriate approvals. Financial assistance may be available for certain improvements.

Riparian Areas

The space alongside streams, lakes and wetlands is called a riparian area. Water loving plants living in riparian areas include willows, cottonwoods and sedges. Although these areas may comprise only a small portion of the landscape, they represent critical habitat for a diverse range of living creatures, including beaver, muskrat, wood ducks, songbirds, frogs, insects and a variety of aquatic organisms. Keeping these areas healthy

with good vegetation will not only provide food and cover for wildlife, but also:

- Reduce flooding and erosion by slowing water movement
- Reduce water pollution by filtering out chemicals and sediment.
- Allow the soil to hold more water—recharging ground water and providing long-season stream flows.



Livestock and Pets

If you are one of the many people who dream of moving to the country and raising a few head of livestock, make sure that you have enough land to accommodate the number and type of animals you plan to raise. Local Extension Educators, conservation districts, and NRCS staff can provide guidance on how much land is needed to support different types of livestock.

Zoning ordinances may require permits if you plan to exceed certain numbers of livestock or operate various types of facilities such as a boarding kennel or a stable. Check with your county to see if they have a leash law for pets.



Owning Livestock

Before buying livestock, apply for a registered brand. The brand is prima facia evidence of ownership in the state of South Dakota. That simply means that if livestock carry a registered brand, that brand legally proves livestock ownership. If livestock stray, or become missing, it is easier to track branded cattle. Owners also have some protection and assurance that missing cattle may be returned.

The brand laws apply to the entire state, however, ownership inspection is only required west of the Missouri River. If an animal is branded for ownership identification within South Dakota, the brand must be registered with the State Brand Board. To acquire an application for cattle, horses and mules, buffalo or sheep, call the South Dakota State Brand Board at (605)-773-3324 or go to www.sdbrandboard.com.



Grazing and Livestock Management

The plant communities that make up pasture and rangeland are living ecosystems. Land managers need to have a basic understanding of plant growth, soils and nutrient cycling in order to keep their grazing land productive and healthy. Work

with your local natural resources professionals to develop a grazing plan that includes determining available forage, water or supplemental water requirements, soil fertility and nutrient availability on your property.

Agriculture (Farming and Ranching)

Agriculture is South Dakota's leading industry. When you choose to live in the country, you choose to live among farms and ranches. You are part of farm country.



Dust, Smoke and Noise — Tillage, harvesting, haying and other operations may create dust, especially during dry, windy weather. Dust easily invades homes and vehicles.

Fields or road ditches are occasionally burned to promote plant growth or control weeds. At certain times of year, smoke can be common in rural areas.

Farmers sometimes work around the clock, and often that work involves the use of large farm machinery. Day and night-time hours can be disturbed by the noise and activity generated by common farm practices, especially during the spring and fall fieldwork seasons.

Odors — Animals and their manure may cause objectionable odors. If your property is located downwind from a livestock operation, you may be affected. When purchasing property near livestock facilities, keep the direction of the prevailing winds in mind.

Chemicals — Fertilizers, herbicides and pesticides are used in crop production. These products may affect land adjacent to treated fields.

Slow Moving Vehicles — Farm equipment may slow travel on rural roads. Large, slow moving machinery often takes up the entire road. Tractors travel at speeds ranging from 5 to 20 miles per hour and can be overtaken quickly. Look for the Slow Moving Vehicle (SMV) sign displayed on the rear of farm equipment.



The SMV emblem is a red-orange fluorescent triangle surrounded by a highly reflective red border. The emblem warns you to slow down. Be especially watchful for SMVs during busy planting and harvest seasons and during early morning and evening hours.



Youth in Agriculture

4-H — The 4-H program is a component of the South Dakota State University Cooperative Extension Service. Youths from 8–18 may join one of several clubs located throughout South Dakota. Through a hands-on approach to learning, 4-H members learn life skills such as communication, citizenship, decision making, leadership, interpersonal relations, and community awareness. This approach is accomplished with the cooperation of families and the commitment of adult volunteers. The program offers 38 different projects including shooting sports, woodworking, leadership, horticulture, ceramics, cake decorating, clothing, foods, and livestock, poultry, and rabbit husbandry.

4-H is the youth education component of Cooperative Extension Service and the Department of Agriculture. The program's unique linkage to the land grant university system makes 4-H a premiere youth organization.



Future Farmers of America — The Future Farmers of America (FFA) organization prepares students for successful careers and a lifetime of informed choices in global agriculture, food, fiber and natural resources systems. The FFA focuses on agricultural topics and hands-on supervised career experience while providing leadership opportunities and challenging students' agricultural skills. Nationally, there are some 445,000 members ranging from the ages of 12-21.

South Dakota Agriculture in the Classroom — South Dakota Agriculture in the Classroom is a national non-profit program that provides information to teachers and students about the role of agriculture in our society. Visit <http://www.sdagclassroom.org>.

Neighbors



Just as your land ends at your property boundary, someone else's land begins there. Whether that land is public or private, intrusions and activities that affect your neighbor's land or personal well being will not be welcome and can generate legal difficulties. Maintain a good neighbor policy and utilize common sense.

Know and respect private and public property boundaries. Ask for permission before entering private land, even for a casual stroll, and before driving on private roads. Leave gates the way you find them—open or closed.

Public Lands

Public lands in South Dakota are owned or managed by several different agencies. Each agency has its own rules about access to and the use of its lands. All of the agencies work with neighboring landowners to promote good land stewardship on issues that cross ownership boundaries, such as protecting riparian areas along streams and lakes, maintaining wildlife habitat and migration routes, controlling weeds, keeping forests healthy and reducing wildfire hazards. Learn who your public land neighbors are. They include:

US Department of Agriculture Forest Service-National Forests – In South Dakota, Forest Service land is predominantly located in the Black Hills. Having a small acreage for country living in this attractive area is undeniably desirable, but there is a hazard that should be considered—forest fire. While the likelihood of a forest fire affecting your property may be low, the threat is real. Clearing undergrowth, thinning trees and utilizing fire resistant building materials are sensible precautions.

US Department of Agriculture Forest Service – National Grasslands — The Fort Pierre National Grassland, located near the communities of Pierre and Ft. Pierre, contains 116,000 acre of grassland intermingled with privately owned land. Two other National Grasslands are located in South Dakota: Grand River (155,000 acres) is located near Lemmon and Buffalo Gap (600,000 acres) is near Kadoka and Wall.

US Department of the Interior Fish and Wildlife Service – The US Fish and Wildlife Service manages various wildlife habitat area, particularly in the eastern portion of the state.

US Department of the Interior Bureau of Land Management — South Dakota BLM land is rangeland that is primarily located in the northwestern quarter of the state and used for livestock production through federal grazing permits.

South Dakota State Land – State land includes land owned and managed by the South Dakota Department of Game, Fish and Parks, (GF&P), the South Dakota Office of Schools and Public Land and the South Dakota Department of Transportation. Most of the GF&P land provides public recreation, fishing and hunting access. School Land is leased for agricultural purposes, primarily grazing.



Tribal Lands

There are seven Indian reservations in South Dakota: Cheyenne River, Crow Creek, Lower Brule, Pine Ridge, Rosebud, Sisseton-Wahpeton, and Standing Rock. Reservation land is private land controlled by the individual tribes. Some of the reservations are formally organized and some are not. Contact respective tribal headquarters for more information.

Essential Services



Counties

Counties are governed by an elected Board of County Commissioners and provide a variety of services through various offices and departments, including:

- **County Highway Department:** maintenance of county highways
- **Sheriff's Department and States Attorney Office:** rural law enforcement
- **Department of Equalization:** assessment of properties for tax purposes
- **Treasurer's Office:** tax collection and license plate sales
- **Auditor's Office:** voter registration and voting procedures
- **Register of Deeds:** registration and maintenance of property descriptions, birth and death records and marriage licenses
- **Clerk of Courts:** provision of space for the court system
- **Welfare Department:** indigent care
- **Veteran's Service Office:** Veteran's assistance
- **Department of Emergency Management:** coordination of emergency response (Civil Defense)
- **Planning Office:** administration and management of rural planning, zoning and building permits (Some counties have assigned these duties to the County Equalization Department.)

Townships

A township is approximately six miles square. Townships are responsible for the maintenance of township roads and may provide rural fire protection. Township Boards consist of locally elected officials called supervisors. The County Auditor's

office maintains an up-to-date listing of the supervisors for townships in the county. Not all townships in South Dakota are organized entities. The County Commission oversees the provision of services in unorganized townships.

Emergencies & Fire Protection

In an emergency, ALWAYS DIAL 911.

Make sure you know your correct address so emergency responders can be quickly dispatched to your home. Response times vary.

Most rural fire protection is provided by volunteer fire departments. Many township fire departments also have mutual aid agreements with other departments in the event of a larger fire.



Roads & Weather

Seldom do rural roads include the amenities found in urban settings, such as curb and gutter, striping and lighting. And, the funds to maintain those roads will come primarily from the property taxes you and your neighbors pay.



Gravel roads generate dust and dings. Loose gravel on country roads frequently chips paint on vehicles, cracks windshields and can pose dangerous travel conditions. Because of the size of most county highway systems and the demand placed on individual townships, rural roads may not be cleared as quickly after a winter storm as they would be in a city. Townships can be responsible for more than 70 miles of roadway, often with only one or two pieces of snow removal equipment. County plows have a much larger number of road miles to clear. There may also be times of the year, such as spring thaw, when some roads may be impassable. These inconveniences are part of living in the country. It is a good idea to keep your propane tank full and have an ample supply of groceries for those times when your road is impassable.

Also be aware that just because a subdivision road was created as a publicly-dedicated right-of-way does not mean that any public entity is responsible for maintaining the road. It may be privately maintained by the property owners using the road. The road may also have been created as a private road. Again, the property owners, or a homeowners association, may be responsible for maintenance. Some areas have created Road Districts to address maintenance issues.



School Districts & Voting Precincts

Commonly, there are several school districts in a county. The Equalization Office can tell you the district in which your property is located. The Auditor's office can provide information on voting sites and the location of your poll.

Rural Mail Delivery

As in town, the United States Postal Service will deliver your mail to your mailbox. The catch is the location of your mailbox. The mail person will deliver your mail to the junction of your driveway or private subdivision road and the connecting public road. In some instances, this may be miles from your home.



Planning & Zoning Issues

The County Planning Office is charged with administering the county's zoning ordinances, subdivision ordinances (splitting properties or platting) and issuing building permits and septic permits. In some counties, the County Equalization Office handles these duties.

Zoning

Zoning maintains compatibility between various land uses. Zoning in the county is based on a plan developed by the county to direct development in a manner which coordinates growth with the municipalities, preserves the rural quality of life, protects natural resources, and minimizes public expenditures.

Based on how your property is zoned, there may be restrictions on what uses are allowed. Be sure to check with the planning office before changing a use or beginning a new use such as a home business.



Setbacks

Specific distances may be required between buildings or site features and property lines. These are designed to reduce fire hazards and provide for future growth. The county planning office can provide information about setbacks that may be required. Rural subdivisions sometimes have more restrictive setbacks in their covenants or deed restrictions than do acreages. Counties cannot enforce these additional restrictions but your neighbors can. Check with your homeowners association or with the County Register of Deeds to determine if additional restrictions were filed for your property.

Easements

Easements may exist on property you are considering purchasing. Easements can limit how property can be used and may require you to allow construction rights-of-way across your land. Roads, railroads, habitat protection, power lines, gas lines, water lines, and sewer lines are a few of the things for which easements can be established. Also be aware of easements on nearby parcels. Learn what the easement allows the easement owner to do in the way of access, maintenance and expansion, and check for limits the easement may impose on the use of your own property. Easements are a matter of legal record.

Covenants

Many rural subdivisions have covenants that limit the use of the property. It is important to obtain a copy of the covenants (or confirm there are none) and make sure you can live with those rules. Homeowners' associations may be established in some rural subdivisions and can provide information on common elements, private roads, open spaces, etc.

Floodplains

There are restrictions on construction and activities within a flood plain to reduce the potential damage during flood events. A flood plain is defined as that area which has a one-percent chance of flooding in any particular year (100-year flood plain). There may be restrictions in flood-prone areas regarding the type or amount of fill material (so that floodwaters are not directed onto other property) or on the types of septic systems (to prevent potential water contamination). Your lending institution or insurance company may also require that you purchase federal flood insurance if you live in a flood plain.



Permits

Building permits are required before starting any construction activity, and building inspections may be required at specific points during the construction process. The cost of a building permit is based on the value of the proposed construction. Check with the county Planning Office if building permits are required.

In addition to a building permit, some construction activities may also need a storm water construction activities permit if:

- the building or road construction will disturb more than one acre,
- the lot is part of a development that disturbed more than one acre, or
- the construction activities are expected to contribute pollutants to surface or ground water.

Before starting construction activities, read *Construction Activities and the Storm Water Program*, published by the South Dakota Department of Environment and Natural Resources. It describes the types of new construction activities that require a permit or are part of a common plan for development. A copy is available by visiting:

<http://www.state.sd.us/denr/DES/Surfacewater/stormwater.htm>

Environmental Issues

Rural residents should be aware that surface and groundwaters are precious resources that we all depend on for our water supplies. Many activities can have a negative impact on rivers, lakes, streams, and aquifers. Properly use and dispose of any potentially hazardous materials.

Pesticide Container Recycling Programs

Each summer, the South Dakota Department of Agriculture and the South Dakota Cooperative Extension Service conduct a recycling program for agricultural pesticide containers. The program is a public service that provides a disposal alternative for properly cleaned and rinsed plastic and metal pesticide containers. There is no cost to participants.

Unusable Pesticide Collection Program

The South Dakota Department of Agriculture and the South Dakota Cooperative Extension Service conduct an unusable pesticide collection program annually to assist homeowners, farmers and landowners with the proper disposal of unusable pesticides. Unusable pesticides include products that are no longer usable, are no longer registered by the Environmental Protection Agency, are not identifiable or are missing important label information. Although pre-registration is required, the program is a public service and there is no cost to participants. Information and registration forms are available from

your local County Extension Office or the South Dakota Department of Agriculture.

Solid Waste

You are responsible for properly disposing of solid waste. You cannot dispose of solid waste in a manner that contributes to disease vectors (rodents, insects, etc.), that pollutes the air, ground water or surface water or that causes litter. In rural areas, you must hire a garbage hauler to take your waste to a landfill or haul the waste to the landfill yourself.

There are times when the illegal dumping of solid waste along roads and on private property has occurred. If you witness illegal dumping, do not confront the person doing the dumping. Note the vehicle description and/or license plate and call the Sheriff's Department.



Recycling

Items such as office paper (non-glossy), newspaper, corrugated cardboard, aluminum cans, and steel (tin) cans can be recycled. Your community may offer curbside recycling pickup or drop-off sites for recyclable materials.

Household Hazardous Waste

Items that can not enter the waste stream going to the landfill include waste oil, vehicle batteries, tires, appliances, paints, solvents and landscaping chemicals. Some communities sponsor collection days or have a collection site for these products. Collected items are reused, recycled, or properly disposed at a hazardous waste site. Various communities have rubble sites that may accept tires or appliances until they can be collected for recycling or proper disposal.

Rural Water

Rural Water Systems

Many rural areas and communities in South Dakota have recently had a rural water system brought to their area. These systems ensure a clean, reliable source for drinking water. Contact the South Dakota Association of Rural Water Systems for water system information.



Wells

Homeowners with private wells are responsible for monitoring the quality of their drinking water. The two most common contaminants found in ground water in South Dakota are coliform bacteria and nitrate. Both pose serious health risks. The South Dakota Health Department tests water samples from private systems on a fee basis. Sample kits containing collection bottles, sampling instructions and available lab services are available at County Extension Offices or the South Dakota State Health Laboratory.

Abandoned Wells

The owner of property on which an abandoned well is located is the owner of the abandoned well. Consequently, the owner is also responsible for plugging the abandoned well as required by South Dakota Codified Law. There are many reasons to properly plug an abandoned well aside from the legal requirements. Abandoned wells pose environmental and safety hazards and are potential legal liabilities.

Environmental hazards include: contamination of aquifers by allowing surface runoff carrying pollutants to enter the ground water; cross contamination of aquifers by the well passing through more than one aquifer; reducing artesian head pressure which may affect other wells in the same aquifer and safety hazards to people and animals. The procedures used to plug an abandoned well must meet requirements outlined in the SD Well Construction Standards. These standards specify

how to plug a well depending on the type of well construction, the type of aquifer or aquifers that the well penetrates, and the materials to be used to plug the well.

Even though the owner of an abandoned well is allowed to plug the well, it is strongly suggested that a licensed well driller perform the work. If a well is not plugged properly, ground water contamination may still occur. It is difficult and expensive to correct the improper plugging of an abandoned well.



Water Rights

A state water rights permit may be required before drilling a new well. In most cases, a permit is not required if you are drilling a well for just your home. Larger scale wells such as those for municipalities or for irrigation may require a permit. Wells should only be installed by licensed well drillers.

Irrigation Wells

There is a one-acre limit on the amount of area that can be watered before a water right is needed. There is an exception to that limit if a drip irrigation system is used to water trees. All outside-the-house use of water is predicated on the use of:

- not more than 18 gallons/minute, or
- a total amount not to exceed 25,290 gallons/day at a rate of 25 gallons/minute



Irrigation Ditches

The landowner does not have an automatic right to use water from an irrigation ditch. The ditch is usually located on an easement. To access water in the ditch, permission is needed from the ditch company or possibly the irrigation district. Usually the acreage/homeowner can access water by paying a minimal fee each year.

Rural Utilities

Electricity

Rural areas are served by different electrical companies or cooperatives. Contact the companies to determine which one serves your area. (The South Dakota Public Utilities Commission has a listing of these companies at <http://www.state.sd.us/puc/2001/Electric01/Eleclabl.htm>). Know the address or legal description of your property before you call.



Electric service is available to all rural areas. Power companies and electric cooperatives often have policies, which require homeowners to share the cost of building service to new locations.

Power outages can occur in towns and rural areas alike. Depending on the type of outage, power restoration may take many hours. Storm damage to lines serving rural customers may require several miles of power lines to be repaired, simply to reconnect one consumer. A loss of electric power can interrupt the operation of your well, furnace, freezers, and other appliances dependent on electrical power.

Natural Gas

Natural gas may not be available. Alternatives are electricity, liquid propane gas (LP) or heating oil. Propane gas and heating oil are delivered by truck and stored in a tank on your property. If relying on gas deliveries, be certain to have an adequate supply to get through winter's periodic snowstorms when access may be limited.

South Dakota One Call

Call before you dig! Many utility cables and pipes are buried underground. Digging and hitting a buried utility cable or pipe can be extremely dangerous. Not only is service disrupted, but cutting lines can result in electrocution or an explosion. You may be financially responsible if you disrupt service. Call the One Call number at 1-800-781-7474 at least 48 hours before you plan to dig. Personal utilities, such as phone lines, water lines, septic lines or gas lines serving an individual home are not listed on the one-call system. Be sure to check all possibilities before digging.

Telephone

State-of-the-art telecommunications services are available in most of South Dakota's small towns and rural areas. In addition to offering basic voice communication services, South Dakota's rural telecommunications companies also offer high-speed and dial-up Internet services. South Dakota's community-based telecommunications companies collectively serve almost 80 percent of the state's geography and are headquartered in small towns throughout the state. For information concerning the rural telephone company serving your area and the services that are available from that company see www.sdtaonline.com.

The quality of cellular phone service varies depending on the location, but cellular companies are investing in new tower sites throughout the state.

Burning

Some areas allow the use of a burn barrel for burning your trash, however, you must attend to the fire at all times to prevent it from spreading. If a fire spreads, you may be liable for any damage. Use common sense. There may also be restrictions on burning certain items, such as plastic containers or tires. Watch the weather conditions when you burn. If you are planning any open burn, contact your local fire department to inform them of your plans. The County Emergency Management Office should have a list of contacts for the various volunteer departments.

The State Fire Marshall or individual county commissions may place a ban on open burning during times of extreme fire hazard. Some areas of the state, especially lands adjacent to or within public land areas, have year-round bans on fires. It is your responsibility to know if a ban on open burning has been instituted.



Septic Systems

Very few sanitary districts provide sanitary sewer service to rural areas. It is more likely that you will depend on a septic system for wastewater treatment. The purpose of the system is to treat the waste, not merely dispose of it. To properly treat the waste, the septic system must be properly designed, sited, constructed and maintained. You are responsible for the proper maintenance of the system. The system should be designed and installed by a state-certified installer. It is a violation of state law to use any system, which allows wastewater to reach the ground surface or pollutes surface or ground water.

There are two basic components of the system, the septic tank and the drain field (leach field). The purpose of the tank is to separate the solids from the liquids in the waste stream. The drain field spreads the effluent out in a series of underground pipes so that natural soil bacteria may treat the waste. The tank contents must be periodically pumped and taken to a wastewater treatment plant for proper treatment.

The installation of septic systems may require permits from the county and inspection of the system prior to completion. Certified septic installers may be found in the yellow pages under Septic Tanks and Systems. The South Dakota Department of Environment and Natural Resources has a list of certified installers online at: <http://state.sd.us/denr/des/surfacewater/septic>.

Information

Where do you turn for more information about the considerations noted in this booklet? The following list has some suggestions. Of course, resources vary by locale, so you may need to do a little research on your own. Not all services listed are available in all counties. When in doubt, start with your local Cooperative Extension Service for general information about rural areas.

For emergencies, always call 911.



Additional References and Web Sites of Interest

South Dakota State University/Cooperative Extension

Service *(Every county has staff serving the area):*

South Dakota Cooperative Extension Service

Ag Hall 154, P.O. Box 2207D

Brookings, South Dakota 57007

(605) 688-4792

<http://sdces-sdstate.edu>

HOME*A*SYST

<http://www.uwex.edu/homeasyst/>

FARM*A*SYST

<http://www.uwex.edu/farmasyst/>

South Dakota State University Soil Testing Laboratory

Box 2207A

Brookings, SD 57007-1096

(605) 688-4766

<http://plantsci.sdstate.edu/woodardh/soiltest/>

USDA Natural Resources Conservation Service

(Every county has staff serving the area):

NRCS State Office

200 Fourth Street SW, Federal Building

Huron, SD 57350

<http://www.sd.nrcs.usda.gov>

USDA NRCS PLANTS Database: <http://plants.usda.gov>

USDA NRCS SOILS Information: <http://soils.usda.gov>

Backyard Conservation: <http://www.nrcs.usda.gov>

USDA NRCS Water and Climate Services Center - Source for quality spatial snow, water, climate, and hydrologic network of information and technology:

<http://www.wcc.nrcs.usda.gov>

USDA Farm Service Agency

200 Fourth Street SW, Federal Building, Room 308
Huron, SD 57350
(605) 352-1163
<http://www.fsa.usda.gov/sd/>

ClimateSource, Gridded Spatial Climate Data for the Conterminous United States (precipitation, temperature, growing season days, and snowfall).

<http://www.climatesource.com/downloads.html>

United States Army Corps of Engineers

<http://www.nwo.usace.army.mil/>

United States Fish and Wildlife Service Regional Offices

<http://mountain-prairie.fws.gov/>

United States Environmental Protection Agency

<http://www.epa.gov/>

Wetlands Hotline (800) 832-7828

State of South Dakota

<http://www.state.sd.us/>

South Dakota Department of Agriculture
<http://www.state.sd.us/doa/doa.html>

South Dakota Department of Environment and Natural Resources
1-800-GET-DENR (800-438-3367)
<http://www.denr.state.sd.us>

South Dakota Department of Game, Fish and Parks
(605) 773-3391
<http://www.state.sd.us/gfp/>

GF&P Division of Wildlife Offices

Information: (605) 773-3485

Licensing: (605) 773-3393

<http://www.state.sd.us/gfp/DivisionWildlife/WildlifeHomePage.htm>

South Dakota Department of Transportation
(605) 773-3265

<http://www.sddot.com/>

South Dakota Association of Counties

<http://sdcounties.org/home.cfm>

South Dakota Association of Rural Water Systems

Sioux Falls office: 605-336-7219

Spearfish office: 605-642-4031

<http://www.sdarws.com/>

South Dakota Association of Conservation Districts

P.O. Box 275

Pierre, SD 57501-0275

(800) 729-4099

<http://www.sdconservation.org>

South Dakota Association of RC&D Councils

<http://www.sdrccd.org/councils.html>

South Dakota Rural Electric Association

(605) 224-8823

<http://www.sdrea.com>

South Dakota State Historic Preservation Office

(605) 773-3458

<http://www.sdhistory.org/HP/histpres.htm>

South Dakota One Call

(800) 781-7474

<http://www.sdonecall.com/index.asp>

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This information is available electronically on the web at:

<http://www.sdconservation.org>

<http://www.sd.nrcs.usda.gov/publications.html>

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