

Rural Access Infrastructure Funding Fact Sheet August 2021

Legislation and Law

The 2021 South Dakota Legislature passed House Bill 1259, “An Act to make an appropriation for rural access infrastructure improvement and to declare an emergency”¹. The overall intent of the act was to provide funding enabling counties and townships to inventory their small structures, identify needs and plan improvements, and fund construction, rehabilitation, and maintenance of small structures on township and county secondary roads. The main provisions of the act, enacted in SDCL § 31-34, are summarized at right.

This Fact Sheet is meant to help local agencies put the act into practice, using guidance and tools developed by an Oversight Group comprising the chairs of the Senate and House Transportation

Committees; representatives of counties, townships, and their state associations; and staff of the South Dakota Department of Revenue, the South Dakota Department of Transportation, and the South Dakota Local Transportation Assistance Program.

Funding

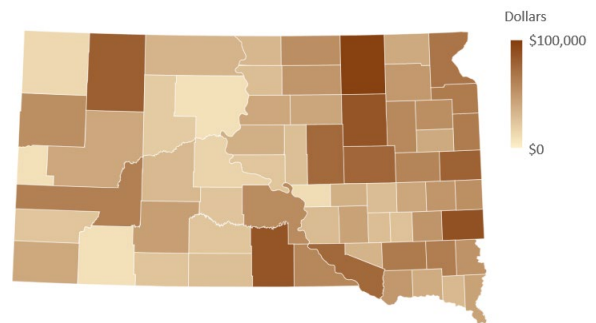
The South Dakota Department of Revenue distributed \$3 million to counties in July 2021, according to a method designed to best address the collective needs of counties and townships. As recommended by the Oversight Group and authorized by the Secretary of Transportation, the allocation was based on 1) the number of miles of township and county secondary roads in each county; and 2) the number of stream crossings on township and county secondary roads. A minimum of \$10,000 was provided to every county.

The second \$3 million distribution will be made in July 2022. Funds will be distributed to each county in proportion to the number of small structures it inventories on township and county secondary roads by May 31, 2022.

Each county must establish a separate Rural Access Infrastructure Fund account for these funds and ensure that the funding is used only for purposes authorized in SDCL § 31-34.

Provisions of SDCL § 31-34 Rural Access Infrastructure

31-34.1	<i>Defines “small structures”</i>
31-34.2	<i>Authorizes distribution of \$3M to counties in 2021 to fund an inventory of small structures</i>
31-34.3	<i>Authorizes distribution of \$3M to counties in 2022 to fund small structure improvements</i>
31-34.4	<i>Lists permissible uses for funding</i>
31-34.5	<i>Limits use to full-maintenance roads</i>
31-34.6	<i>Requires county grant application processes</i>
31-34.7	<i>Requires at least 80/20 match to RAIF funds</i>
31-34.8	<i>Specifies criteria for grant awards</i>
	<i>Specifies township eligibility requirements</i>
	<i>Defines requirements of small structure improvement plans</i>
	<i>Authorizes use of funds for county secondary roads where a township is unorganized</i>



2021 Distribution of Rural Access Infrastructure Funding

¹ HB1259 An Act to make an appropriation for rural access infrastructure improvements and to declare an emergency, 2021 South Dakota Legislature, Pierre, SD, <https://mylrc.sdlegislature.gov/api/Documents/220118.pdf>, enacted in South Dakota Codified Law SDCL § 31-34 Rural Access Infrastructure, https://sdlegislature.gov/Statutes/Codified_Laws/2079026.

Small Structure Inventory

To be eligible for Rural Access Infrastructure Funding, counties and townships must inventory their small structures. To encourage a consistent and objective statewide inventory that meets the intent of SDCL § 31-34, the Oversight Group directed development of a *Small Structure Inventory Handbook* that clarifies the definition of “small structure”, describes the inventory process, and defines the information to be collected. The handbook is available as a spiral-bound booklet and online (see Resources).

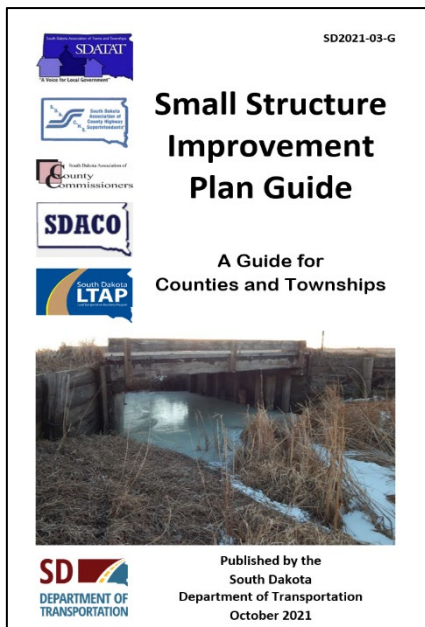
Information may be collected using any of three tools developed specifically for the small structure inventory:

- an ESRI-based geographic information system app for mobile phones and tablets
- an Excel spreadsheet for laptop or desktop computers
- paper forms, which must be entered later into the Excel spreadsheet

All collected data will be imported into a geographic database hosted by the Department of Transportation and will be available to local agencies.

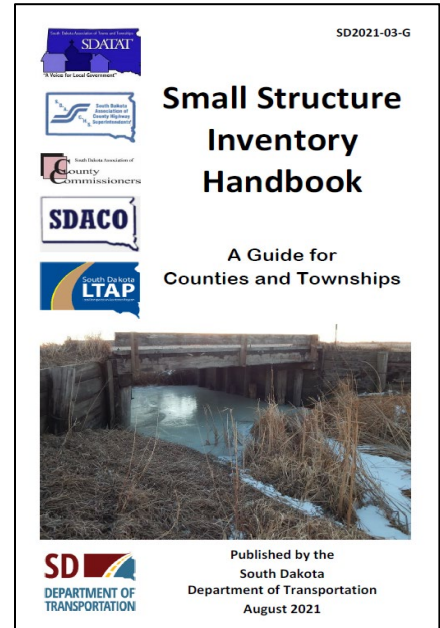
Although the inventory handbook and collection tools are designed to allow county staff, township supervisors, consultants, planning districts, and others to perform the inventory, each county and its townships must determine how best to administer, perform, and pay for the work according to their particular needs and capabilities. To be counted toward the funding distribution in July 2022, small structures must be inventoried by May 31, 2022. Performing the work in fall and winter may be easier than in spring, when wet weather and runoff can make accessing and inspecting small structures difficult.

Small Structure Improvement Plans



SDCL §§ 31-34.6 and 31-34.7 require townships to prepare small structure improvement plans that report the location, dimensions, condition, and load restrictions (if any) of each small structure. The plans must also describe the location, improvement type, cost, and funding sources of all improvement projects proposed over the next five years. SDCL § 31-34.3 and § 31-34.8 suggest similar requirements for counties intending to use Rural Access Infrastructure Funds for county secondary roads.

The Oversight Group has authorized development of a Small Structure Improvement Plan Guide to help local agencies meet these requirements. The guidance will address the requirements of SDCL § 31-34; sound practices for managing small structures; applicable maintenance, rehabilitation, and construction techniques and costs; and a template and example of a model improvement plan. The guidance will become available online in late October 2021.



Grant Application Process

SDCL §§ 31-34.4 and 31-34.5 require counties to establish a grant application process incorporating essential criteria for awarding Rural Access Infrastructure Funding for small structure improvement projects on township and county secondary roads. To prepare for the July 2022 funding distribution, each county should clearly define and document its process for accepting and evaluating grant applications and awarding grants. A clearly defined process will ensure that all applicants can compete equally and will avoid contested decisions later.

It is envisioned that grant applications would be submitted to county commissions by October 31, 2022 and that awards would be made by January 15, 2023. These dates differ from those currently defined in SDCL § 31-34, but better fit the timing of the Rural Access Infrastructure Funding distribution and local agencies' budgeting cycles. Adjustment of the dates currently listed in SDCL § 31-34 is anticipated during the 2022 legislative session.

Training and Assistance

The South Dakota Local Transportation Assistance Program (SDLTAP) will provide training on the small structure inventory process and, when it becomes available, on the small structure improvement plan guidance. Training will target state and district meetings of county and township organizations, but on-call assistance is available by phone or e-mail.

Calendar

The Rural Access Infrastructure Funding & Inventory Calendar on the next page lists key tasks needed to accomplish funding distributions, training, the small structure inventory, and small structure improvement plans and grants through 2022. It also identifies who is responsible and the time periods involved.

This information is provided to establish a common understanding of the effort and help all involved to collaboratively plan and prepare for the work. The calendar will be updated as needed as the work progresses.

Resources

The following table lists available resources. Most are posted on the websites of the South Dakota Association of County Commissioners and the South Dakota Association of Towns and Townships.

Resource	Format	Source
Small Structure Inventory Handbook	Spiral-bound booklet	County Auditors (after August 15, 2021)
	Online PDF	http://sdtownships.com
Small Structure Inventory Spreadsheet	Excel spreadsheet	https://sdcountycommissioners.org
Small Structure Inventory Forms	Online PDF	
Small Structure Inventory GIS App	User authorization	SDDOT GIS Coordinator kimberly.zerr@state.sd.us
Small Structure Inventory App Instructions	Online PDF	
Rural Access Infrastructure Funding Fact Sheet (this document)	Online PDF	
Rural Access Infrastructure Funding & Inventory Calendar	Online PDF	http://sdtownships.com https://sdcountycommissioners.org
Rural Access Infrastructure Funding PowerPoint Presentation	Online PDF	
Small Structure Improvement Plan Guidance and Template	Online PDF (11/1/2021)	
Technical Assistance and Training		(800)422-0129 or sdltap@sdstate.edu

Rural Access Infrastructure Funding & Inventory Calendar

August 2021

Task or Milestone	By							2021						2022						2023									
	SDDOT	SDDOR	SDACC/HSA	SDATAT	SDLTAP	Counties	Townships	3 rd Parties	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Calculate 2021 funding																													
Establish county RAIF accounts																													
Receive inventory funding																													
Publish SSI Handbook																													
Post SSI Handbook on websites																													
Complete SSI Spreadsheet																													
Post Spreadsheet on websites																													
Complete SSI Mobile App																													
Post Mobile App instructions on websites																													
Inform counties and townships																													
Learn SSI Handbook																													
Provide training																													
Determine who will do inventory																													
Set financial arrangements																													
Establish contracts (if any)																													
Perform small structure inventory																													
Submit data																													
Operate SSI database																													
Initial inventory complete																													
Publish Improvement Plan Guidance & Template																													
Post IP Guidance on websites																													
Provide IP training																													
Develop county grant processes																													
Develop improvement plans																													
Calculate 2022 distribution																													
Distribute improvement funding																													
Develop grant applications																													
Award grants																													
Make structure improvements																													

Ongoing Inventory Update and Maintenance

This chart depicts significant tasks and milestones in the Rural Access Infrastructure Funding process. Local agencies should plan their activities to meet their individual needs and the requirements of SDCL § 31-34. Please contact the South Dakota Local Transportation Assistance Program at (800) 422-0129 or sdltap@sdsstate.edu for questions.