Public Notice
DENR Seeks Public Input
Draft Revisions Volkswagen Beneficiary Mitigation Plan

The South Dakota Department of Environment and Natural Resources (DENR) is proposing to revise South Dakota’s Volkswagen Beneficiary Mitigation Plan. This public notice provides an opportunity for individuals to provide public input on if and/or how DENR should revise and implement South Dakota’s Volkswagen Beneficiary Mitigation Plan.

As part of the Volkswagen (VW) settlement, an Environmental Mitigation Trust Agreement was established to mitigate excess nitrogen oxide emissions resulting from the use of emission control defeat devices in the VW light-duty diesel vehicles. South Dakota was allocated $8,125,000 as part of the agreement. The Trust required states to make publicly available a “Beneficiary Mitigation Plan” (plan) that describes how the state will use the funds allocated to it under this Trust. After a public input process, South Dakota’s plan was approved by the Board of Minerals and Environment (BME) on August 16, 2018. The current plan is available on the website at: https://denr.sd.gov/des/aq/aaVW.aspx#BeneficiaryMitigationPlan.

The Department has evaluated implementation of the plan after each year of funding to determine whether any revisions to the plan and funding levels for each of the Eligible Mitigation Actions are appropriate or necessary. During the December 2020 BME meeting, the board recommended that the department consider and recommend changes to the plan. The department is proceeding with the 30-day public notice to request public input on proposed changes to the plan. The draft proposed revisions are available at: https://denr.sd.gov/des/aq/aaVW.aspx

You may submit your comments at: https://denr.sd.gov/des/aq/aaVW.aspx or by sending comments by mail to Barb Regynski, Air Quality Program, 523 East Capitol, Pierre, SD, 57501. Comments will be accepted through April 9, 2021. Thank you for your assistance in helping DENR maintain a Volkswagen Beneficiary Mitigation Plan that best meets the needs of South Dakota.