

**GAME, FISH AND PARKS COMMISSION ACTION
PROPOSAL**

**PUBLIC WATER ZONING
41:04:02**

Commission Meeting Dates:	Public Hearing Finalization	March 1, 2012 March 1-2, 2012	Ft. Pierre Ft. Pierre
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COMMISSION PROPOSAL HIGHLIGHTS

Add and amend public water safety zones in Brown, Edmunds, Davison, Lincoln, Minnehaha and Yankton counties.

Requirements and Restrictions:

"No motors zone," an area in which boats such as canoes, sailboats, and other craft without motors may operate.

"No boating zone," an area in which boats of all types are prohibited. Department personnel or other persons specifically authorized by the secretary are exempt from this restriction while in the performance of their duties.

"No motors over 8 h.p. zone," an area in which boats with motors no more than 8 horsepower may operate. Boats in these areas must travel at speeds under 10 miles per hour.

"No motors over 25 h.p. zone," an area in which boats with motors of no more than 25 horsepower may operate.

"No wake zone," an area in which boats may not create a wake by their passage. For the purposes of this article, a wake is defined as any type of wave action caused by the passage of a boat. At no time may the boat be operated at a speed greater than five miles per hour.

"Public swimming zone," an area in which public swimming and bathing are allowed. In these areas boats of any nature including sailboards, fishing, and other incompatible activities are prohibited.

"Public water ski zone," an area in which water skiing, including slalom course and ski jumps, is specifically allowed. In such areas, other activities such as boating, fishing, and swimming are prohibited.

"No swimming zone," an area in which public swimming and bathing are not allowed.

"No motor vehicle zone," an area in which the use of any motor vehicle is prohibited.

"Electric motors zone," an area which is closed to the use of all motors except any electric-powered motor.

Recommended changes:

1. Create a "no wake zone" on Richmond Lake (Brown County) during certain periods of high water.
2. Create a "no wake zone" on Mina Lake (Edmunds County) during certain periods of high water.
3. Create a "no wake zone" on Lake Mitchell (Davison County) during certain periods of high water.
4. Amend the boundaries of the existing "no wake zone" on the west end of Lake Mitchell (Davison County).
5. Create an "electric motors zone" on the waters of Rollings Game Production Area (Lincoln County).
6. Amend existing zoning on the waters of Family Park (Minnehaha County) from a "no motors zone" to an "electric motors zone".
7. Amend existing zoning on the waters of Lewis and Clark Lake (Yankton County) adjacent to Canary Beach from a "public swimming zone" to a "no wake zone".

SUPPORTIVE INFORMATION

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The Department recommends creating a “no wake zone” on Richmond Lake (Brown County) and Mina Lake (Edmunds County) during any time at which the water level reaches the height of eighteen inches or more over the level of the top of the spillway. Over the last two years, significant rainfall events have occurred in northeastern South Dakota. These events can cause the water levels in impoundments such as Richmond and Mina to quickly rise well above outlet elevations, resulting in public and private property damage. Unrestricted motorboat usage during these periods causes additional and unnecessary damage to infrastructure, while also posing a risk to boaters due to submerged and partially submerged docks and other debris. The Department, working in conjunction with the Governor’s Office and the respective lake associations, has implemented a “no wake zone” on these waters in recent years to address these public health and welfare issues. This rule proposal would provide a more efficient response to these requests for assistance from property owners and lake users, while also serving as a long-term solution to the periodic and temporary flooding issues.

For similar reasons, the Department recommends creating a “no wake zone” on Lake Mitchell (Davison County) during any time at which the water level in Lake Mitchell reaches the height of twelve inches or more over the level of the top of the spillway. Conversely, the “no wake zone” would automatically be rescinded at such time when the water level of the lake drops to the level of six inches over the level of the top of the spillway. These measurements comport with existing City of Mitchell ordinances.

Additionally, the Department recommends amending the “no wake zone” on the west end of Lake Mitchell (Davison County). Residents living along the man-made channel on the west end of Lake Mitchell have requested the “no wake zone” be reduced in size. The Department has consulted with the City of Mitchell and the Lake Mitchell Improvement Committee on the proposed change. The existing “no wake zone” covers a considerable amount of surface area. When initially enacted, the west end of Lake Mitchell had a considerable amount of emergent vegetation and the area served as a refuge for fish and fishermen. Additionally, there were concerns for shoreline erosion caused by increased wave action. Since that time, a portion of the lake was dredged and riprap was placed in various areas along the shoreline. The proposed change would still address shoreline erosion issues, while reducing the transit time for persons traveling through this area. The proposed zoning would extend from the lake point located in the southwest quarter of section 32 (T103N/R60W) and extending across the lake to a point on the shoreline 100 feet north of the entrance to the man-made channel connecting Lake Mitchell and Firesteel Creek.



The Department also recommends enacting an “electric motors zone” on the waters of Rollings Game Production Area (Lincoln County). This area is located near the town of Hudson and contains several small

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ponds where aggregate materials were formerly excavated. Those ponds were connected by manmade channels to form one body of water that is approximately 7.5 acres in size. There are twelve shorefishing access points, a gravel boat launch and access trail around the entire shoreline. Additionally, the Department plans to install two floating fishing piers later this year. The proposed electric-only zoning was recommended by area residents who wanted to maintain a quiet and peaceful atmosphere given the relatively small size of the water body.

Additionally, the Department recommends amending the existing zoning on the waters of Family Park (Minnehaha County) from a “no motors zone” to an “electric motors zone” to allow for additional usage of the area by small watercraft utilizing electric trolling motors. This man-made body of water continues to receive considerable use from the general public. It is managed in conjunction with the City of Sioux Falls and both agencies have received numerous requests for additional allowances. The proposal would not affect the existing “no swimming zone”.

Finally, the Department recommends converting the “public swimming zone” adjacent to Canary Beach at Lewis and Clark Recreation Area (Yankton County) to a “no wake zone”. This change is proposed to better match the demands of park users. With the increased number of campers bringing boats and personal watercraft to the park, the demand for boater beaches has increased. Canary Beach is adjacent to the Gavin’s campground and has seen a decline in day use swimming activity, while the demand from boaters has increased. By designating the waters adjacent to Canary Beach as a no wake zone, the park will reduce pressure on the other boating beaches that are heavily used on summer weekends. The park has two other “public swimming zones” located in the Midway and Gavins day use areas. Both of these areas have change houses and shower facilities, while Canary Beach does not. The proposed zoning would include the waters fronting the shoreline of Lewis and Clark Lake starting at the vault toilet near the intersection of the bicycle path that divides West Midway and Gavins sections, extending in a westerly direction 400 feet and extending 125 feet in a southerly direction.

