

Minutes of the Game, Fish, and Parks Commission
October 2-3, 2014

Chairman Cooper called the meeting to order at 1 p.m. at the Best Western Conference Center in Sturgis, South Dakota. Commissioners present were John Cooper, Cathy Peterson, Barry Jensen, Gary Jensen, H. Paul Dennert, Duane Sather, and Jim Spies. W. Scott Phillips was absent. GFP Department Secretary Jeff Vonk was present along with public, staff, and media numbering approximately sixty.

DIVISION OF ADMINISTRATION

Approve minutes

Chairman Cooper called for any additions or corrections to the August 7 minutes or a motion for approval.

Motion by Peterson with second by Spies TO APPROVE THE AUGUST 7-8, 2014, MINUTES AS PRESENTED. Motion carried unanimously.

Additional Commissioner Salary Days

Cooper called for additional salary days. Gary Jensen requested two days for meetings in Rapid City, Peterson requested one day for the Parks and Wildlife Foundation meeting, and Cooper requested two days for Pheasant Habitat Working Groups and teaching at USD.

Motion by Spies with second by Gary Jensen TO APPROVE THE ADDITIONAL SALARY DAYS: TWO TWO FOR COOPER, FOR GARY JENSEN, AND ONE FOR PETERSON AS REQUESTED. Motion carried unanimously.

License list requests

Director Chris Petersen presented three license list requests at full fee for Commission consideration:

Gerard and Meg Zach owners of The Sausage Shark in New Effington, SD, requested a list of east river deer license holders in Roberts, Marshall, and Grant counties to mail a postcard advertising their game processing services.

Mark Bachmann of Seeley Clothing in Rapid City, SD, requested a list of resident and nonresident small game license holders to promote their line of Filson hunting clothing.

The Howard Hotel and Convention Center requested a list of 1,000 nonresident pheasant hunters of their availability for hotel rooms and conference facility.

Motion by Sather with second by Barry Jensen TO APPROVE THE THREE LICENSE LIST REQUESTS AS PRESENTED. Motion carried unanimously.

Director Petersen presented the 2015 Commission meeting schedule for consideration and approval. Petersen indicated the April and July meetings are Wednesday and Thursday meetings because of holidays and this is different from the usual Thursday and Friday meetings.

Motion by Dennert with second by Barry Jensen TO APPROVE THE 2015 MEETING SCHEDULE AS PRESENTED. Motion carried unanimously.

Parks and Wildlife Foundation

President Spencer Hawley of the South Dakota Parks and Wildlife Foundation (PWF) indicated they are working on 26 projects. The largest being the Governor's Outdoor Heritage project for development of the Good Earth State Park at Blood Run and its Visitor Center. PWF has a goal of \$6 million for the Good Earth State Park project with \$5.25 million already raised.

The PWF committed to raise \$1 million for the Governor's Heritage Project Custer State Park Visitor Center. Hawley stated the PWF has subsequently agreed to increase their commitment to \$3 million. Hawley shared representatives from the Black Hills Parks and Forestry Association were present to deliver a check for \$2,000 to the PWF for the Custer State Park Visitors Center.

Hawley stated the PWF already has \$100,000 on hand to pay for the Environmental Impact Study for the Governor's Outdoor Legacy Project Mickelson Trail Extension to Mount Rushmore and will assist with additional fundraising when the time comes to build the extension. Hawley indicated two bridges were repaired on the Mickelson Trail this year. The PWF continues to manage property for the Adams Nature Area and raise endowment funds for management of the property when it is transferred to the Parks Division in the future. The PWF sponsored a dinner for the Governor's Pheasant Habitat Working Group in September.

OPEN FORUM

Representative Betty Olson of Prairie City, SD, stated her desire to hunt lions with dogs outside the Black Hills Fire Protection District and that she sponsored a House Bill in 2014 that was barely killed in the Senate. She wants the right to protect property year round with the use of hounds. Olson believes the Commission has the rule making authority to do this.

Dan Hotchkiss of Reva, SD, ranches in Harding County and stated that on August 25th his 80-year old mother, who has a fenced yard, saw a mountain lion attack her cocker spaniel. Hotchkiss was quarter of a mile away and would have liked to use dogs to track the lion in the knee high grass. Hotchkiss stated that on Sept 19 the lion was back and killed a deer about a quarter mile from the house with 25 colts in the area. He is very concerned and needs assistance to hunt these lions.

Brad Tisdall of Rapid City, SD, representing the South Dakota Houndsmen Association indicated he gets calls every month about lions and wants to know what can be done. The group wants to be able to assist landowners in tracking the lions and this would be at no cost to the Department. Tisdall indicated he is excited about the dog hunts in CSP and likes the way it is set up; and thanked the Commission for changing

the rules. He also said that he supports rules that prohibit the use of dogs in the Black Hills outside of CSP because allowing dogs would ruin mountain lion hunting. Discussion included season parameters for hunting with dogs in Wyoming and how to hunt with dogs while respecting property lines.

PUBLIC HEARING - FINALIZATIONS

Public Hearing Minutes

Public Hearing Officer Emily Kiel began the public hearing at 2 p.m. by indicating there were no written comments received for Finalization of the Park Lodge and Camping Occupancy Fees. Kiel invited the attending public to come forward to share their comments with the Commission; no oral testimony was received and public hearing closed 2:01 PM.

Park Lodge and Camping Cabin Occupancy Fee 41:03:04

Parks Director Bob Schneider presented the proposed changes to Camping Permits and Rules with no recommended changes to proposal.

Motion by Dennert with second by Sather TO FINALIZE CHANGES TO CAMPING PERMITS AND RULES 41:03:04 AS PROPOSED. Motion carried unanimously.

PROPOSALS

Application fee for Bighorn Sheep, Elk, and Mountain Goat

Wildlife Director Tony Leif indicated the Department introduced and supported a bill to allow the GFP Commission to modify the nonrefundable application fee from \$5 to \$10. The bill passed during the 2014 Legislative Session. The additional revenue generated will go to management of bighorn sheep, elk, and mountain goat and includes the elk depredation program. Discussion included the fees surrounding states charge and how this fee is different from application fees.

Adjust the nonrefundable application fee for elk, mountain goat, and bighorn sheep from \$5 to \$10.

Motion by Spies with second by Sather TO PROPOSE CHANGES TO LICENSES FORMS AND FEES AS RECOMMENDED. Motion carried unanimously.

Chief Tom Kirschenmann presented the Waterfowl Hunting Season Spring Light Goose Conservation Order with the 2015 dates, open area, daily and possession limits, and requirements and restrictions. Kirschenmann indicated there are no recommended changes from last year and no action was taken.

Custer State Park Spring Wild Turkey Hunting Season

Kirschenmann presented the season dates, licenses, requirements, and restrictions for the Custer State Park Spring Wild Turkey Hunting Season with no recommended changes. Supportive information included harvest, success, and population of turkeys in the CSP and the Black Hills. No action was required or taken.

Spring Wild Turkey Hunting Season

Chief Kirschenmann presented the season dates, licenses, access permits, requirements, and restrictions along with recommended changes. Supportive information included harvest, success rates, maps, and license allocation information.

1. Offer residents 85 less one-tag "male turkey" licenses and 340 less two-tag "male turkey" licenses for the Prairie Units than 2014 for an overall decrease of 765 tags. Offer nonresidents 10 more one-tag "male turkey" licenses and 28 less two-tag "male turkey" licenses for the Prairie Units than 2014 for an overall decrease of 46 tags.
2. Correct unit boundary descriptions for BST-BH1 (Black Hills) and PST-49A (Perkins County). These corrections to administrative rule will not result in any unit boundary changes.
3. Remove the archery restriction west of Interstate 29 in Brookings County.
4. Remove the split seasons in Clay and Union counties.
5. Add Lincoln County to the restricted area where a person may use only a shotgun using shot shells, muzzleloading shotgun, or bow and arrow.
6. Reduce the number of archery turkey access permits valid for Good Earth State Park from 10 to 5.
7. Repeal Unit PST-ZZ1.

Motion by Peterson with second by Sather TO PROPOSE CHANGES TO THE SPRING WILD TURKEY HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Use of bait during Spring Turkey Hunting Seasons

Assistant Director Arden Petersen presented a recommendation prohibiting the baiting of turkeys in the spring from March 15 to May 31; inclusive, with the exception for research conducted by the Department. Bait stations are not necessary to sustain healthy big game populations and can create vulnerability for opportunistic poaching of big game animals and tend to alter the natural movement patterns of big game animals.

Amend **41:06:04:03** to prohibit the baiting of turkeys in the spring and create an exception for research activities conducted by the department.

Motion by Barry Jensen with second by Gary Jensen TO PROPOSE CHANGES TO HUNTING REQUIREMENTS AND PROHIBITED METHODS AS RECOMMENDED. Motion carried unanimously.

Fishing Regulations - Marking of Zones

Chief John Lott presented the recommended change to Marking of Zones to modify the size of the diver-down flag and diver-down flags are not to be placed in areas that will restrict watercraft navigation as this is a safety issue. The standard size diver-down flag of surrounding states is 12x15 and the flags available in many diver shops are larger than 12x15.

1. **41:04:01:08. “Diver-down flag requirements.”** Modify by changing diver-down flag size requirements and restrict diver-down flags from being placed in areas that would restrict watercraft navigation.

Fishing Regulations - Spearing

Aquatics Chief Lott presented recommended changes to spearing regulations with supporting information. Recommended changes will open some additional waters and opportunity for spearing and archery anglers; require that all fish taken by spearing and archery be taken into possession; clarify that harvest restrictions in place for game fish species apply to all methods of take and in combination; and repeal a rule that is already in South Dakota Codified Law.

2. **41:07:06:03. “Areas open to spearing of game fish – Additional permit required.”** Modify to (a) add text to clarify the area in which game fish may be speared on Lake Sharpe, (b) add Shadehill Reservoir to the areas open to the spearing of game fish, (c) allow for the spearing of northern pike and catfish from all inland lakes (with limited exceptions) and the Grand River below Shadehill Reservoir downstream to the Perkins-Corson county line year round, (d) allow the spearing of northern pike and catfish from all South Dakota-Minnesota boundary water lakes from November 15 through the last Sunday of February, inclusive.
3. **41:07:06:06. “Limits.”** to require that all fish taken with legal spear, speargun or bow and arrow must be taken into possession by the person spearfishing and to clarify that all harvest restrictions in effect for a species apply to all methods of take.
4. **41:07:06:08. “Use of diver-down flag.”** by repealing it and placing modified diver-down flag requirements in 41:04:01:08.

Motion by Gary Jensen with second by Sather TO PROPOSE CHANGES TO MARKING OF ZONES AND SPEARING AS RECOMMENDED. Motion carried unanimously.

Fishing Regulations - General Provisions

Chief Lott presented three changes to General Provisions to modify definition of terms, artificial lights, and allow for liberalized take of silver carp and bighead carp that jump into a boat or netted from the air using a dip net.

1. Modify **41:07:01:01. “Definition of terms.”** to update references in (5) Inland waters, (b) add definition of snag hook and modify “snagging” definition accordingly.
2. Add **41:07:01:06. “Artificial lights.”**
3. Modify **41:07:01:17. “Liberalized take of smelt and lake herring.”** to allow for the liberalized take of silver carp and bighead carp that jump into a boat or that can be netted from the air using a dip net.

Motion by Barry Jensen with second by Dennert TO PROPOSE CHANGES TO FISHING GENERAL PROVISIONS AS RECOMMENDED. Motion carried unanimously.

Fishing Regulations - Fish Limits

Chief Lott recommended changes to fish limits along the Nebraska border waters on channel catfish from five daily to ten fish daily and an increase in the possession limit from ten to twenty fish to coincide with the Nebraska regulations. Lott included a recommendation to correct the county references for Hanson and Curlew Lakes.

1. Modify **41:07:03:02.01. "South Dakota-Nebraska boundary waters."** by changing channel catfish limits on Nebraska border waters.
2. Modify **41:07:03:03. "Daily, possession, and length limit restrictions on special management waters -- Additional restrictions described."** to correct county references for Hanson and Curlew Lakes.

Fishing Regulations - Paddlefish Snagging

Lott presented the recommended change to clarify measurement of paddlefish as paddlefish are measured with a flexible tape along and over the center line contour of the fish, lying flat including from the entire eye to the notch in the natural unaltered fork of the tail.

3. Modify **41:07:05.03 "Paddlefish snagging, processing, and transportation restrictions."** to clarify the measurement of paddlefish.

Motion by Peterson with second by Sather TO PROPOSE CHANGES TO FISH LIMITS AND PADDLEFISH SNAGGING AS RECOMMENDED. Motion carried unanimously.

Fish Regulations - Bait

Chief John Lott presented a modification to prohibit the harvest of mussels for noncommercial purposes.

1. Modify **41:09:04:03. "Waters closed to taking of bait."** to prohibit the harvest of mussels for noncommercial purposes.

Fishing Regulations - Scientific Collectors

Chief Lott presented changes to scientific collectors application for license and conditions of license to require additional information.

2. Modify **41:09:16:02. "Application for license."** to require listing all wild animal (including amphibians, reptiles, and invertebrates, and parts thereof) specimen collection requests on applications for scientific collector's permits.
3. Modify **41:09:16:03. "Conditions of license."** to add all wild animals (including amphibians, reptiles, and invertebrates, and parts thereof) to the list of specimens for which limits on the number of specimens and special conditions and provisions can be established.

Motion by Gary Jensen with second by Spies TO PROPOSE CHANGES TO SCIENTIFIC COLLECTORS AS PRESENTED. Motion carried unanimously.

Chairman Cooper called a recess at 2:33 p.m. and meeting resumed at 2:50 p.m.

DIVISION OF WILDLIFE

Wildlife Director Tony Leif presented the Division of Wildlife Distinguished Achievement Award to Eric Krebs for his outstanding contributions as Conservation Technician at the McNenny Hatchery.

Antelope Management Plan

Chief Tom Kirschenmann presented and outlined adjustments to the Antelope Management Plan and asked for questions or formal adoption of the plan.

Motion by Sather with second by Barry Jensen TO APPROVE THE ANTELOPE MANAGEMENT PLAN AS MODIFIED. Motion carried unanimously.

Sage Grouse Management Plan

Chief Kirschenmann outlined the cooperative level of all interested agencies to keep the Greater Sage Grouse off the federal endangered species list. States were asked to update or create a Sage Grouse Management Plan. GFP has updated the plan with Harding and Butte counties having the greatest population of sage grouse in SD and landowners were involved in the update. Cooper talked about the Black Tail Prairie Dog Plan and the challenges it contained and this sage grouse situation is similar to that endeavor. The black tail prairie dog efforts were successful in keeping them off the endangered species list and the extra effort was well spent to keep landowners informed and engaged. Cooper wants to be sure the landowners have adequate time to review the plan and have plenty of opportunity to comment on final plan.

Kirschenmann indicated GFP took the approach to work with landowners to adjust land management to benefit the greater-sage grouse. Kirschenmann shared the spring lek counts, weather events, and that disease and natural mortality has an effect on the grouse population and that the Department can explore an avenue where landowners could report local events to the Department. Cooper requested that information from local reporting of local events be included in the management plan. Vonk shared that the Bureau of Land Management has indicated their plan will be ready next summer and it will be ok to wait until November to approve the GFP updated Sage Grouse Management Plan. Kirschenmann indicated a sage grouse research project is scheduled for next year.

Land acquisition update

Paul Coughlin indicated the Commissioners were able to visit the Hydro #2 site in Spearfish Canyon this morning and this may be an action item at the December Commission meeting.

License Sales Report

Chief Scott Simpson indicated that most fishing sales are completed by the September 1st and resident fishing sales held steady with nonresident fishing sales up about 12% from last year. Pheasant and small game sales will begin to pick up next week due to the Pheasant Opener on October 18th. Sales of nonresident licenses on the Friday before the opener are made at the rate of one about every three to four seconds.

Free Senior Fishing licenses for 85 years and older

Secretary Vonk provided background on a bill introduced in the 2014 Legislative Session to allow for a free fishing license for residents 85 years and older. A representative indicated he voted against the bill because he believed the GFP Commission has the authority to do this and was the appropriate venue to have the discussion. Vonk stated the Department opposed this bill because GFP provides

services based on license sales and the federal dollars from excise taxes. In 2014, \$7 million was budgeted to operate fish activities with \$1.7 used for hatcheries; and no state general dollars are used for fish and wildlife management. In 2013, about 19,000 senior fishing licenses for residents 65 or older were sold at \$12; this is discounted by 60% from the normal fishing license of \$28. It is estimated that 700-800 of the senior licenses sold are 85 or older and this would have a direct revenue loss of \$8-9,000. In addition, each license sold for fishing brings in about \$35 federal excise tax and this would have an annual impact of \$40,000 to the Department. Therefore, the Department is opposed to “free” licenses and believes the public gets good value and opportunity for their license fee.

Stream fishery management

Fisheries Biologist Jake Davis had a PowerPoint Presentation on Stream Fisheries Management that included what and how information is collected for fish population recruitment, growth, and mortality. Habitat information included stream flow, water temperature, and water productivity. Davis identified types of people that use fisheries resources and included examples of fish harvest; and angler satisfaction information. Management options include fish population, harvest, and habitat manipulation along with stocking and regulations.

Atlantic salmon update

Geno Adams provided a PowerPoint Presentation providing history and survey information of salmon in Lake Oahe. The creel survey and online survey information results about stocking Atlantic salmon in Lake Oahe indicated support for the project. A source of eggs has been identified. A pilot study will begin shortly to determine how well GFP can raise Atlantic salmon in its hatcheries and any fish raised in the pilot study will be stocked in Lake Oahe in 2016.

Pheasant habitat working group report

Secretary Vonk provided a review of the eight recommendations from the Governor’s Habitat Work Group report that was released on Sept. 9th by Governor Dugaard. The Department will continue to be active in facilitating a meeting with conservation partners for improving habitat management; assist with establishing a long-term conservation fund; assist in drafting a letter to U. S. Congressional staff for an increase of the federal Duck Stamp from \$15 to \$25; and support “Habitat Pays” education in existing publications. The Department of Agriculture has the lead to work with producers for a Conservation Certification Program; and to assist with the process to have all of South Dakota eligible for crop insurance on winter wheat. The Department of Transportation will begin discussions with their Commission to revisit mowing of public rights-of-ways. The Governor’s office will work the School and Public Lands for the possible implementation of land management practices in leases with producers.

Motion by Gary Jensen with second by Spies TO DRAFT A LETTER FROM THE COMMISSION TO GOVERNOR DAUGAARD FOR HIS EFFORTS WITH THE PHEASANT HABITAT SUMMIT AND WORK GROUP. Motion carried unanimously.

Deer hunter opinion survey

Dr. Cynthia Longmire indicated a survey was sent to 6,000 deer applicants. Surveys were distributed to a random sample of 3,000 landowners that applied for deer licenses; and 3,000 applicants who did not apply for landowners preference. The survey was sent by email and a second reminder was sent earlier this week. The final email reminder is scheduled for Monday. A hard copy of the survey will be mailed to those who did not respond to emails with a reminder seven days later; then ten days later, about November 3rd, a third mailing will be sent to those who have not responded. The analysis of the survey will begin the third full week in November with preliminary results available for the December Commission meeting. The goal is to get the highest number of responses possible for the analysis. Discussion included the estimated cost of survey, landowner participation, and will the report include differences between landowners' and non-landowners' perspectives.

WMI big game action plan update

Communications Manager Emily Kiel began the WMI report with enhancements of electronic media including effectiveness and layout of the website.

Chief Kirschenmann provided the WMI update on enhancing staff training for surveys and protocols; re-evaluate mountain lion population estimate and survey methods for 2015; survey protocols and methods; deer and pronghorn composition surveys; and Commission guidance to the Department on seasons, regulations, and multi-year schedule.

Miscellaneous updates

Aquatic Section Chief John Lott indicated that a quagga mussels, called veligers had been sampled in Angostura Reservoir by the Bureau of Reclamation and introduced Aquatic Invasive Species Coordinator Mike Smith. Smith provided a PowerPoint Presentation to help answer questions that may come from the public. The presentation included the physical characteristic of zebra and quagga mussels, their life cycle as compared to native mussels, possible pathways to South Dakota, and current distribution across the United States. Smith provided information on future plans to address the current situation in the Angostura reservoir and the plan for education and outreach. Action includes increasing monitoring, adult sampling, boat checks, and the possible use of divers to search for adult mussels..

Chairman Cooper called for a recess at 5:30 p.m. and meeting would resume at 8 a.m. the next morning with Executive Session. The Executive Session would take about an hour.

The Commission meeting resumed at 8 a.m. on Friday, October 3, at the same location with Commissioners Cooper, Peterson, Spies, Barry Jensen, Gary Jensen, Sather, and Dennert present. Secretary Vonk was present with staff and public numbering about ten.

Motion by Peterson with second by Gary Jensen TO GO INTO EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2(3) TO CONSULT WITH LEGAL COUNSEL

ABOUT PENDING LITIGATION ON CONTRACTUAL MATTERS. Motion carried unanimously.

EXECUTIVE SESSION MINUTES

The Executive Session began at 8:01 a.m. with Commissioners Cooper, Peterson, Spies, Barry Jensen, Gary Jensen, Sather, and Dennert present. Scott Phillips was absent. Secretary Vonk was present along with Department Attorney Richard Neil, Attorney Paul Bachand, Parks Director Doug Hofer, Concession Manager Sean Blanchette, Al Nedved, Jeff VanMeeteren, and Debra Ascher.

The Lewis and Clark Marina Settlement Agreement and Prospectus details were reviewed and discussed. Bachand and VanMeeteren left the Executive Session at 8:59 a.m. and Director Hofer briefed the Commission about potential litigation. Bachand returned at 9:30 a.m. with an update.

Motion by Peterson with second by Barry Jensen TO END THE EXECUTIVE SESSION. Motion carried unanimously and the Executive Session ended at 9:40 a.m.

Cooper called for a ten minute recess. The meeting resumed at 9:51 a.m. with Commissioners present and public, staff and media numbering about twenty.

DIVISION OF PARKS AND RECREATION

Lewis and Clark Marina Sale

Hofer introduced Paul Bachand Attorney for the Department, who proposed revisions to the Settlement Agreement and Prospectus both of which require Commission approval. Bachand indicated he and Staff Attorney Richard Neill met with the Lewis and Clark Marina owner Russ Marsh and his attorney in September to negotiate revisions to the Settlement agreement as well as terms of the prospectus to be re-issued in the effort to secure a new operator for the Marina. The current concessionaire intends to operate in 2015 unless a new operator is approved by the Commission prior to the 2015 marina operating season.

Bachand presented the negotiated revised terms to the Settlement Agreement as follows: 1) sale price of the Marina is reduced from \$3,037,000 to \$2,937,000; 2) required hours of operation for 2015 will remain as they exist in the current Concession Agreement; 3) amount of reimbursement to Marsh for improvements made to Government Facilities will not reduce and will remain at \$63,000. Bachand then proposed revisions to the Prospectus terms as follows: 1) Advertised sale price will be \$2,937,000; 2) Franchise Fees will be established at \$42,000 annual base rent PLUS 7% for all Gross Receipts in excess of \$700,000 less restaurant sales PLUS 5% on Restaurant gross receipts; 3) Repair and Maintenance reserve will be established at 2% for all Gross Receipts less fuel sales and restaurant sales PLUS 1.5% on fuel sales and restaurant gross receipts.

Motion by Peterson with second by Gary Jensen TO AUTHORIZE THE DEPARTMENT TO AMEND THE LEWIS AND CLARK MARINA SETTLEMENT

AGREEMENT AS PROPOSED; AND FURTHER AUTHORIZE THE DEPARTMENT TO ISSUE AND ADVERTISE A PROSPECTUS FOR LEWIS AND CLARK MARINA WITH THE REVISED TERMS AS PROPOSED. Motion carried unanimously.

Custer State Park Private Cabin Transfer

Custer State Park Supervisor Matt Snyder provided background on privately owned cabins within the boundaries of Custer State Park and presented two Resolutions that require Commission approval for transfer of ownership.

Snyder indicated Don Charles Eibert passed away leaving his cabin to Donna Crossman and Charles Eibert. Snyder has visited with both parties explaining the conditions of transfer and the need for Commission approval of Resolution 14-11.

Motion by Barry Jensen with second by Sather TO ADOPT RESOLUTION 14-11 AS PRESENTED (Appendix A). Motion carried unanimously.

Matt Snyder indicated Allen Wilson passed away leaving his cabin to Stephen Wilson and presented Resolution 14-12 for Commission consideration. Snyder visited with Stephen Wilson about the conditions of transfer and the need for Commission approval.

Motion by Spies with second by Dennert TO ADOPT RESOLUTION 14-12 AS PRESENTED (Appendix B). Motion carried unanimously.

Good Earth State Park

Director Doug Hofer provided background about the archeological survey process required before building the Good Earth Visitors Center. Hofer stated complete schematics have been developed by HDR and Splitrock Studios. Hofer indicated that the plow zone was removed at the proposed visitor center site so that archeologists could survey the site to determine if any cultural resources exist in that location. Hofer showed slides of the process where archeologists, staff, and tribal members were present for the survey. Dark trenches in the clay soil were discovered and are believed to be man-made more than 1,000 years ago. A similar finding was made last year in Iowa. This discovery may necessitate a new location be determined for the visitor center at Good Earth State Park.

Director Hofer and staff will be meeting with the State Historic Preservation Officer, the National Park Service, and tribes involved in consultation process to discuss impacts on the location of the new visitor center. A determination will also need to be made as to how to preserve what has been discovered which will likely include covering it back up with black dirt and reseeding native grasses over this three acre site.

2015 CSP Resort Repair & Maintenance Program

Doug Hofer reminded the Commission of the CSP Resort Master Plan that was presented to the Commission at their May 2013 meeting. An updated master plan will be ready for the November Commission meeting.

Custer Resorts Manager Josh Schmaltz highlighted the larger Repair and Maintenance projects completed at each resort in 2014. Schmaltz indicated that 2014 was a good year at CSP Resorts with occupancy rates higher than last year.

Custer State Park Regional Supervisor Matt Snyder indicated visitor numbers were down in the park this year during the Sturgis Rally but he is seeing more trailers coming into the park bringing their bikes. Snyder stated that next year will be the 75th Sturgis Rally and he anticipates increased numbers for that week next year. It will also be the 50th Anniversary for the Buffalo Roundup and the American Bus Association has named the Roundup its top event for 2015.

Snyder reported the 2014 Buffalo Roundup had about the 14,000 attendees. The weather was warm; however, visitors enjoyed the nice weather. The arts festival began on Friday afternoon for the weekend and went well.

Revenue and Camping Report

Director Doug Hofer handed out the revenue report indicating Parks Entrance License sales are up about two percent and camping revenue was up seventeen percent. An increase in the camping fees in 2014 was responsible for much of the increase in camping revenue. Revenue in the northeast showed the most growth. Total park revenue is up about ten percent over last year and camping use was up about three percent with the possibly of going over 300,000 camping units by year end.

There was a discussion about the pheasant population across the state and the Commissioners thanked Kirschenmann for the book *A History of Waterfowl Management, Research, and Hunting in South Dakota*.

Adjourn

Gary Jensen made the motion to adjourn the meeting. Barry Jensen second the motion and meeting adjourned at 10:49 a.m.

Respectfully submitted,

Jeffrey R. Vonk, Department Secretary

Appendix A

RESOLUTION 14-11

WHEREAS, the Game, Fish, and Parks Commission has been advised that Don Charles Eibert is the record owner of a cabin located in Custer State Park (Custer County) on property described as:

No. 2 Pine Crest in the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Twelve (12), Township Four (4) South, Range Five (5) East, of the Black Hills Meridian, Custer County, South Dakota; and

WHEREAS, the property upon which the cabin is located is owned by the South Dakota Department of Game, Fish, and Parks and has been leased to Don Charles Eibert by permit by reason of a Stipulation of Settlement and Dismissal entered in Craft v. Wipf, Civil Action No. 85-5092, U.S. District Court for the District of South Dakota, Western Division, and subsequent agreements and PERMITS executed thereafter based on said Stipulation and Dismissal; and

WHEREAS, the Commission has been advised that as a result of the death of Don Charles Eibert on or about March 20, 2013, all of his interest in and to said cabin and cabin site permit transferred to his heirs, Donna Eibert Crossman, 711 Balboa Ave., Coronado, CA 92118, and Charles Eibert, 4 W. Cork St. #1, Winchester, VA 22601; and

WHEREAS, the Commission has been requested to approve said Transfer and Assignment;

NOW, THEREFORE, BE IT RESOLVED that in the event the Department receives an executed Agreement and Assignment of the cabin site permit and cabin and appurtenances located thereon and which further provides that said Assignee agrees to abide by all of the terms and conditions of the aforementioned Stipulation of Settlement and Dismissal and all subsequent agreements relative thereto, including but not limited to Cabin Site Permits, Addendums, and all agreements relative to establishing the lease or rental payments due the Department, then in that event, the Department is authorized to execute a Consent to the requested Assignment.

Appendix B

RESOLUTION 14-12

WHEREAS, the Department of Game, Fish, and Parks Commission has been advised that Allen G. Wilson is the owner of a cabin located in Custer State Park (Custer County) on property described as:

No. 6 Pine Crest in the Northwest Quarter (NW ¼) of the Southwest Quarter (SW1/4) of Section Twelve (12), Township Four (4) South Range Five (5) East, of the Black Hills Meridian, Custer County, South Dakota; and;

WHEREAS, the property upon which the cabin is located is owned by the South Dakota Department of Game, Fish, and Parks and has been leased to Allen G. Wilson by permit by reason of a Stipulation of Settlement and Dismissal entered in Craft v. Wipf, Civil Action No. 85-5092, U.S. District Court for the District of South Dakota, Western Division, and subsequent agreements and PERMITS executed thereafter based on said Stipulation and Dismissal; and

WHEREAS, the Commission has been advised that prior to his death on or about October 25, 2013, Allen G. Wilson transferred and assigned all of his interest in and to said cabin and cabin site permit to his son, Stephen L. Wilson, 325 Transit Avenue, Roseville, MN 55113; and

WHEREAS, the Commission has been requested to approve said Transfer and Assignment;

NOW, THEREFORE, BE IT RESOLVED that in the event the Department receives an executed Agreement and Assignment of the cabin site permit and cabin and appurtenances located thereon and which further provides that said Assignee agrees to abide by all of the terms and conditions of the aforementioned Stipulation of Settlement and Dismissal and all subsequent agreements relative thereto, including but not limited to Cabin Site Permits, Addendums, and all agreements relative to establishing the lease or rental payments due the Department, then in that event, the Department is authorized to execute a Consent to the requested Assignment.