AGENDA
Game, Fish, and Parks Commission
March 5-6, 2015
RedRossa Convention Center
808 W Sioux Avenue, Pierre, SD

Call to order 1 PM CT

Division of Administration
Action items:

1. Approve minutes of the January 2015 meeting
http://gfp.sd.gov/agency/commission/archive/2015/January/docs/January2015Minutes.pdf
2. Additional Commissioner Salary Days
3. License List Requests

Information item:

4. Legislative Update

Open Forum

2 PM Public Hearing

Finalizations

5. Public Lands - North Point RA firearm restriction
6. Public Waters - Belle Fourche Reservoir water safety zones
7. Refuges - Cottonwood Lake in Sully County
8. Boat transportation requirements and Aquatic Invasive Species

Petition for rule change

9. Repeal use of hounds to hunt lions on private lands

Proposals

10. Archery, Black Hills, and Prairie Elk Hunting Seasons
11. CSP Archery and Firearm Elk Hunting Seasons
12. CSP Bison Hunting Season
13. Mountain Goat Hunting Season
14. Hunting party size restriction

Division of Parks and Recreation
Action Item:

15. Mobridge waterfront license

Information items:

16. Lewis and Clark Marina lease closing
17. Mobridge waterfront mowing requests
18. Parks Revenue and Camping Reservations
19. Miscellaneous updates

This agenda subject to change without prior notice.

Division of Wildlife

Action Item:

20. Elk Management Plan adoption

Information items:

21. Land Acquisition Report
22. Aquatic Invasive Species coordination and communication
23. Black Hills fisheries management plan updates
24. Elk population status and management
25. Mountain goat population status and management
26. Big game action plan update
27. Deadwood bighorn sheep introduction
28. Nonresident waterfowl work group update
29. 2015 License Sales Report

Adjourn

Next meeting information:
Wednesday, April 1 at 1 p.m. Brookings Days Inn Convention Center continued to Thursday, April 2 at 8 a.m. and conclude by noon

Minutes of the Game, Fish, and Parks Commission
January 15-16, 2015

Chairman Cooper called the meeting to order at 1:00 p.m. at the RedRossa Convention Center in Pierre, South Dakota. Commissioners John Cooper, Cathy Peterson, Barry Jensen, Jim Spies, Gary Jensen, W. Scott Phillips, and H. Paul Dennert were present and Duane Sather participated by conference phone. The public, staff, and media numbered approximately forty.

DIVISION OF ADMINISTRATION

Approve minutes of the December 2014 meeting

Chairman Cooper called for additions or corrections to the December meeting and Commissioner Dennert pointed out the need for the word "no" on page 198.

Dennert made the motion to approve the December 11-12, 2014, minutes as corrected. Peterson seconds the motion and motion carried unanimously.

Additional Salary Days

Cooper requested two salary days for National Wild Turkey Federation Convention in Mitchell, Dennert requested one for the non-resident waterfowl work group, Gary Jensen requested one for the non-resident waterfowl work group and three for the WAFWA Conference, Peterson requested one for interviews and selection of Department Secretary, and Scott Phillips requested three for the WAFWA Conference.

Motion by Spies with second by Barry Jensen TO APPROVE THE ADDITIONAL SALARY DAYS AS REQUESTED. Motion carried unanimously.

Election of Officers

Chairman Cooper indicated he would accept nominations for Vice Chairman of the Commission. Gary Jensen nominated Cathy Peterson and made the motion that NOMINATIONS CEASE AND TO ELECT CATHY PETERSON AS VICE CHAIRMAN FOR 2015. Spies seconds the motion and motion carried unanimously.

Peterson nominated Cooper as Chairman for 2015 and made the motion NOMINATIONS CEASE AND TO ELECT JOHN COOPER AS CHAIRMAN FOR 2015. Gary Jensen seconds the motion and motion carried unanimously.

License List Requests

Director Chris Petersen presented a license list request from the Pierre Area Chamber of Commerce and Convention and Visitor Bureau for 4,000 non-resident hunters and 4,000 non-resident anglers to be used in a direct mailing to promote hunting and fishing in the Pierre area. This is a waived fee request.

Motion by Barry Jensen with second by Dennert TO APPROVE THE LICENSE LIST REQUEST FOR THE PIERRE AREA CHAMBER OF COMMERCE AND CONVENTION AND VISITOR BUREAU AS PRESENTED. Motion carried unanimously.

Petersen presented a license list request from the Rocky Mountain Elk Foundation for approximately 1,500 elk license applicants from Sioux Falls and the surrounding area to mail invitations to the 26th Annual Big Game Banquet in March. This is a reduced fee request.

Petersen presented a request from the South Dakota Bowhunters, Inc. for a list of all archery license holders for deer, elk, and antelope to be used for promoting their gatherings, fun shoots, and annual convention. This is a reduced fee request.

Director Petersen presented a request from South Dakota Wildlife Federation Camo-Coalition for a list of 15,000 of the 2014 resident fishing license holders to send a letter sharing their Legislative activities and to solicit membership. This is a reduced fee request.

Motion by Spies with second by Gary Jensen TO APPROVE THE LICENSE LIST REQUESTS FROM THE ROCKY MOUNTAIN ELK FOUNDATION, THE SOUTH DAKOTA BOWHUNTERS, INC., AND THE SOUTH DAKOTA WILDLIFE FEDERATION CAMO-COALITION AS PRESENTED. Motion carried unanimously.

Director Petersen presented a license list request from Rock Communications on behalf of Scheels Sports for a list of 5,000 fishing license holders to be used in a direct mailing. This is a full fee request.

Motion by Dennert with second by Phillips TO APPROVE THE LICENSE LIST REQUEST FROM ROCK COMMUNICATIONS AS PRESENTED. Motion carried unanimously.

Department sponsored Legislation

Director Hofer presented SB 50 which is the bonding bill for $11 million of improvements at Custer State Park (CSP) and $500,000 for production of a film to be used in the new CSP Visitor Center. Hofer outlined how the bond will be repaid if passed by the 2015 Legislature. Director Petersen shared information on the bonding process and that the use of general funds will help acquire low bond rates when other state entities have projects that will require bonds as a funding source.

Director Leif presented and gave background information on SB 49 for the transfer of Department owned railway right-of-way to the City of Deadwood; SB 48 to is require lights on personal watercraft same as other boats and watercraft; HB 1054 will establish consistent fur dealer record keeping and inspection requirements for resident and non-resident fur dealers; and HB 1053 is to repeal or revise and clean up some outdated statutes.

Director Hofer stated that Representative Werner introduced a bill to allow the use of bullheads as a bait fish; and the Governor has included a $1.5 million special appropriation in the FY15 Budget for the Conservation Fund established from the Pheasant Habitat Work Group recommendations.

OPEN FORUM

Steve Nelson of Pierre showed photos of geese at the elevator corn pile in Pierre and believes these geese would be out in the country for hunters and stated that Capitol Lake also holds geese from hunters and he would like to something done. Nelson shared that the kids hunt is scheduled for this weekend and thanked the Department for efforts to make this hunt happen.

PUBLIC HEARING

The Public Hearing began at 1:56 p.m. and concluded at 2:42 p.m. The minutes of the Public Hearing follow the minutes of the regular meeting.

FINALIZATION

Use of hounds for mountain lion hunting outside the Black Hills 41:06:61

Director Tony Leif presented the Department's recommended changes to the proposal to allow dogs to be used for mountain lion hunting outside the Black Hills Fire Protection District as petitioned from Brad Tisdall. The Commission accepted the petition and proposed the change at the December 2014 meeting. Leif indicated the Department supported the petition be accepted as a proposal; and that the Department would bring recommend changes at this time. Leif stated that these recommended changes are within the scope of the proposal and public hearing notice.

Chief Kirschenmann shared the process on how the recommendations were developed which included consideration of trespass issues, private land and landowner considerations, the checkerboard of private and public land ownership, and use of dogs when hunting bobcats and the bobcat season dates.

Kirschenmann read and explained number five of the modified recommendation indicating that Walk-In-Areas are land held in private ownership and that permission from the landowner would be required to pursue a lion using dogs.

Motion by Barry Jensen with second by Dennert TO INCLUDE THE WORDS "YEAR ROUND" IN RECOMMENDED CHANGE (5) TO CLARIFY THE SEASON. Motion carried unanimously.

Modify 41:06:61:06. Application requirements -- License and season restrictions -- Special conditions -- Carcass check-in procedures. The following requirements, restrictions, special conditions, and procedures apply to all applications for license and to all licenses issued under this chapter:

(1) Only residents of the state may apply for a license;

(2) No person may harvest more than one mountain lion in a season;

(3) No person may harvest or attempt to harvest a mountain lion with a spotted coat (kitten) or any mountain lion accompanying another mountain lion;

(4) ~~Except those specified hunting intervals in Custer State Park that allow the use of dogs, no~~ No person may hunt mountain lions with the aid of ~~dogs,~~ traps~~,~~ or bait;

(5) The use of dogs to hunt mountain lions is only allowed during those specified hunting intervals in Custer State Park that allow for the use of dogs and year round outside of the Black Hills Fire

Protection District on private land with permission of the landowner or lessee. However, a pursuit of a mountain lion by dogs that originates on private land may cross over or culminate on property owned by the Office of School and Public Lands or the United States Bureau of Land Management other than the Fort Meade Recreation Area.

~~(5)~~(6) No person may release dogs on tracks indicating multiple mountain lions traveling together;

(7) In Custer State Park, ~~A~~ a person using dogs shall attempt to harvest the first legal mountain lion they have a reasonable opportunity to harvest, except under the condition where the lion pursued shows obvious signs of lactation;

(8) Licensed hunters must accompany the dog handler when the dogs are released and must continuously participate in the hunt thereafter until the hunt is completed.

~~(7)~~(9) A person may use any firearm, muzzleloader, or bow and arrow established by statute or administrative rule as legal implements for the taking of deer;

~~(8)~~(10) Wind Cave National Park, Jewell Cave National Park, and Mount Rushmore National Memorial are closed to mountain lion hunting; and

~~(9)~~(11) All mountain lions harvested must be presented to a department representative within 24 hours of harvest for inspection.

Motion by Dennert with second by Phillips TO AMEND THE PROPOSAL AS RECOMMENDED BY THE DEPARTMENT AND MODIFIED (above). Motion carried unanimously.

Motion by Phillips with second by Barry Jensen TO ADOPT CHANGES TO THE MOUNTAIN LION HUNTING SEASON 41:06:61 AS AMENDED. Roll call vote: Dennert-yes; Barry Jensen-yes; Gary Jensen-no; Peterson-yes; Phillips-yes; Sather-yes; Spies-no; Cooper-no. Motion carried with five yes votes and three no votes.

PROPOSALS

2015 Hunting Season Dates

Chief Tom Kirschenmann presented the 2015 season dates for Commission consideration. The season dates were provided in the same format as used in the Hunting Handbook. The start dates are listed according to current rule and the waterfowl dates are within the current federal framework. The Department had no recommended changes. No action was required and no action taken.

Public Lands - Charles Mix County

Parks Assistant Director Bob Schneider presented a recommended change to Use of Parks and Public Lands to expand the area within North Point Recreation Area in Charles Mix County that is restricted to shotgun and archery hunting. A map showed the current restricted area and the requested change that comes from residential expansion and the development of a private-owned campground adjacent to the park. The recommendation comes from the Parks Division, the Wildlife Division, and the Law Enforcement staff for public safety reasons.

Motion by Gary Jensen with second by Barry Jensen TO PROPOSE CHANGES TO USE OF PARKS AND PUBLIC LANDS AS RECOMMENDED. Motion carried unanimously.

Public Waters - Butte County

Schneider presented two recommended changes to public water zoning at Rocky Point Recreation Area. The first will adjust the "no wake zones" at the boat ramps and the second is the designating of a "public swimming zone."

Motion by Peterson with second by Phillips TO PROPOSE CHANGES TO PUBLIC WATER ZONING AS RECOMMENDED. Motion carried unanimously.

Special Buck Licenses

Chief Tom Kirschenmann presented Special Buck Licenses for 2015 with no recommended changes. Background on the process used to determine the numbers of licenses was provided by Kirschenmann. The number of 2015 West River Special Buck licenses for residents and non-residents are 500 each; and the 2015 resident East River Special Buck licenses were reduced to 556 according to current rule. No action was required and no action was taken.

Refuges

Chief Kirschenmann presented a recommended change to remove the Cottonwood Lake State Waterfowl Refuge designation in Sully County and open the area to waterfowl hunting. Adjacent landowners and the local sportsmen and women had no opposition with this change.

Motion by Peterson with second by Dennert TO PROPOSE CHANGES TO REMOVE COTTONWOOD LAKE STATE WATERFOWL REFUGE AS RECOMMENDED. Motion carried unanimously.

Boat transportation requirements and Aquatic Invasive Species (AIS)

Chief John Lott presented recommended changes to clarify and assist with efforts to minimize or slow the spread of Aquatic Invasive Species in South Dakota waters as recently seen in the Angostura Reservoir and Lewis and Clark Lake. The changes include the reducing or minimizing the transfer of water that may contain invasive plant or aquatic species between water bodies by requiring drain plugs and related devices to be open or removed from boats during transportation with exceptions.

Assistant Director Arden Petersen outlined the need to educate and communicate with the public about these changes; this may include enforcement with a warning and this will be an opportunity to educate the public. Fines will need to be established by the court system.

1. Modify **41:10:04 "Aquatic Nuisance Species."** to change all references of aquatic nuisance species to aquatic invasive species.
2. Modify **41:10:04:01. "List of aquatic nuisance species."** to remove a redundant "and" and to add Common Reed, *Phragmites australis*, to the list of aquatic invasive plants.
3. Modify **41:10:04:03. "Watercraft restrictions."** to allow law enforcement officers to require the removal of vegetation and all aquatic invasive species from a boat, and to require that all drain plugs and related devices be opened or removed from all boats when being transported with exceptions for entering and exiting the water, emergency response

vehicles, and boats and livewells while on lands owned, leased, controlled, or managed by the department or other government entity adjacent to the water.

4. Add **41:10:04:05. "Aquatic invasive species containment waters."** This rule will give the secretary the authority to declare a waterbody an aquatic invasive species containment water, describes the conditions that would necessitate this action, and outline department responsibilities.
5. Add **41:10:04:06. "Water transport restrictions."** This rule will prohibit the transportation of water and aquatic bait from a water access area or adjacent land owned, leased, controlled or managed by the department.
    a. Provide an exception for tanks or containers:
        i. used as part of research and management activities
        ii. storing potable drinking water, beverages or food intended for human consumption or a component of a marine sanitary system
        iii. used by those authorized by the Department to commercially harvest and/ or transport bait or fish in accordance with that license
    b. Allow up to five gallons of vegetation free water to be .possessed for transport of bait and fish away from waters not considered aquatic invasive species containment waters.

Motion by Gary Jensen with second by Spies TO PROPOSE CHANGES TO SPECIAL MANAGEMENT CATEGORIES AS RECOMMENDED. Motion carried unanimously.

Discussion continued about the efforts of Aquatic Invasive Species that include the problems Minnesota and Wyoming are seeing and the information on their websites; the impact of boaters from neighboring states on South Dakota waters; water quality concerns; boat inspections; impacts on fish and waterfowl; stakeholders and their concerns; and AFWA and WAFWA resources.

Motion by Jensen with second by Spies TO FORMALLY REQUEST THE DEPARTMENT AND STAFF TO LEAD THE WAY AND STUDY AIS ISSUES AND TO INCLUDE OTHER STATE AGENCIES TO DEVELOP A WORKABLE AIS MANAGEMENT PLAN (SIMILAR TO WMI DIRECTION FOR BIG GAME MANAGEMENT) AND PROVIDE AN UPDATE AT THE MARCH MEETING. Motion carried unanimously.

On Friday morning, Spies commented on the great job of placing AIS signs at boat ramps and suggested signs be posted at bait stations, gas stations, and car washes that are consistent with signs at the boat ramps as a reminder to anglers about AIS concerns.

DIVISION OF PARKS AND RECREATION

Lewis and Clark Marina RFP

Concession Manager Sean Blanchette and Lewis and Clark Recreation Area Regional Supervisor Jeff VanMeeteren introduced Chris and Karen Donlin, Russ Marsh, and Heath Denny. Blanchette stated one proposal was received from Chris Donlin in response to the Request for Proposal (RFP) for the Lewis and Clark Marina. The

proposal met all requirements in the RFP including financing commitment, personal experience and resume, required financial statements, restaurant-operator solicitation plan, and customer service philosophy as well as supporting documents.

Chris Donlin, owner of Donlin Marina at Pickstown, shared his family's history in the Pickstown area as well as his background as owner-operator of his boat sales and service business. Donlin expressed his enthusiasm for Lewis and Clark Marina and feels that his service background will fit well at the Marina. Donlin agreed with the Department on a plan to identify and retain a qualified vendor to run the restaurant.

Blanchette presented and discussed the draft lease which included terms agreed to in addition to those advertised in the RFP which included a higher Repair and Maintenance percentage and a Personal Property replacement reserve that was not required. Additional changes included a requirement for a boat tow service; due dates for C-store improvements; service storage yard clean up and new fencing; gas dock renovations including fuel pump upgrades and courtesy fingers; required customer service survey; modified valuation process of intangible items and the liquor license at the end of the lease; and the development of a restaurant operator solicitation plan that includes a contingency operation plan for the restaurant should an operator not be identified for 2015.

Sean Blanchette indicated that Commercial State Bank has provided full written commitment for the financing of the entire purchase amount. The bank agrees to the terms of a Collateral Assignment with the Department. However, in order to meet bank criteria, an updated appraisal is required as the 2013 fall appraisal is more than a year old. The appraisal is anticipated to be complete in roughly four weeks with closing to take place as soon as possible thereafter.

Blanchette presented Resolution 15-01 for Commission consideration which would accept Donlin's proposal; approve the proposed lease agreement with Donlin; and authorize Parks Director Hofer to execute the lease with Donlin upon finalization of financing and closing of the sale of the marina assets. Blanchette recommended Commission approval of Resolution 15-01.

Motion by Gary Jensen with second by Peterson TO APPROVE RESOLUTION 15-01 AS PRESENTED (Appendix A). Motion carried unanimously.

Chairman Cooper introduced Kelly Hepler and his wife Carol to the Commission. Kelly Hepler was recently appointed by Governor Daugaard as the Game, Fish, and Parks Department Secretary. Hepler indicated he has been visiting Pierre this week and is comfortable being back in South Dakota. He will return in March and looks forward to the next Commission meeting.

Chairman Cooper called a recess at 5 p.m. to resume at 8 a.m. the next morning. The meeting resumed at 8 a.m. on Friday, January 16, at the same location. Commissioners Cooper, Peterson, Barry Jensen, Spies, Gary Jensen, Phillips, and Dennert were present. Sather did not join the meeting by conference phone. Approximately thirty public, staff, and media were present.

Cedar Shores Stabilization Project

Director Doug Hofer indicated the Cedar Shores stabilization project was a $10 million project involving several partners and funding sources. Assistant Director Al Nedved gave a PowerPoint Presentation showing construction progress of the two main components: the first being the resort and marina soil stabilization project: and, the second is the road stabilization project being administered by South Dakota Department of Transportation (DOT). Currently, the resort/marina stabilization project is 87% complete with substantial completion expected about January 16. The road stabilization is 64% complete and will resume in the fall of 2015 when water levels recede. The Marina did remain open during the summer although congested at times with construction and equipment. All indicators are showing a successful project as the fall draw down of water is showing minimal soil movement. The 2015 remaining work includes site work, repairs to the parking lot, replace the marina bulkheads, stabilization of the access road, and reconstruction, grading, sodding, and repair of the north marina shoreline.

Custer State Park Building Committees

Director Hofer provided a handout of the Custer State Park Visitor Center that will be used advertised later this month for contractors to build the structure. Hofer indicated the building committee unanimously selected the design which includes the guaranteed maximum price to build.

Hofer indicated a new building committee is needed for the improvements proposed in the CSP Resort Master Plan and the amendment to the concession agreement the Commission approved last month. Senate Bill 50 provides the authority for the Department to bond $11.5 million for these projects and has been introduced to the 2015 Legislature. The design and construction of these projects will require hiring an architect and Construction Manager at Risk (CMR) to provide a guaranteed maximum price (GMP). In order to meet the schedule for bond repayment, the Department has begun soliciting proposals for architectural and CMR services. Selection of an architect and CMR will require Building Committee approval The Department plans to have selections ready upon Legislative approval of SB 50 and the FY16 Budget so that final design can be determined for fall of 2015 construction. The revenue-producing components of the plan are critical for 2016 bond repayment schedule.

Chairman Cooper appointed W. Scott Phillips as the GFP Commission representative on the Custer State Park Bond Building Committee.

Parks Revenue and Visitation Report

Director Hofer indicated the 2014 camping calendar year set a new record with 290,279 camping units. The 2014 calendar year revenue was up 10.4% with visitation up slightly at .3%.

Miscellaneous

Assistant Director Schneider stated that USD developed a leadership program for the Parks Division that consists of a 40-hour program to be completed over a two-year timeframe. The leadership program will accommodate thirty staff from the district, regional, and Pierre offices. There are three goals of the training: leadership in public

service, building relationships, and leading large groups of people within government agencies.

DIVISION OF WILDLIFE

Elk Management Plan

Chief Kirschenmann shared that a schedule change was made to the approval of the Elk Management Plan due to the South Dakota Stock Growers request for additional time to comment. The public comment period was extended to February 6 moving the final draft revisions to the end of February. Chad Switzer outlined additional public outreach and comments received. Kirschenmann outlined a plan for contingency licenses, revisions to the final plan, and the timeline of distribution to the Commission before the March meeting.

Black Hills angler opinion survey results

Dr. Cindy Longmire presented the objectives, sample design, methods, and results of responses to the 2014 Black Hills Angler Opinion Survey. Longmire reported the respondent demographics, importance of fishing in the Black Hills, and the preferred species factors for their fishing experience. Results included their importance of their experience and their satisfaction while fishing on large reservoirs, small ponds, streams, and catch-and-release areas as well as items needing improvement.

Sub-plans for Black Hills streams and reservoirs

Greg Simpson and Jake Davis outlined how the management sub-plans fit under the Statewide Management Plan; how they fit together with the objectives and strategies of the Statewide Plan; and then into operations. Simpson talked about the Black Hills Reservoirs and Davis shared about the streams. They outlined considerations which included updating publications, access, operation changes, public demand or angler desires, management options, stream management index, watersheds, hatchery support, and timeline of public comment before Commission consideration.

Fish stocking 101

Dave Lucchesi gave a PowerPoint Presentation on fish stocking indicating this is the most popular management activity because of the immediate effect it can have on a lake. Additional information included hatchery locations, the use of rearing ponds, trap and transfer activities, public perception of stocking, fish hatchery production for 2013 by species and types of stocking, and the evaluation of stocking efforts.

Lake Oahe fishery update

Mark Fincel provided an update using a Power Point Presentation with results of the survey of open water and near shore prey fish, survey of walleye using gillnets, and creel catch and harvest surveys on Lake Oahe. The summary indicated high warm water prey fish are abundant; improved cold water prey fish; increase growth and condition of walleye; and an increased abundance of walleye less than fifteen inches.

Fincel provided similar information for Lake Sharpe indicating prey fish is abundant, walleye population is down and their condition is rated as stable. Angling pressure on Lake Sharpe is above average with catch and harvest rates remaining average for Lake Sharpe.

Habitat team efforts and accomplishments

Paul Coughlin presented a PowerPoint Presentation about the South Dakota Habitat Forever Habitat Specialist program. GFP has limited resources for habitat management and that includes human resources. Habitat Forever provides specialist teams and with their efforts, contribute greatly to increased and improved habitat on Department properties.

Matt O'Connor from Pheasants Forever indicated the Habitat Forever program provides four specialists in South Dakota. The duties of the Habitat Specialists were outlined using photos that included food plots and the varieties of plantings used on the food plots; photos of tree removal, prescribed fire burns, and noxious weed control all used to improve habitat conditions. Duties also include fencing and signing projects to help define boundaries to assist sportsmen. O'Connor stated that communication between GFP staff and Habitat Forever Specialists is outstanding and that it makes this program a success.

Non-resident waterfowl working group update

Director Leif indicated the December 29, 2014, meeting of the non-resident waterfowl work group was attended by all participants. The most important item discussed was a Charter indicating the responsibilities of the work group. The work group was formed at the direction of the Senate Ag Committee during the 2014 Legislative Session. Leif indicated the work group was comfortable with the Charter thus realizing they are simply an advisory group. They saw two PowerPoint Presentations that the Commission will see at a future meeting. The presentations outlined changes made in state statues that led to the transfer of authority to the GFP Commission. The work group began discussion of alternatives that included the use of a flow chart showing the current license allocation system. Consolidation and simplification of rules for licenses will be considered. The development of regulations using the Wildlife Commission Rule Development process is important as the Department desires staff be engaged with the working group for development of the recommendations. Comments will be received from the pubic with the use of email, the GFP Website, and written letters can be sent to the Pierre office. Leif indicated it will be a challenge to develop recommendations for Commission consideration that will be acceptable to all the interested constituents and provided a possible timeline.

Representative Dick Werner stated he was optimistic and encouraged after the first meeting. Ducks, geese, and access are the big issues for the work group.

DOW Annual Report

Director Leif handed out the Division of Wildlife 2014 Annual and 2014 Private Lands Habitat and Access Reports. These reports were developed and created by staff and will be used during the Legislative session to assist staff and Legislators in

understanding the Division of Wildlife. The reports are posted on the GFP Website. The 2015 Fishing Handbook was handed out as well.

License Sales Report

Chief Scott Simpson presented the 2014 Resident Year-end Sales Report indicating the fishing license sales increased and remain strong. The Migratory Bird Certificate sales show a third year of increased sales. Deer license sales were down as expected due to the decreased number of license available; however, all licenses including antlerless tags were sold. While antelope and elk licenses remained steady the turkey license sales showed a slight decrease.

Simpson indicated the 2014 non-resident license sales for pheasant hunting showed a five-percent increase over 2013. The non-resident fishing licenses were strong and big game licenses were lower as expected due to fewer licenses available.

The 2014 Fiscal License Sales Totals information showed the actual revenue of $27,455,134, almost $2 million lower that the projected revenue, and yet above the revised estimate of revenue for 2014.

Miscellaneous updates

Chairman Cooper requested consideration of a Governance meeting possibly with the June meeting.

Motion by Phillips with second by Peterson to adjourn the meeting. Motion carried and meeting adjourned at 12:04 p.m.

Respectfully submitted,

Douglas Hofer, Acting Secretary

Appendix A

RESOLUTION 15 - 01

WHEREAS, in accordance with ARSD 41:13, the Game, Fish, and Parks Commission (Commission) has authorized the Department of Game, Fish, and Parks (Department) to issue and advertise a prospectus for the lease and operation of the Lewis and Clark Marina concession located within Lewis and Clark Recreation Area;

WHEREAS, the Department received one proposal in response to the aforementioned prospectus from Mr. Chris Donlin of Pickstown, South Dakota; and

WHEREAS, the Department has determined that the proposal submitted by Mr. Donlin meets the prospectus criteria and draft lease minimum requirements set forth by the Commission; and

WHEREAS, Commercial State Bank of Wagner, South Dakota, has provided a written commitment to Mr. Donlin for financing of the full purchase amount of the Lewis and Clark Marina assets; and

WHEREAS, the finalization of the loan is contingent upon the bank obtaining an updated appraisal of the assets utilized in conjunction of Lewis and Clark Marina as well as the execution of a Collateral Assignment to which the Department would be a signatory; and

WHEREAS, the Department desires to accept the proposal and enter in to a concession lease agreement with Mr. Donlin for the operation of Lewis and Clark Marina for a term of ten years provided that all remaining financing contingencies are met and the sale and transfer of the Lewis and Clark Marina assets from current owner Russell Marsh to Christopher Donlin is finalized; and

NOW THEREFORE, BE IT RESOLVED, that the Commission does hereby accept the proposal received from Christopher Donlin to provide marina, retail, service, restaurant, and other concession services at Lewis and Clark Recreation Area; and further, approves the proposed Concession Agreement and authorizes and directs Parks and Recreation Director Douglas Hofer to execute the same upon finalization of the financing and consummation of the sale and transfer of the Lewis and Clark Marina assets to Christopher Donlin.

Public Hearing Minutes of the Game, Fish, and Parks Commission
January 15, 2015

Public Hearing Officer Scott Simpson began the public hearing at 1:56 p.m. at the RedRossa Convention Center in Pierre, South Dakota. Simpson indicated the item listed under Finalization regarding the use of hounds for mountain lion hunting outside the Black Hills is now open to public testimony. Brad Tisdall petitioned the proposed rule change prior to the December 2014 meeting. The Commission accepted the petition at the December 2014 meeting. All written and email comments have been provided to the Commission and are included in the minutes.

Use of hounds for mountain lion hunting outside the Black Hills

Oral testimony:

Brad Tisdall stated he submitted the petition to the Commission in order get to this point of the rule making process. Tisdall supports the change because it is a good tool for landowners and the South Dakota Houndsmen Association (SDHA). Tisdall stated that the SDHA is not interested in a wide-open hound season in the Black Hills and that this is not a stepping stool for hound hunting in the Black Hills. He stated because the Department is not interested in managing lions outside the Black Hills; then let the landowner decide how to manage lions on their land.

Curtis Foster of Britton, SD, asked for support to use hounds outside the Black Hills.

Reed VanDevoort of Piedmont, SD, stated he is a rancher, a member of SD Houndsmen Association, and a member of the Montana Houndsmen Association. He shared that eight years ago he had fresh weaned calves and they broke out of a corral and took out five fences; he lost two calves and repaired the fence and with lack of peace of mind as to what was spooking the calves. VanDervoort stated that two years later he had the same situation and lost one calf and another with a broken shoulder. The calves were out on county road and a car hit one. In both incidents, there were lion tracks nearby and this is a concern to west river ranchers. Lions just walking by will spook the cattle and landowners want Commission assistance to determine how to harvest the lions.

John Hauger of Deadwood, SD, said he opposes this whole thing and has been watching for lion tracks and is hunting and seeing no lions. Hauger referenced #3 of finalization and believes GFP has the resources to manage the lions, and does not want dogs loose to hunt lions. Dogs are not necessary to hunt lions.

Silvia Christen of Rapid City, SD, of the SD Stock Growers Association, and representing ranchers across the state, stated that generally the Association supports the use of dogs to hunt lions especially when killing or spooking livestock. This is a good tool to assist ranchers and appreciates the permission basis for hunting on private land as outlined in the rule. Hunting dogs can sometimes spook livestock when hunting wildlife other than lions. This proposal addresses the issue of hunting on public lands with dogs; it is a good middle ground to assist ranchers and producers.

Ross Rohde of Rapid, SD, stated he fully supports the use of hounds on private land outside the Black Hills. This is a good law for landowners as it is their land and a

way to address a problem cat. It is very difficult to track a cat without snow and a dog would assist with it. This is a good rule and trespassing is not a real issue here.

Nancy Hilding of Black Hawk, SD, representing the PHAS, also submitted a letter. Hilding stated they want GFP to limit this on public lands and wants to talk to the hound hunters present today as well. Hilding reference the SD Management Plan and believes there is no documentation that lions do not establish populations on tribal lands and the need to table this proposal and direct staff to communicate with tribes. Communication is poor between the tribes and the GFP on mountain lions.

Senator Betty Olson of Prairie City, SD, indicated she sponsored the mountain lion legislation last year which passed the House and stalled in the Senate and lost. She likes the original proposal as presented in December on the GFP Website and does not like the current finalization sheet and read item (5) on finalization sheet. She wants hounds to be used on the public land in her area.

Representative Betty Olson stated she wanted the public lands statement removed from the recommended changes and to leave it as presented initially on the website or she may have to bring a bill to the Legislature; especially if passed in current finalization form. Discussion ensued regarding documented problems in the northwestern corner of the state, current incidents, and that Representative Olson stated she believes lions are a danger to her and her family.

Chris Hesla of Pierre, SD, representing the SD Wildlife Federation testified that they opposed original proposal but with the change of public land they now support it.

Paul Lepitso of Pierre, SD, represented the President of the South Dakota Division of the Izaak Walton League of America and read a letter from League stating their opposition to the proposal.

Mike Ferris of Pierre, SD, testified that he is opposed to all of this and a mountain lion is a trophy hunt and that he also submitted a letter. He indicated that GFP has a dog that will hunt lions and that it takes a short time to locate the lion. He stated he is opposed to killing kittens and the people safety is important; and no one in SD has been hurt or killed by lions but have with dogs. There is no sport of hunting a lion in tree that can go nowhere and then shoot it. He believes there is no need to kill lion not hurting livestock or people and that lions travel miles and roam a long ways.

The public hearing concluded at 2:42 p.m.

Written testimony:

Jim and Teresa Hale of White Owl, SD, emailed: "We support dog use for lion hunting. We are concerned ranchers."

Charles Spring of Union Center, SD, emailed: "I am in favor of using dogs to hunt mountain lions in all of SD except for Black Hills Fire Protection District. I hope this is a year round season."

Jennifer Langager of New Underwood, SD, emailed: "I live in rural western South Dakota; I am in complete favor of using dogs for the purpose of hunting mountain lions."

Donald Hofer of Miller, SD, emailed: "...I strongly feel that dogs should be allowed while hunting mountain lions in our state of South Dakota. Please consider the use of dogs."

Judy, Bill, Casey, and Carl Gifford of Rapid City, SD, emailed: "We support dog use for lion hunts outside the hills."

Beth Haivala of Rapid City, SD, emailed, "...Allowing hunting with dogs would ensure that balance and create some safety benefits to peoples and other animals."

Randy W. Ellis, of Piedmont, SD, emailed, "I am writing to you to add my voice and vote to the proposal allowing hunters to use dogs in the pursuit of mountain lions in the state of South Dakota."

Willie Hasart of Saint Lawrence, SD, emailed: "I vote for dogs to be used in Hunting Mt. Lions in SD."

Forrest H. Cain of Whitewood, SD, emailed: "I am sending this email in regards to the pending issue of allowing hounds for lion hunting outside the hills here in South Dakota. I can't think of any good reason why this measure would not be passed...I fully endorse the use of hounds for hunting mountain lions in this state."

Adamk Karrels of Sturgis, SD, emailed: "...I feel this would be a beneficial addition to SD lion hunting. This would be a great tool for ranchers...I feel that this option deserves consideration and would benefit, not only the State, but the Rancher, as well."

Bob Bertolotto of Sturgis, SD, emailed: "I just want to state my support for using dogs for lion hunting in SD..."

Ross Rohde of Rapid City, SD, emailed: "...I am in favor of the use of dogs on private land for tracking mountain lions..."

Travis Theel of Rapid City, SD, emailed: "...I believe by allowing the use of dogs outside of the Black Hills, we as avid hunters/conservationists could help keep the prairie mountain lion numbers down..."

Christopher Alan Wells of Custer, SD, emailed: "I would like to express my strong support for the legalizing the use of hounds for mountain lion hunting in South Dakota."

Penny Maldonado of The Cougar Fund emailed: "I ask you to please reinforce that SDGFP responds to "facts" when they make their decisions. In this case there do not seem to be any facts to support the use of hounds."

Randy Meyer of Oacoma, SD, emailed: "I support hunting mt lions with dogs in the state of South Dakota..."

Kathleen Tagher of Sonoma, CA, emailed: "There is no justification for this expansion of hound hunting..."

Kalli Vasknetz of Sturgis, SD, emailed: "I support the use of dogs for hunting in South Dakota."

Ron Merwin of Piedmont, SD, emailed: "I am in support of using dogs to hunt mountain lions..."

Nicole Edmonds, of Prescott Valley, AZ, emailed: "I oppose South Dakota hound hunts for mountain lions..."

Mark C. Carstensen of Sturgis, SD, emailed: "I am writing in support of the Commissioners to vote in favor of allowing hunting dogs with hunting mountain lions..."

Robert Dennis of Red Owl, SD, emailed: "I am writing to express my support for the proposal to allow the use of hounds in hunting mountain lions outside the Black Hills...Please vote yes on this proposal."

Mike Sneesby of Lead, SD, emailed: "I'm writing this email in favor of letting dogs be allowed to chase mountain lions both on the prairie and in the Black Hills Forest District..."

John Simpson, of Pierre, SD, emailed: "I oppose the use of hounds for mountain lion hunting outside the Black Hills..."

Teri Kinsley of Murdo, SD, emailed: "I support the mountain lion hunting with dogs."

Paul Sheets of Rapid City, SD, emailed: "...please consider the use of hounds to harvest mountain lions outside the BH Forest District..."

James H. Shaw, Jr. and Jodene Shaw of White Owl, SD, emailed: "...we support the use of hounds for mountain lion hunting outside of the Black Hills..."

Adrian M. Forrette of Rapid City, SD, emailed: "...But let's be forthright about something: Isn't Brad Tisdale, with his petition, asking the state to sponsor torture and environmental terrorism?.."

Jacqui Kouf of Brookings, SD, emailed: "Hunting these cats like this is gross on many levels. This is not a management solution..."

Larry Nelson of Buffalo, SD, emailed: "I support using dogs to hunt mountain lions, as long as permission has been given by all private land owners in the area to be hunted...I also support hunting with dogs during the lion hunting seasons."

Darci Adams of Hartford, SD, submitted a letter from The Humane Society and stated in here email: "opposing the proposal to expand hound hunting of mountain lions statewide, specifically all areas outside of the Black Hills Fire Protection District."

Randy Hallock of Sturgis, SD, emailed, "I for one need to be counted on authorizing hound hunting for mountain lions on a state wide basis."

Cathleen A. Plaza of Spearfish, SD emailed: "...I am opposed to this proposal..."

Clark Blake of Belle Fourche, SD, emailed: "I am a rancher in southwest Harding County and have been having problems with a lion or lions spooking my livestock...I would ask you to let us use dogs to try to get these cats. We need to be able to use them on both private and public lands on a year round basis."

Clark Blake of Belle Fourche, SD, emailed: "...This is my second comment on this proposal...Please pass this proposal without any amendments."

Clay Baumung of Pierre, SD, emailed several reasons indicating that he opposes the use of dogs and hound hunting of wild animals.

Jan Zinkl of Denver, CO, emailed: "I was upset to hear that you are considering continuing the practice of using hounds to hunt mountain lions...Please stop it."

Gary Renner of Spearfish, SD, emailed: "...I am very much against this..."

Dean A. Hyde of Pierre, SD, emailed: "I oppose the use of hounds to hunt mountain lions..."

Bruce Blair of Piedmont, SD, emailed: "...I am writing this note in favor of using dogs to hunt lions on private property..."

Holly Blumer of Rapid City, SD, emailed: "I am totally against the use of using a dog to hunt for mountain lions..."

Wade Yost of Ree Heights, SD, emailed: "...As a rancher myself, I strongly support this..."

Wade Musick of Mitchell, SD, emailed: "I would like to express my support of the amendment to allow the use of dogs to be used to hunt Mt lions year round in all areas of the state located outside of the Black Hills Fire Protection District..."

David Utter of Piedmont, SD, emailed: "I am writing in support of the rule change...I would like to be able to hunt lions with dogs outside of the Black Hills."

Cathy Sotherland of Hot Springs, SD, emailed: "Please do not consider hunting lions with hounds! No at all sporting!"

Lynn Allan Hetlet of Oral, SD, emailed: "I am opposed to allowing year-round mountain lion hunting in SD..."

Rolf Kraft of Martin, SD, emailed: "I would only allow hounds to hunt lions if normal hunting does not provide adequate population control. Hound hunting compromises fair chase."

Kevin J. Hansen of Zell, SD, emailed: "...to voice my support for the use of hounds while hunting mountain lions..."

Rem and Marla McGeorge of Ree Heights, SD, emailed: "...hope you will consider allowing hounds to be used for mountain lion hunting..."

Neal R. McIntyre of Winfred, SD, emailed: "...I concur with the petition to use hounds for hunting."

Mike Brant of Piedmont, SD, emailed: "I think dogs should be allowed in mountain lion hunts in all parts of South Dakota..."

Nick Haase of Whitewood, SD emailed: "Using dogs to hunt mountain lions in South Dakota should be allowed because other states do..."

Tom Schmitz of Deadwood, SD, emailed: "I am writing to ask that you deny the petition to allow expanded use of hounds in hunting mountain lions in SD..."

Jim Scull of Rapid City, SD, emailed: "I believe this proposal has merit and should be passed...I don't see the down side of allowing sportsman this opportunity. I encourage you to give it a try; I believe it would work out just fine."

Leonard Wood of Pringle, SD, emailed: "People should be able to hunt with hounds both inside and outside the Black Hills..."

Jason Krick of Highmore, SD, emailed: "I support hunting mountain lions with dogs."

Dana C. De Witt of Yankton, SD, emailed: "I support the use of hounds outside the park to control mountain lion populations..."

Dr. Bob Woerman of Brandon, SD, emailed: "The use of hounds when hunting cougars or mountain lions gives the hunter a significant advantage compared to how cougars have been hunted in the past. Success rate of cougar hunting should be much greater. Escape by the cougar will be much less compared to how they are currently hunted. If hounds will be used to hunt cougars than cougar permits must be significantly reduced or the current population will be decimated. South Dakota will not have a cougar population to hunt. It seems the current cougar population is about correct based on reports of cougars visiting out of place locations as compared to a few years ago. South Dakota must currently have a reduced manageable cougar population."

Robin Snow of Renner, SD, emailed: "I am against the use of hounds for general mountain lion hunting outside of the Black Hills, with exceptions allowed in the case of a cat that presents a danger to livestock or humans."

Alan Dale Lekness of Sisseton, SD, emailed: 'I would like to see dogs used for mountain lion hunting outside of the Black Hills and in Eastern South Dakota for residents only."

Arlin Stratmeyer of Rapid City, SD, emailed: "Thank you for the opportunity to express support for the use of hounds to hunt mountain lions outside the Black Hills...Please vote in favor of this proposal."

Randy Schafer of Madison, SD, emailed: "I do support hunting lions with hounds outside the Black Hills."

Justin Deutsch of Langford, SD, emailed: "I believe hounds should be used everywhere including the Black Hills..."

Katie Day of Sioux Falls, SD, emailed: "I urge you not to expand the use of hounds to hunt mountain lions in the prairie..."

Steve Bulle of Keystone, SD, emailed: "I am writing to express my support for the Proposal to allow the use of hounds in hunting mountain lions outside the Black Hills..."

Carol Layton of Rapid City, SD, emailed: "...I am opposed to the proposal of hunting lions with dogs, and am asking you to think carefully about your decision."

Jil Jennewein of Rapid City, SD, emailed: "Please do not allow out-of-state[rs] to kill our mountain lions by tracking them down, hunting them down, with a pack of dogs year around...I am against this!"

Debbie Stangle of Box Elder, SD, emailed: " ...I don't claim to be either pro or anti-hunting, but in inhabited areas where there is obvious mountain lion activity there should be an allowance to use dogs to hunt mountain lions or at least help encourage them to move along into a more remote area."

Joan Fox of Tuscon, AZ, emailed: "Please do not allow this killing spree of God's beautiful beloved creatures."

Renee D. Alford of Escondido, CA, emailed: "...Please discontinue using hounds to hunt the lions in South Dakota..."

Nancy Barker of Hot Springs, SD, emailed: "Please vote down the proposal to allow mountain lions to be hunted down with packs of hounds year round or otherwise!..."

Lynn and Gardner Gray of Pringle, SD, emailed: "Please do not allow hounds for hunting mountain lions in South Dakota..."

Gwen E. Kaneshiro of Hot Springs, SD, emailed: "...I strongly object to this unfair and inhumane method of hunting as well as opening lion hunting to year round status. Please do not allow this to happen."

Helen McGinnis of Harman, WV, emailed: "To me, hound hunting is morally repugnant. But others disagree. I suggest a compromise. A contact list of hound hunters desiring to hunt lions on the SD Prairie could be maintained. If a professional determines that a lion has depredated livestock, the hound hunters could be notified and allowed to remove the offending lion. It is possible that the chase could get out of control, but that's not likely because there are so few lions on the Prairie, and not a single instance of livestock depredation has been confirmed there."

Wila Kent of Hot Springs, SD, emailed: "Please so (do) not use dogs to hunt mountain lions. I do not think it is a fair survivalist fight for the mountain lions."

Lon Sharp of Hot Springs, SD, emailed: "...I oppose the use of hounds in hunting lions in South Dakota because of the huge negative possibilities of lions crossing onto private property."

Wayne Patterson of Sturgis, SD, emailed: "...I am writing this email to inform you of my support of the legalizing of dog use on private property outside the Black Hills Fire Protection District..."

Suzan Nolan of Rapid City, SD, emailed: "...register me as an opponent of this barbaric idea."

Kym Waugh of Denver, CO, emailed: "The killing of mountain lions is despicable but to allow "hound hunting" is beyond the pale..."

Denise Maher of Rapid City, SD, emailed: "...There is no need to allow hunters with hounds on private property...No hounds please!"

Damon Ausmann of Rapid City, SD, emailed: "I am firmly opposed to the proposal to allow hounds hunting for mountain lions..."

Julie Anderson of Rapid City, SD, emailed: "...Please reject this proposal for allowing hound hunting in prairie areas of South Dakota."

Jeb E. Bordewyk of Black Hawk, SD, emailed: "Allow the use of dogs outside the Black Hills National Forest for lion hunting, please."

Lori Tetreault of Whitewood, SD, emailed: "I am adamantly against dogs being used to hunt mountain lions!..."

Melisa Rohm of Pittsburg, PA, emailed: "I am against expanded hound hunting of cougars..."

Jamie Fettig of Belle Fourche, SD, emailed: "I support hunting lions with dogs in South Dakota."

Dwayne Ice of Rapid City, SD, emailed: "I would like to express my support to a mountain lion season that would allow the use of dogs..."

Mitra Sabet of Atlanta, GA, emailed: "Please support: No hound hunting in the prairie region..."

Heath Hallum of Stonebluff, OK, emailed: "...I just cannot understand why an department of wildlife would allow hunters to use dogs to kill such an important part of the ecosystem..."

Heather Rider of Santa Fe, NM, emailed: "No hounding hunting. Please consider stopping this archaic function. It benefits on one. Animals deserve more respect."

Julie Pommer of Sioux Falls, SD, emailed: "Cougar Hunt. Please!! Let's keep SD natural, with wildlife. Nothing good has come of these hunts before..."

Patti Celovsky of Jackson, WY, emailed: "...Hound hunting is preposterous..."

Larry Beezley of Rapid City, SD, emailed: "I strongly oppose using packs of dogs to pursue or hunt mountain lions...Please do not allow prairie hunting with dog packs."

Roberta Rotherham of Sioux Falls, SD, emailed: "I believe this is a very cruel way to hunt..."

Marina Salazar of New York City, NY, emailed: "There is no justification for this expansion of hound hunting..."

Janette Herlinger of Wuppertal, Germany, emailed: "I was just informed about you considering whether to expand hound hunting to the Prairie Region in South Dakota...There is no justification for this expansion of hound hunting..."

Alissa Cohen of Scottsdale, AZ, emailed: "I am writing to you to beg you to not allow the expansion of hound hunting to the Prairie Region...I urge you to do the right thing here and never expand hound hunting..."

Deb Reis of Wilson, WY, emailed: "There is no justification for the expansion of hound hunting..."

Melissa McKibben of Centennial, CO, emailed: "Please, No Hound Hunting in the Prairie Region!..."

David Stadler of Seattle, WA, emailed: "I am writing to respectfully urge you not to allow hunting of mountain lions in the Prairie Region..."

Juliet Lamont of Berkeley, CA, emailed: "Please ban hound hunting!..."

Tara Vermillion of Sioux Falls, SD, emailed: "Please do not expand the hound hunting..."

Todd Ulmer of Ft. Lauderdale, FL, emailed: "I am writing to urge you to not approve hound hunting in the prairie regions of Cougars..."

Louise McGannon of Mitchell, SD, emailed: "I am writing to give you my opinion on your proposal of allowing hound hunting in our state. I am strongly opposed to it. I am hoping you will reconsider this proposal..."

Dr. Tom Huhnerkoch of Lead, SD, emailed: "...The dog issue is so complex and if you give an inch now soon they will want all hunting with dogs; that fact is inevitable."

Douglas "George" Prisbe of Lead, SD, emailed: "...Please do not approve the use of dogs in the killing of mountain lions."

James Gingras of Piedmont, SD, emailed: "...My hope is that you allow the use of dogs to track mt. lions."

Mr. Lynn Namminga of Deadwood, SD, emailed: "Shooting animals that run up a tree to get away from a dog is not hunting...Please don't allow this sorry practice to be legitimized."

Shari Crouch Kosel of Lead, SD, emailed: "I am adamantly opposed to hunting lions with the use of dogs..."

Carol Lauck of Rapid City, SD, emailed: "Please do not allow dogs in the hunting of mountain lions..."

Chad Blair of Vale, SD, emailed: "As a land owner in Meade County, I would like to voice my support of using dogs to hunt lions in South Dakota..."

Lucinda Schuft of Hot Spring, SD, emailed: "I am not opposed to this type of hunting in general, but you are letting it be done in the wrong area of the state. Seriously, the Black Hills Fire Protection Area makes the most sense because there are areas to tree the lions..."

Aaron Thurber of Ellendale, ND, emailed: "I would like to express support for the use of hounds while hunting mountain lions in South Dakota..."

Ryan Cordell of Camp Crook, SD, emailed: "...I encourage you to allow the use of hounds on all lands, both public and private, outside the Black Hills Fire Protection Zone..."

Denise Peterson of Kentwood, MI, emailed: "Please do not expand hound hunting in the Prairie Region or anywhere in South Dakota..."

Jean Matthesen of Custer, SD, emailed: "absolutely do not allow using dogs for mountain lion hunting..."

Kisha Burgardt of Wichita, KS, emailed: "Please take time from your day to imagine being chased to your death for no reason. Hound hunting is so very cruel and since we are all well aware of this it would be very kind of you to follow what you know is ethical and appropriate..."

Stephanie Jochum-Natt of Salt Lake City, UT, emailed: "I am writing to express my disappointment and opposition to your proposal to increase hound hunting of cougars in your state..."

Tara Ashmore of West Yellowstone, MT, emailed: "There is no justification for this expansion of hound hunting..."

Joanne White of New York City, NY, emailed: "I am writing to ask you to stop all Hound Hunting of Cougars in South Dakota..."

Megan Tenney of Billings, MT, emailed: "I'm a concerned citizen who wishes to speak my mind about the killing of mountain lions. Please let the natural course of nature take place. Please don't allow the treeing of hounds and killing..."

Stephanie Farac of Novato, CA, emailed: "No hound hunting of cougars..."

Jeannie Wiggins of Berea, OH, emailed: "Stop the mountain lion hunt."

Dawn Freidel of Corsica, SD, emailed: "I am sending this to voice my opposition to the use of hounds in hunting mountain lions..."

Paul Steiger of Sturgis, SD, emailed: "I live in Meade County. I am very much in favor of hunting mountain lion using dogs."

Mickie Hortness of Rapid City, SD, emailed: "I am writing to you today to voice my opposition to the use of hounds in mountain lion hunting..."

Dr. John W. Laudre' of Idyllwild, CA, emailed: "...I am writing you at this time to express my disapproval of the proposal to allow the use of hounds to hunt mountain lions in the prairie areas of South Dakota..."

Sara Parker of Sioux Falls, SD, emailed: "...I strongly oppose the use of dogs in hunting mountain lions..."

Joseph M. Kosel of Lead, SD, emailed: "I vehemently oppose the proposal to allow dogs in mountain lion hunting on the prairie."

Kim Sargent Forgey of Pierre, SD, emailed: "...I do not oppose the hunting of mountain lions. I think it should be allowed, regulated, and monitored..."

Marlene Haivala of Piedmont, SD, emailed: "I feel that hunters hunting mountain lions should be able to use dogs...Please vote for the use of dogs."

Evelyn Provell of Rapid City, SD, emailed: "I strongly oppose allowing hunting dogs to track mountain lions..."

Phil and Linda VanDervoort of Piedmont, SD, emailed: "...We feel the ability to allow lion hunters using dogs on our property could help us protect our stock, especially freshly weaned calves."

Casey Ellerton of Custer, SD, emailed: "I am in strong support of the use of hounds for lions on private lands."

Shanon Ellerton of Custer, SD, emailed: "I would very much like to see the use of hounds for hunting lions on private land."

Rudy Niewenhuis of Corsica, SD, emailed: "I am 100% in favor of the use of hounds to pursue mountain lions..."

Judy Love of Custer, SD, emailed: "Please do not allow the hunting of mountain lions with hounds on the Prairie Unit..."

Zach Delange of Corsica, SD, emailed: "I think it is a good idea to hunt them with hounds because we keep seeing them around the land we have cattle on by Pickstown and Platte..."

Dorothy O'Connor of Lead, SD, emailed: "I strongly oppose the use of dogs in hunting mountain lions..."

Patty Jenkins of Brandon, SD, emailed: "I oppose the use of Dogs to hunt Mountain Lions..."

Cody Weyer of Howes, SD, emailed: "I'm for hunting lions with dogs."

Aaron Brewer of Pierre, SD, emailed: "I'm sending this email in support of the use of dogs while hunting Mt lions..."

Clint Oedekoven of Sturgis, SD, emailed: "Would like to see a season for lion hunting with dogs on private land."

Rick Hanson of Spearfish, SD, emailed: "I believe that the use of dogs for hunting mountain lions, outside the Black Hills is a good idea..."

Anya Mueller of Rapid City, SD, emailed: "...I am opposed to using dogs in hunting process."

Jeff and Jodi Sleep of Spearfish, SD, emailed: "We are writing in support of the use of dogs in hunting mountain lions outside of the Black Hills Fire Protection District..."

Kyle Brown of Sturgis, SD, emailed: "I have a ranch east of I90, I think the use of dogs over here to hunt should be allowed..."

Shane Niewenhuis of Corsica, SD, emailed: "I hear you are asking for input on hunting lions with dogs. I am in favor of it..."

Mike, Kim, Hunter, Drake, Reed, and Gage Lindberg of Keystone, SD, emailed: "We are in full support of hunting mountain lions with dogs outside the Black Hills..."

Riley Niewenhuis of Corsica, SD, emailed: "...I believe we should be able to pursue the lion with hounds to take care of the problem..."

Chris Meland of Sturgis, SD, emailed: "I support the use of dogs for hunting mountain lions because of the loss of deer and elk population in the Black Hills and western South Dakota."

Curt Wood of Sturgis, SD, emailed: "Please allow dogs to hunt lions in the Black Hills, the elk population is dwindling!"

Jamie Al-Haj of Rapid City, SD, emailed: "...I strongly oppose allowing dogs to hunt mountain lions..."

Ethan Ernest of Winner, SD, emailed: "I would like to express my feeling on the use of hounds to hunt lions outside of the Black Hills. Using hounds is unarguably the best and safest way to hunt lions..."

Patricia and John Fink of Hills City, SD, emailed: "...We are vehemently opposed to allowing dogs to be used to hunt cougar, either on the prairie or in the Black Hills. It must not be allowed."

Deeb Pageler of Sisseton, SD, emailed: "Please let me take this time to show my support of the use of dogs on lion hunting outside the hills..."

Beth Stewart of Silver Spring, MD, emailed: "There is no justification for the expansion of hound hunting as there have been no confirmed depredation of pets or livestock by Cougars outside the Black Hills area..."

Carmel Severson of Pembroke Pines, FL, emailed: "I am writing to state my opposition to the use of Hounds to Hunt Cougars..."

Martin H. Meyer of Hot Springs, SD, emailed: "...I have just heard of the possibility that the state will consider year round hunting of Mountain Lions in the Black Hills. If true, then this is an absolute atrocity!...."

Kathryn Hess of Nemo, SD, emailed: "I have written protesting using dogs to hunt mountain lions..."

Brenda Manning of Pierre, SD, emailed: "I am writing to let you know how opposed I am to the use of hounds/dogs hunting mountain lions. And I am especially

opposed to the possibility of expanding this already horrific practice from the Black Hills area of Custer State Park to the prairie!"

Kyle Manning of Pierre, SD, emailed: "I would like to let you know that I do not agree with expanding/allowing the use of dogs/hounds for the purpose of hunting/pursuing Mt. lions in South Dakota."

Brad Tisdall, President of SDHA, emailed: "I would like the commission to approve the use of dogs to hunt Mt. Lion outside the Black Hills Fire Protection District. South Dakota Houndsmen Association has asked for this rule change to help South Dakota Ag producers control lions. The Dept. of GFP has said they do not wish to manage lions outside the Black Hills. SDHA is not in favor of an OPEN dog season in the Black Hills. We do not want a wide-open lion season with dogs running everywhere. If the Department ever moves forward with a dog season I hope the SDHA will be allowed to help set the seasons & RULES"

Connie Feekes of Rapid City, SD, emailed: "I am writing to express my opposition to allowing hounds to be used during mountain lion hunting..."

Larry Bowden of Hot Springs, SD, emailed: "...I am the current president of the Western South Dakota Fur Harvesters Association. I have spoken to the commission several times on hunting and trapping related issues. Our organization would like to support the use of dogs to pursue lions in the West River season."

David R. Love of Custer, SD, emailed: "...This is in regards to the plan to allow the use of hounds to hunt mountain lions outside the Black Hills at any time. Simply put I am dead set against it..."

Lula Red Cloud of Hermosa, SD, emailed: "I am opposed to the use of hounds for hunting mountain Lions year round. Please do not allow this."

Gary Finn of Sturgis, SD, emailed: "I understand that there has been some consideration for allowing dogs to be used to hunt Mt. Lions outside of the Black Hills Fire Protection Area? I think there is some merit to the use of dogs...I believe that permission should be obtained from the landowner; just like any other hunting. I am against dogs being used to chase game like deer or antelope..."

Dawn Wipf of Aberdeen, SD, emailed: "I am writing to urge you to please vote "no" to expand the use of hound dogs in hunting of mountain lions on the prairie and ban it all together..."

Nancy Gregory of Hot Springs, SD, emailed: "Please leave the lions alone! No dogs-no seasons..."

Chris Albert of Lebanon Junction, KY, emailed: "...I urge you NOT to expand the hunting of mountain lions with hounds..."

Guy Ferris of Pierre, SD, emailed: "Opposed to use of dogs to hunt Mt. lions."

Mark Trask of Wasta, SD, emailed: "I ranch in Meade and Pennington counties in western South Dakota. I have personal lost horses to lion depredation. I fully support the use of hounds to hunt lions."

Evan Anderson of Wasta, SD, emailed: "I support the idea of being able to hunt lions with hounds on the prairie!"

Jack Kuhl of Pierre, SD, called to state that he is opposed to using dogs to hunt mountain lions."

Fred Foland of Midland, SD, emailed: "I support lion hunting with hounds on the prairie."

Alan Fisher of Sanibel, FL, emailed: "No hound hunting, please."

Daniel F. Derrick, Jr., of Custer, SD, emailed: "...Please deny the petitioners their proposal to expand the use of hounds in hunting mountain lions in South Dakota..."

Olga Gamarnyk of Vinnista, UK, emailed: "I am writing to ask you NOT to expand Hound Hunting of Cougars in South Dakota..."

Eliot Kammerer of Piedmont, SD, wrote: "I am a rancher in southern Meade County and I am in favor of hunting mountain lions with dogs..."

Charlotte Petrick of Rapid City, SD, emailed: "...IT is a fact that livestock owners occasionally lose stock to mountain lion depredation. Game, Fish, & Parks is capable of handling these occurrences. There is no need to use depredation as an excuse to create a new money-making 'sport' that will benefit few and harm many..."

Mitzi Frank of Sharon Center, OH, emailed: "There is no justification for this expansion of hound hunting, as there have been no confirmed depredations by mountain lions of pets or livestock outside of the Black Hills area...There is no reason to allow this to happen."

Susan Braunstein of Rapid City, SD, emailed: "Please do not expand hound hunting in South Dakota..."

Kathy Robles of Winfield Park, NJ, emailed: "I am against this rule change..."

Nancy Hilding, President, of Prairie Hills Audubon Society, emailed an eight-page letter supporting her oral public testimony.

Ruth Fletcher Gage of Valdese, NC, emailed: "...please do NOT expand Hound Hunting of Cougars in South Dakota..."

Elizabeth Beach of Salt Lake City, UT, emailed: "...All decisions made must be made off of facts and not fear, please consider other predator conflict resolution before you move forward with the expansion."

Bob H. Miller of Rapid City, SD, emailed: "I am fundamentally opposed to the idea of lion hunting by using hounds..."

Tom Eastburn of Hot Springs, SD, emailed: "I am opposed to dogs being used to hunt lions..."

Jan Humphrey of Hill City, SD, emailed: "No, I am opposed to this type of hunting..."

Dennis Sharkey of Ft. Pierre, SD, called stating he is 100% against the use of dogs to hunt lions."

Ron Pray of Deadwood, SD, wrote a letter stating: "I urge you to set aside the narrow special interest of hound hunter. Having hounds chase a lion up a tree where the hunter takes an easy shot is not a sport..."

Sam Hunter of Newcastle, WY, wrote a letter stating: "I would like to vote yes on the use of hounds on the proposal..."

Jeff Laughlin of Lead, SD, emailed: "I do not support hound hunting lions on the prairie..."

Shannon Secrest of Buffalo, SD, emailed: "If the decision is made to hunt mountain lions with dogs outside of the Black Hills Fire Protection District, it needs to be written such that hunting both private and public lands is allowed equally..."

Jonna Massey of Pierre, SD, emailed: "I am VERY opposed to expanding the use of dogs to hunt mountain lions in South Dakota."

Rocky Niewenhuis of Corsica, SD, emailed: "I am in support of mountain lion hunting in SD state wide with dogs (hounds)..."

Chris Wells of Custer, SD, emailed: "I'd like to show my strong support for the use of hounds in all hunting including mountain lions..."

Lacey Boxley of Pierre, SD, emailed: "...Please do NOT expand the hunting of mountain lions with hounds/dogs to the prairie."

Bill Radany of Murrieta, CA, emailed: "Stop the expanded cougar hunt."

Jeff Meyers of Phoenix, AZ, emailed: "...Please do not expand hound hunting in the Prairie Region of your beautiful state."

Christina Wheat of Shoreline, WA, emailed: "Please don't allow hunting of cougars in the Prairie Region..."

Ashley Secrest of Buffalo, SD, emailed: "...I am all in favor of being able to use dogs, but only if ALL the area outside of the Fire Protection District is open to it..."

Brigitte James of Upland, CA, emailed: "I am dismayed to learn you are considering expanding your hound hunting policies to larger land areas..."

Christopher Spatz, President of Cougar Rewilding Foundation, of Rosendale, NY emailed: "...There is no need for expanding hound hunting mountain lions. I urge you not to extend mountain lion hound hunting to the prairie units."

Heather Nearman of Sioux Falls, SD, emailed: "...I am not against hunting if it's done for the right reasons...I do not want to come from a state that is easily swayed by outside influence...It would be extremely unfortunate if outside influence wins over the voice of the people from the state..."

Penelope Maldonado, Managing Director of The Cougar Fund wrote a three-page letter requesting "the Commission to reject the rule change to allow hound hunting on the prairie" with stated reasons."

Mark Webmore of Vermillion, SD, emailed: "...Please do not expand hound hunting here..."

Jayme Ste Marie of Green Bay, WI, emailed: "I'm writing to ask that you not expand hound hunting with the state of South Dakota...Please oppose the expansion of hound hunting and allow this beautiful creature to live!"

Gena Parkhurst of Rapid City, SD, emailed: "...I am against the proposed rule change that would allow hound hunting..."

Barbara Frady Scranton of Lincoln, NE, emailed: "This is very disturbing and cruel. Anyone who support[s] this should be arrested, charged, and prosecuted for animal cruelty."

Jeannette Leinweber of Monte Rio, Ca, emailed: "I am writing to ask you NOT to expand Hound Hunting of Cougars in South Dakota..."

Susan Munkelnbeck of Tucson, AZ, emailed: "I am totally against the rule change you are considering which would all hound hunting!"

Juli Ames-Curtis of Custer, SD, emailed: "Please do not vote to allow cougar hunting with hounds in the prairies of SD..."

Keith Kuttler of San Diego, CA, emailed: "Against!"

Respectfully submitted,

Douglas Hofer

Acting Secretary, Douglas Hofer

GAME, FISH & PARKS
523 East Capital
Pierre, SD 57501
(605)773-4510
Fax (605)773-6245
John.Sayler@state.sd.us

3

REQUEST FOR LISTS OF LICENSE HOLDERS

Application

Type of List Requested__pheasant preserve non resident and resident_____

Number of licenses in list____not sure_____

Name of Person, Entity, or Organization requesting list:
Dave Bean

Address of Person, Entity, or Organization: 43407 218th street DeSmet SD.57231

How would you like your list sent to you: (email or disk) email

Email Address: drbean428@msn.com

Phone Number
_____**6052158302**_____

Purpose for which list will be used: marketing pheasant hunts

This list is Names and Mailing Addresses ONLY

The sale of lists by the Department of Game, Fish & Parks is authorized by SDCL 1-27-1 and ARSD 41:06:02:04, 05 and 06. The fee for a Game, Fish & Parks Commission approved exception is $100, otherwise the fee is $100 per thousand names or a minimum of $100 whichever is greater.

Unless requested and approved as part of this request, the license list will not include anyone under eighteen years of age. Names are for one-time use only and are to be used only by the person, entity or organization approved per this request.

Authorized Signature of Purchaser **Date 02/12/15**

dave bean

Date of Commission Action

GAME, FISH & PARKS
523 East Capital
Pierre, SD 57501
(605)773-4510
Fax (605)773-6245
John.Sayler@state.sd.us

REQUEST FOR LISTS OF LICENSE HOLDERS

Application

Type of List Requested All Minnesotans who purchased a South Dakota pheasant license in 2014

Number of licenses in list 20,233

Name of Person, Entity, or Organization requesting list:
Keith Sand of Sand Pine Pheasants Family Recreation

Address of Person, Entity, or Organization:
12195 Norway Rd.
Avon, MN 56310

How would you like your list sent to you: (email or disk)
Email please

Email Address: jlysen@quinlivan.com

Phone Number
320-258-7883

Purpose for which list will be used:
I want to send an informational mailing promoting my Minnesota pheasant hunting farm to Minnesota residents who purchased a 2014 South Dakota pheasant license. As an avid Minnesota pheasant hunter who has purchased a South Dakota pheasant license consistently for the past 15 years, I know the names on your list are serious pheasant hunters who might want to know about the opportunity to hunt pheasants at Sand Pine through April 30th.

In addition to helping promote enthusiasm for pheasant hunting outside of pheasant hunting season, I am passionate about reversing the decline in youth hunting. I am hopeful that by using your list to send a mailing about the opportunity to hunt pheasants at Sand Pine I can achieve both of those objectives.

This list is Names and Mailing Addresses ONLY

The sale of lists by the Department of Game, Fish & Parks is authorized by SDCL 1-27-1 and ARSD 41:06:02:04, 05 and 06. The fee for a Game, Fish & Parks Commission approved exception is $100, otherwise the fee is $100 per thousand names or a minimum of $100 whichever is greater.

Unless requested and approved as part of this request, the license list will not include anyone under eighteen years of age. Names are for one-time use only and are to be used only by the person, entity or organization approved per this request.

Keith Sand 2-18-2015

Authorized Signature of Purchaser **Date**

Date of Commission Action

GAME, FISH & PARKS
523 East Capital
Pierre, SD 57501
(605)773-4510
Fax (605)773-6245
John.Sayler@state.sd.us

REQUEST FOR LISTS OF LICENSE HOLDERS

Application

Type of List Requested Small Game Hunting Resident and Non Resident 2014

Number of licenses in list _____

Name of Person, Entity, or Organization requesting list:
Patricia Myers, William-Neil Assoc for Cabela's Inc

Address of Person, Entity, or Organization:
One Cabela Drive Suite 2110
Sidney NE 69162

How would you like your list sent to you: (email or disk)
Email

Email Address: pmyers@william-neil.com

Phone Number
308-255-1660

Purpose for which list will be used:
Send Cabela's Inc Catalog and Post Card for S.D. Pheasant Opener

This list is Names and Mailing Addresses ONLY

The sale of lists by the Department of Game, Fish & Parks is authorized by SDCL 1-27-1 and ARSD 41:06:02:04, 05 and 06. The fee for a Game, Fish & Parks Commission approved exception is $100, otherwise the fee is $100 per thousand names or a minimum of $100 whichever is greater.

Unless requested and approved as part of this request, the license list will not include anyone under eighteen years of age. Names are for one-time use only and are to be used only by the person, entity or organization approved per this request.

Patricia Myers
Authorized Signature of Purchaser

February 20, 2015
Date

Date of Commission Action

GAME, FISH & PARKS
523 East Capital
Pierre, SD 57501
(605)773-4510
Fax (605)773-6245
Mary.Healy@state.sd.us

REQUEST FOR LISTS OF LICENSE HOLDERS

Application for exception to regular fee

Type of List Requested_2014 South Dakota elk applicant list_____

Number of licenses in list__Unknown_____

Name of Person, Entity, or Organization requesting list:
Tom Slowey, Regional Director RMEF

Address of Person, Entity, or Organization:
507 Locust Street, Yankton, SD 57078

How would you like your list sent to you: (email or disk) Email

Email Address: tslowey@rmef.org

Phone Number
__605-661-0477_____

Purpose for which list will be used:
Mailing to offer chances for the 2015 South Dakota Special Elk tag and other prizes. As a non profit helping to raise funds for SD G,F&P we request the normal fees for this list be waived.

The sale of lists by the Department of Game, Fish & Parks is authorized by SDCL 1-27-1 and ARSD 41:06:02:04, 05 and 06. The fee for a Game, Fish & Parks Commission approved exception is $100, otherwise the fee is $100 per thousand names or a minimum of $100 whichever is greater.

Unless requested and approved as part of this request, the license list will not include anyone under eighteen years of age. Names are for one-time use only and are to be used only by the person, entity or organization approved per this request.

Thomas J. Slowey, RD RMEF 3/2/15
Authorized Signature of Purchaser Date

Date of Commission Action

5.

GAME, FISH AND PARKS COMMISSION ACTION
FINALIZATION

Use of Parks and Public Lands
41:03:01

Commission Meeting Dates:			
	Proposal	January 15-16, 2015	Pierre
	Public Hearing	March 5-6, 2015	Pierre
	Finalization	March 5-6, 2015	Pierre

COMMISSION PROPOSAL

Recommended changes:

Expand the area within North Point Recreation Area in Charles Mix County that is restricted to shotgun and archery hunting.

41:03:01:16. Restrictions on use of firearms, crossbows and bows -- Exceptions. Uncased firearms, crossbows and bows are prohibited in all state parks, state recreation areas, state nature areas, and state lakeside use areas with the following exceptions:

(5) From October 1 to April 30, inclusive, uncased firearms, crossbows and bows are authorized for licensed hunters in all state parks, state recreation areas, nature areas, and lakeside use areas during established hunting seasons with the following restrictions:

(c) Only shotguns using shot shells, crossbows and bows are permitted in West Whitlock State Recreation Area, West Pickerel Recreation Area, Mina Recreation Area, Okobojo Recreation Area, Farm Island Recreation Area, Angostura Recreation Area, Cow Creek State Recreation Area, and ~~that~~ **the** portion**s** of North Point State Recreation Area which ~~is~~ **are** situated to the west of 381st Street and north of 297th Avenue; **and situated west of 382nd Avenue and north of 297TH Street; and situated south of 297TH Street, and west of Prairie Dog Bay.**

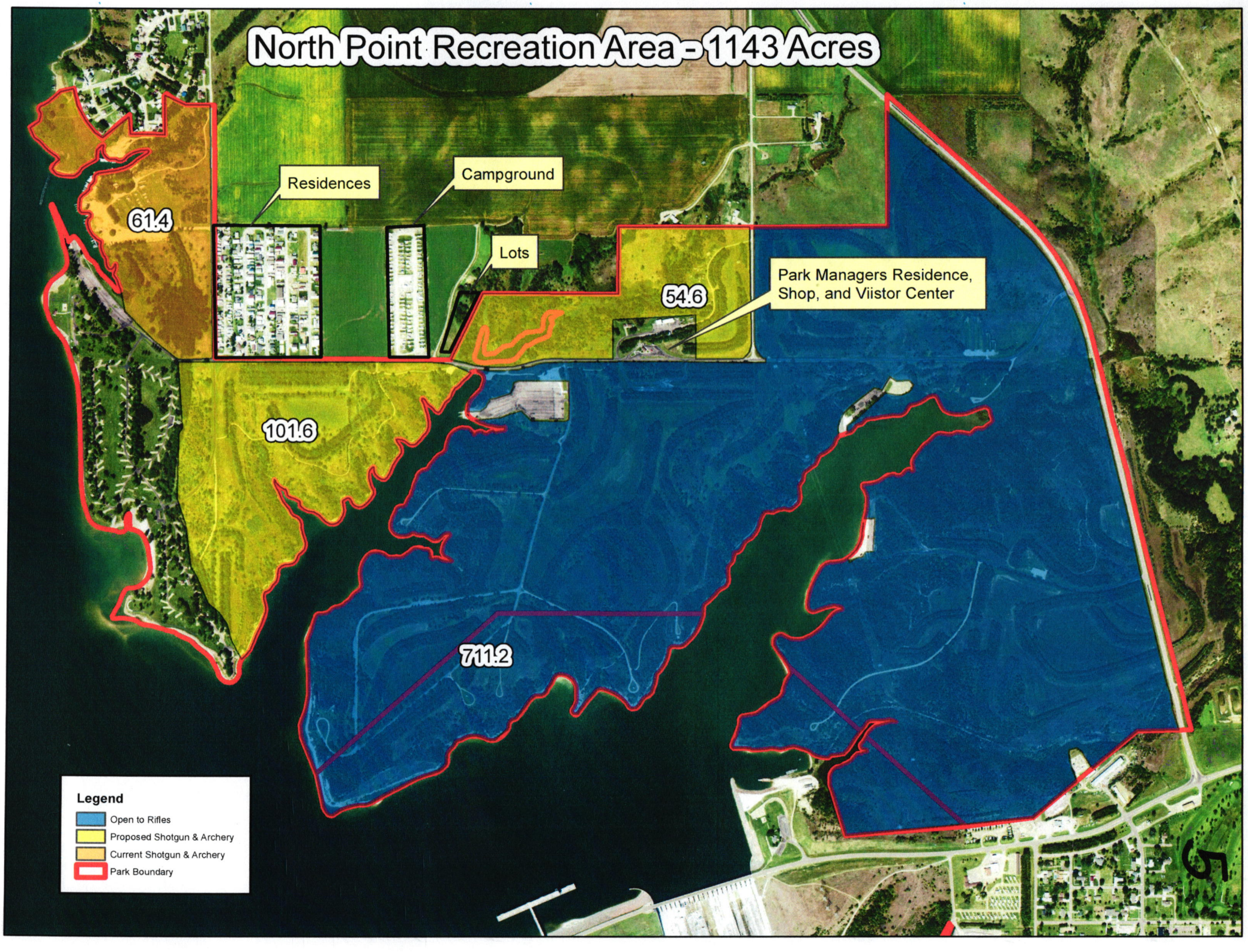
DEPARTMENT RECOMMENDATION

Recommended change from Proposal: NONE

SUPPORTIVE INFORMATION

In 2006, the portion of North Point Recreation Area, west of 381ST Avenue and north of 297TH Street was restricted to archery and shot shell hunting only, to reduce the potential for rifle hunting related incidents and to provide a safer environment, because of increased residential development bordering the area. Due to increased residential development adjacent to the recreation area since then, we are proposing that an additional portion of the recreation area be restricted to archery and shot shell hunting. Since 2006, nearly 100 additional residences have been constructed, a full-service 100-unit campground has been developed, and six additional lots have been platted for residential home construction. All of this development is immediately adjacent to the portion of the Recreation Area proposed for shotshell and archery hunting only. Because of the increased residential and campground development, there is an increased risk of rifle hunting related incidents that may harm the inhabitants of these developed areas. With these proposed changes, 81% or 930 acres, of the recreation area would remain open to hunting and three quarters of that would be open to rifle hunting.

☐ APPROVE ☐ MODIFY ☐ REJECT ☐ NO ACTION


North Point Recreation Area - 1143 Acres
Residences
Campground
Lots
Park Managers Residence, Shop, and Viistor Center
61.4
54.6
101.6
711.2
Legend
Open to Rifles
Proposed Shotgun & Archery
Current Shotgun & Archery
Park Boundary

6.

GAME, FISH AND PARKS COMMISSION ACTION
FINALIZATION

PUBLIC WATER ZONING
41:04:02

Commission Meeting Dates:	**Proposal**	**January 15-16, 2015**	**Pierre**
	Public Hearing	**March 5-6, 2015**	**Pierre**
	Finalization	**March 5-6, 2015**	**Pierre**

COMMISSION PROPOSAL

Amend public water safety zones in Butte County.

Requirements and Restrictions:

"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.

Recommended changes:
Amend the existing "no wake zone" and designate a "public swimming zone" at Rocky Point Recreation Area on Belle Fourche Reservoir (Butte County).

41:04:02:12. Butte County public water safety zones. Butte County public water safety zones are as follows:

(1) In Butte County all waters within a 300-foot radius of the boat ramps located in ~~the area of~~ Rocky Point Recreation Area on Belle Fourche Reservoir ~~known as Rocky Point~~ are a "no wake zone";

(2) In Butte County, the Belle Fourche River is a "no boating zone" from the U.S. Highway 212 Bridge to a point 300 feet downstream of the Bureau of Reclamation diversion structure.

(3) In Butte County, the waters fronting the west side of Rocky Point Recreation Area between campsite number 41 and campsite number 42 and are marked with buoys, are a "public swimming zone".

DEPARTMENT RECOMMENDATION

Recommended change from proposal: None

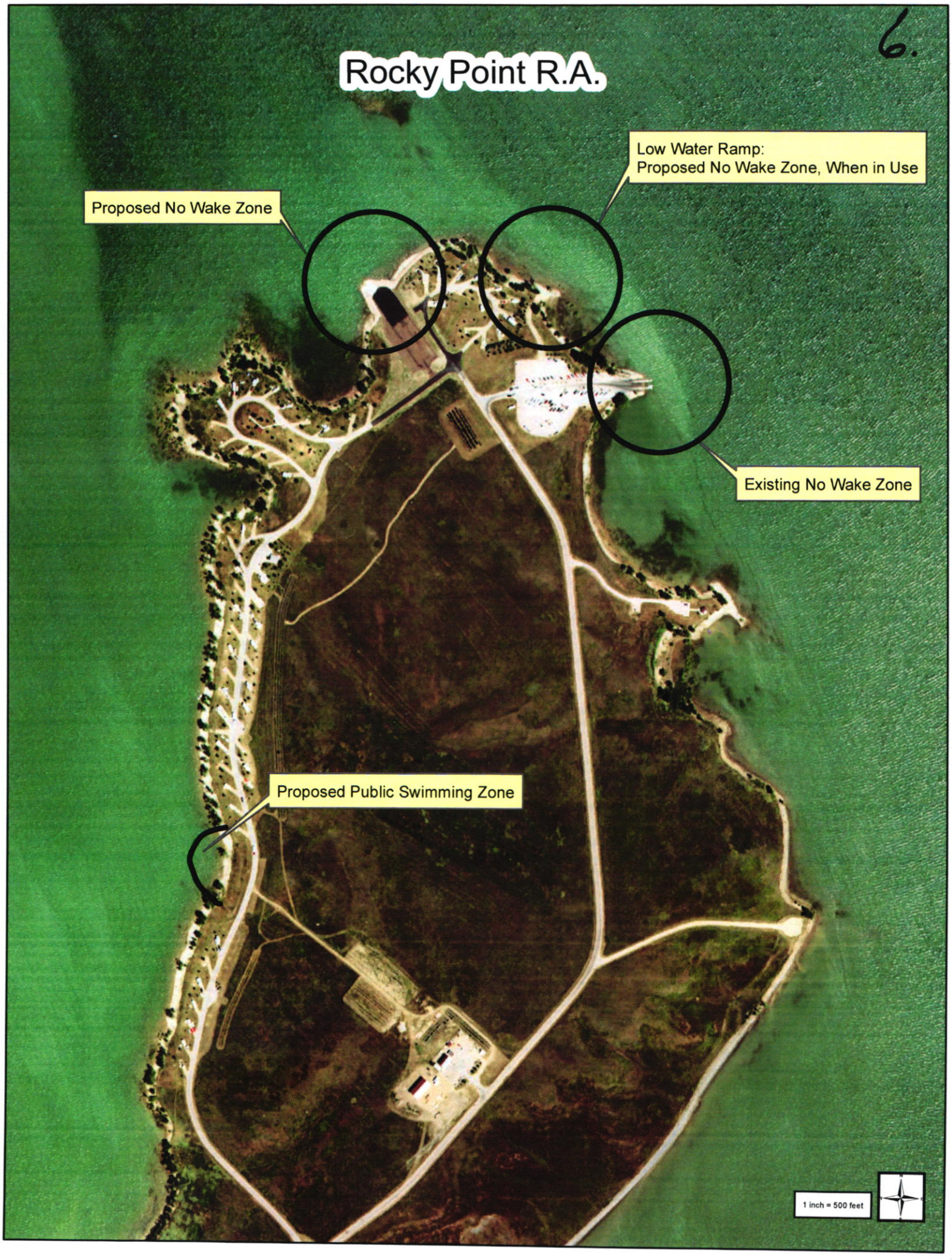
SUPPORTIVE INFORMATION

The proposed change amends the "no wake zone" and creates a "public swimming zone" at Rocky Point Recreation Area on Belle Fourche Reservoir (Butte County). A second primary boat ramp and a low-water boat ramp have been developed at Rocky Point and a 300- foot "no wake zone" is proposed around the boat ramps to protect boaters. A swim beach has been designated on the west shoreline of Rocky Point adjacent to the campground and it is recommended that the waters fronting the swim beach be designated as a "public swimming zone" to protect swimmers and beach users.

☐ **APPROVE** ☐ **MODIFY** ☐ **REJECT** ☐ **NO ACTION**

6.

Rocky Point R.A.



7

GAME, FISH AND PARKS COMMISSION ACTION
FINALIZATION

Refuges
Chapter 41:05:02

Commission Meeting Dates:			
	Proposal	January 15-16, 2015	Pierre
	Public Hearing	March 5, 2015	Pierre
	Finalization	March 5-6, 2015	Pierre

COMMISSION PROPOSAL

Proposed changes from last year:

Remove the Cottonwood Lake State Waterfowl Refuge.

41:05:02:59. Sully County refuges. Sully County refuges are as follows:

~~(1) The Cottonwood Lake State Waterfowl Refuge comprises that portion of the northwest quarter of section 30, township 116 north, range 75 west of the fifth principal meridian below the high-water mark, that portion of lot four of section 30 below the high-water mark, that portion of the southeast quarter of the northeast quarter of section 30 below the high-water mark, the north half of the southwest quarter, the northwest quarter of the southeast quarter, the north half of the northeast quarter and the southwest quarter of the northeast quarter of section 30, and the north half of the northwest quarter of section 29, township 116 north, range 75 west of the fifth principal meridian;~~

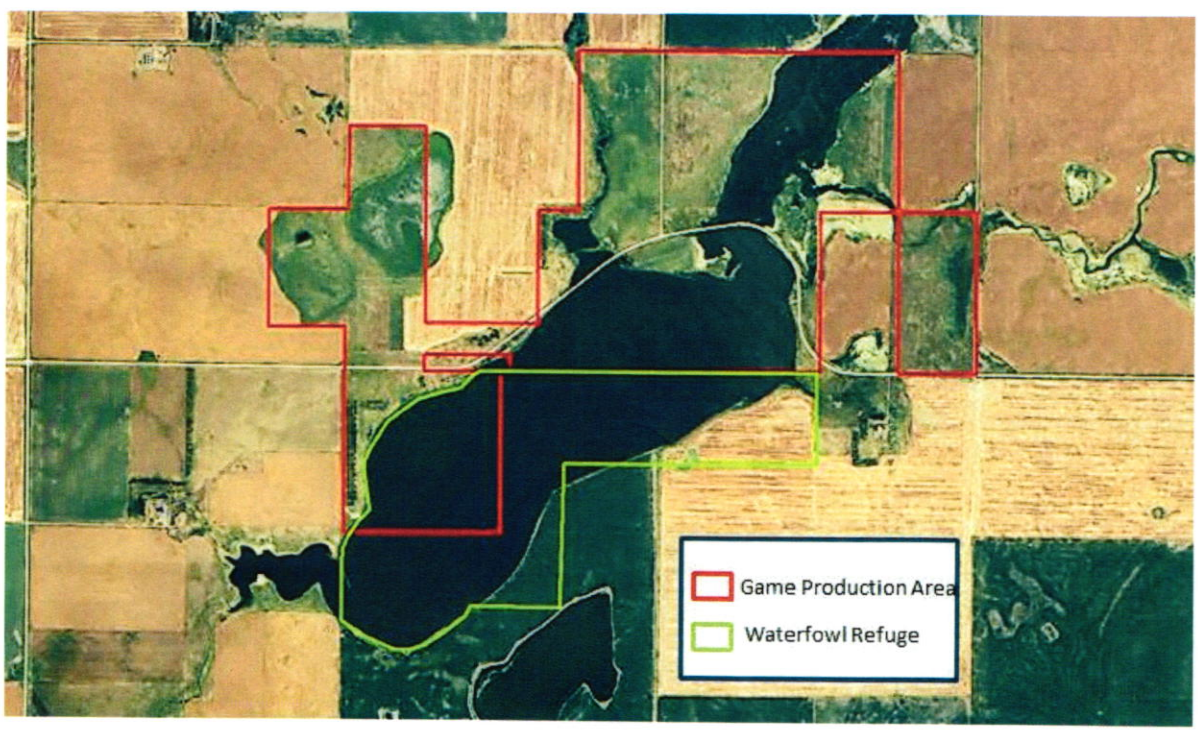
DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

Waterfowl use of Cottonwood Lake Waterfowl Refuge is limited. Landowners associated with this refuge are neutral or support removing this refuge designation. In addition, input solicited from sportsmen and women indicate support of removing this refuge designation.

Cottonwood Lake GPA and Waterfowl Refuge



APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____

8

GAME, FISH, AND PARKS COMMISSION ACTION
FINALIZATION

SPECIAL MANAGEMENT CATEGORIES
Chapter 41:10

Commission Meeting Dates:	**Proposal**	January 15, 2015	Pierre
	Public Hearing	March 5, 2015	Pierre
	Finalization	March 5-6, 2015	Pierre

COMMISSION PROPOSAL

1. Modify **41:10:04 "Aquatic Nuisance Species."** to change all references of aquatic nuisance species to aquatic invasive species.

2. Modify **41:10:04:01. "List of aquatic nuisance species."** to remove a redundant "and" and to add Common Reed, *Phragmites australis*, to the list of aquatic invasive plants.

3. Modify **41:10:04:03. "Watercraft restrictions."** to allow law enforcement officers to require the removal of vegetation and all aquatic invasive species from a boat, and to require that all drain plugs and related devices be opened or removed from all boats when being transported with exceptions for entering and exiting the water, emergency response vehicles, and boats and livewells while on lands owned, leased, controlled, or managed by the department or other government entity adjacent to the water.

4. Add **41:10:04:05. "Aquatic invasive species containment waters."** This rule will give the secretary the authority to declare a waterbody an aquatic invasive species containment water, describes the conditions that would necessitate this action, and outline department responsibilities.

5. Add **41:10:04:06. "Water transport restrictions."** This rule will prohibit the transportation of water and aquatic bait from a water access area or adjacent land owned, leased, controlled or managed by the department.
    a. Provide exceptions for the following:
        i. Allow up to five gallons of vegetation free water to be possessed for transport of bait and fish away from waters not considered aquatic invasive species containment waters.
        ii. As authorized by the Secretary (research and management activities, licensed bait dealers, etc.)

DEPARTMENT RECOMMENDATION

Recommended changes from proposal:

1. Modify **41:10:04:03** to allow trailered boats to have plugs and related devices in place or closed only at boat ramp parking areas and while being loaded or launched. In addition, they could remain in place or closed while in transit from the body of water to an immediately adjacent fish cleaning station.

2. Allow a department representative, instead of only a conservation officer, to require the removal of vegetation and all aquatic invasive species from a boat and move this language to **41:10:04:04 - Watercraft inspections**.

APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

3. Change the title of **41:10:04:06** from **"Water transport restrictions"** to **"Fish and bait transportation restrictions**".

4 Modify the exception to the requirement that aquatic bait and fish shall not be transported in water away from an aquatic invasive species containment water to be those areas described in **41:10:04:03** and when in route to, or returning from, an immediately adjacent camping site or fish cleaning station.

5. Require that any water containing fish or aquatic bait be drained before departing the campground or immediately adjacent fish cleaning station at aquatic invasive species containment waters.

6. Clarify that each angler may use a container not capable of holding more than 5 gallons of water to transport aquatic bait and fish in vegetation-free water away from a lake, river, or stream.

SUPPORTIVE INFORMATION

1. The term "invasive" more accurately describes the non-native species that pose a threat to the aquatic resources of the state of South Dakota. The use of the term "nuisance" in this context has diminished nationwide to avoid potential confusion with native species that are less desirable to anglers and other recreational users.

2. Common Reed, *Phragmites australis*, is an aquatic invasive species (AIS) that is expanding in the Niobrara River delta area above Lewis and Clark Lake and should be on the list of designated aquatic invasive plant species.

3. Currently, **41:10:04:03** allows law enforcement officers to require the removal of aquatic vegetation, but not aquatic invasive invertebrates or fish. This modification would authorize department representatives to require the removal of any species designated by the Commission as an aquatic invasive species. This language fits better in **41:10:04:04** than **41:10:04:03**.

4 The primary vector for the movement of many aquatic invasive species, such as zebra and quagga mussels, is the transportation of the species in residual water held in recreational boats. Reducing or eliminating the transfer of water between water bodies is an essential component of both the South Dakota AIS Management Plan and federal invasive species management efforts. Exemptions to allow for the preparation of a boat to launch and to exit the water and to allow for the transport of fish in a livewell while in transit to an immediately adjacent fish cleaning station (if one is available at the water access area) are included. The recommended change in description of the area where plugs, bailers and valves may remain closed or in place would allow for inspection of boats while they on department properties, which would be safer than conducting inspections on highways.

5. **41:10:04:05. "Aquatic invasive species containment waters."** The addition of this rule will authorize the Secretary to declare a body of water an aquatic invasive species containment water. This designation will allow for differing regulations at waters that have a documented threat of the spread of aquatic invasive species exists. This rule is

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____

essential to allow for rapid response to the spread of aquatic invasive species to new waters.

6. **41:10:04:06. "Water transportation restrictions."** The addition of this rule will restrict movement of aquatic bait and fish in water away from all waters of the state, with greater restrictions on water transport from aquatic invasive species containment waters. Limiting the amount of water that can be used to transport aquatic bait and fish away from a water body will reduce the amount of water being transported in the state and help manage the primary vector for the spread of aquatic invasive species. This recommended change would better define where having fish and bait in water would be a violation of rule. The allowance for anglers to use up to five gallons of vegetation-free water to transport fish and aquatic bait away from waters not designated aquatic invasive species containment waters clarifies that each angler can transport fish and aquatic bait in a container capable of holding no more than 5 gallons of water.

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

To Acting Secretary Hofer and SDGFP

PETITION

Today, February 21, 2015, I, Tom Huhnerkoch of 21315 Englewood Road, Lead, SD, 57754 (Pursuant to 1-26-13) request the repeal of or my amendments to the Proposed Amendment and changes made on January 15, 2015 regarding ARSD 41:06:61:06. To be clear, my Petition would eliminate the proposed lines [4 and 5] and would restore line [4] circa 39 SDR 100, effective date December 3, 2012.

As currently amended, this new Rule allows and makes 'legal' the unlimited (no quota), year around hunting and killing of Mountain Lions with the aid of dogs (hound hunting) on all private SD lands (approximately 80 percent of the state), with the exception of such lands within the Black Hills Fire Protection District.

If the intent of this Rule change is to 'help' the livestock producers and to give them another 'tool', there must be an additional amendment stating that 'only' livestock producers can qualify for, receive or request the aid of hound hunting. Without such a restriction, all SD private lands will be open to houndsmen to run their dogs regardless of the presence of cougars or need for their removal (RC Journal, February 19, 2015). Further, without GFP verification 'of' a potential problem, anyone anywhere could grant permission to hunt their particular private lands no matter who initiated the request!
"This is great for houndsmen in SD and hound hunters nationwide" (Brad Tisdall, Pioneer, 2-10-2015).
Such a comment calls into question the 'real' veracity of those involved and who stands to benefit from the proposed changes.
This Rule change, as I stated before (January 27, 2015) is poorly structured and far too vague to become law.

REASONS AND DISCUSSION

No one in good conscience can honestly believe there is a 'mountain lion' problem on SD prairies knowing the following facts.

1. GFP has recently stated two reports of Actual Verified livestock attacks: There have been NO livestock attacks (John K, email, 1-9-2015) and There have been 2 livestock and 2 pet attacks since 1999, (Tom K, testimony, 1-15-2015).
2. Mr. Brad Tisdall, President SD Houndsman Association, (Pioneer, 2-10-2015) freely and publicly admits, "I know of 6-7 calls each year from land owners wanting us to get lions. Will there be more, I don't know."

Rather than indicate a need for the Rule change, these expert testimonies in fact plainly prove just the opposite by identifying a miniscule, near zero problem at best!
Justification of such a radical and potentially deadly response defined by this Rule change would and should require a preponderance of overwhelmingly negative evidence. The truth is, no such evidence exists. Worse yet, GFP does not require proof or verification of complaints, instead they just pacify these producers who themselves constitute a very tiny minority special interest group.

Clearly, these facts can in no way be construed to indicate that an actual problem with livestock producers and mountain lions does exist in SD.

For any reasonable person(s), knowledge of these testimonies should establish a sound argument to refute any actions which would allow the use of hounds in the hunting of SD cougars as proposed. Such argument should then preclude any need to change the existing Rule 41: 06:61:06.

QUESTIONS

How can GFP prove or document the origin of a hunt with hounds?

Did BLM ok the hunting on public lands under its control?

If USFS and BLM are by definition both public lands, why is BLM considered huntable but USFS is not?

How is an approval to hunt verified by GFP?
Surly GFP will require more than just someone's word. If written approval is required, how much more difficult is it to obtain a kill [depredation] permit (41:06:46:07) than to get said written approval to initiate a hunt with hounds?

How can a hunt 'cross over or culminate' on private lands on which prior permission was not given or not obtained? Could then the houndsman, landowner, lessee or GFP be held liable for possible damages or losses caused by said unapproved hunt?

Is GFP willing to accept such risk?

Where did GFP get the authority to include 'any public lands' into this new Rule, knowing GFP is under state jurisdiction and public lands are under federal control?

This Rule change is intended to benefit the small special interest group who allegedly has a problem on their private lands. By allowing a hound hunt to 'cross over' onto Public land it seems the majority of the Public should have the final 'say' as to the need of such a broad decision with potentially severe untoward affects!

Sincerely, Dr. Tom Huhnerkoch

Signed: _____ February 21, 2015

DEPARTMENT OF GAME, FISH, AND PARKS
Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

February 25, 2015

Dr. Tom Huhnerkoch
21315 Englewood Road
Lead, South Dakota 57754
Email: tomccats@gmail.com

The Game, Fish, and Parks Department (GFP) has received your petition dated February 21, 2015. Per SDCL 1-26-13, the GFP Commission has added the petition for rule change to their March agenda and will take action on the petition at the March 5-6, 2015, meeting in Pierre.

I would like to take this opportunity to address some of the questions and concerns identified in your email and attached petition. While the stated goal of some of the supporters was to help landowners with mountain lion issues, this is not the sole reason for allowing hunting with hounds outside the Black Hills Fire Protection District. Mountain lion hunting is a generally accepted practice in many states, as is the use of hounds. Current season structure allows the taking of mountain lions year-round outside the Black Hills Fire Protection District, and allowing the use of hounds during this season is in line with both management objectives of GFP and recreational opportunities desired by the hunting community.

GFP is the entity given management responsibility for all resident wildlife in South Dakota, both on public and private land. We work closely with our federal and state partners to ensure we meet this responsibility while meeting the goals of our partner agencies. In this instance, we had conversations with both the Office of School and Public Lands and the Bureau of Land Management before we brought this proposal to the GFP Commission. These entities were included in the areas open to hunting because, in most cases, these lands lack boundary markers and are often times in-holdings surrounded by much larger blocks of private land. In the case of United States Forest Service (USFS) land, these areas are signed on the perimeter and in many cases the property also has a boundary fence. Because of these easily identified boundaries, USFS land was excluded from the allowance for hunting mountain lions with hounds.

The balance of your questions and concerns relate to the enforcement of both new and established rules and statutes. Our conservation officers are responsible, dedicated, and highly trained individuals. Should there be any question as to where a hunt originated, if trespassing has occurred, or if there is some other potential violation, they have the tools needed to gather factual information and take appropriate action. They handle these duties in all other hunting seasons.

While we may not agree on the use of hounds for hunting mountain lions, I hope I have been able to answer most of your questions and give some insight into the reasons GFP moved forward with the proposal, and why the Commission adopted it.

Sincerely,

Douglas Hofer

Douglas Hofer, Acting Secretary

DH:da

RESOLUTION 15 - 02

WHEREAS, Dr. Tom Huhnerkoch of Lead, South Dakota, submitted a petition by email transmission to the Department of Game, Fish, and Parks on or about February 21, 2015, requesting that the Game, Fish, and Parks Commission (a) repeal certain provisions of the January 2015 amendments to ARSD Chapter 41:06:61 (Mountain Lion Hunting Season), specifically, subsections (4) and (5) of ARSD § 41:06:61:06 which allow dogs to be used for mountain lion hunting year round outside the Black Hills Fire Protection District on privately owned land with permission of the owner or lessee of the land with an exception which allows pursuit of a mountain lion by dogs that originates on private land to cross over or culminate on property owned by the Office of School and Public Lands or the United States Bureau of Land Management other than the Fort Meade Recreation Area; and (b) restore former subsection (4) of ARSD 41:06:61:06 which provided that except for those specified hunting intervals in Custer State Park that allow the use of dogs, no person may hunt mountain lions with the aid of dogs, traps, or bait; and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of said petition; and

WHEREAS, the Commission has been advised that a copy of the petition was served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council by email transmission on February 23, 2015, and by depositing the same in the U.S. Mail addressed to said persons on that same date; and

WHEREAS, the Commission has been advised that SDCL 1-26-13 requires that within thirty (30) days of submission of a petition the Commission shall either "deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4"; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL 1-26-13 and the contents of the petition, including the reasons advanced by petitioner in support of his petition; and

WHEREAS, the use of dogs for hunting mountain lions is a legitimate form of recreation and commonly practiced method of mountain lion hunting in the United States; and

WHEREAS, mountain lions found in South Dakota outside the Black Hills Fire Protection District provide opportunities to hunt and the harvest of mountain lions on private lands can help reduce actual losses and perceived threats of mountain lion depredation on domestic livestock; and

GAME, FISH AND PARKS COMMISSION ACTION
PROPOSAL

Archery Elk Hunting Season
Chapter 41:06:43

Commission Meeting Dates:			
	Proposal	**March 5-6, 2015**	**Pierre**
	Public Hearing	**April 1, 2015**	**Brookings**
	Finalization	**April 1-2, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates: Black Hills Units: September 1-30, 2015

Open Area: See attached map

Licenses: 144 "any elk" and 56 "antlerless elk" licenses (total of 200 licenses)

Requirements and Restrictions:
1. No person may possess more than one (1) elk license of any type in a year.
2. No more than two persons may submit applications together.
3. Except for landowner/operator preference applicants, no person who receives a license in the first drawing for this season shall be eligible to apply for an archery elk license in first drawings for the next 9 years.
4. One-half of the licenses allocated in each unit are available for landowner/operator preference application. One member of each qualifying landowner/operator household may apply every year.
5. Each elk harvested must be inspected by a Conservation Officer or designee within 24 hours after kill.
6. Each unsuccessful hunter must mail the report card to the Department of Game, Fish and Parks within 10 days after the close of the season.

Recommended changes from last year:
1. Adjust the number of licenses available from 92 "any elk" and 15 "antlerless elk" licenses (total of 107 licenses) to 144 "any elk" and 56 "antlerless elk" licenses (total of 200 licenses).
2. Repeal Unit AEE-ZZ1.

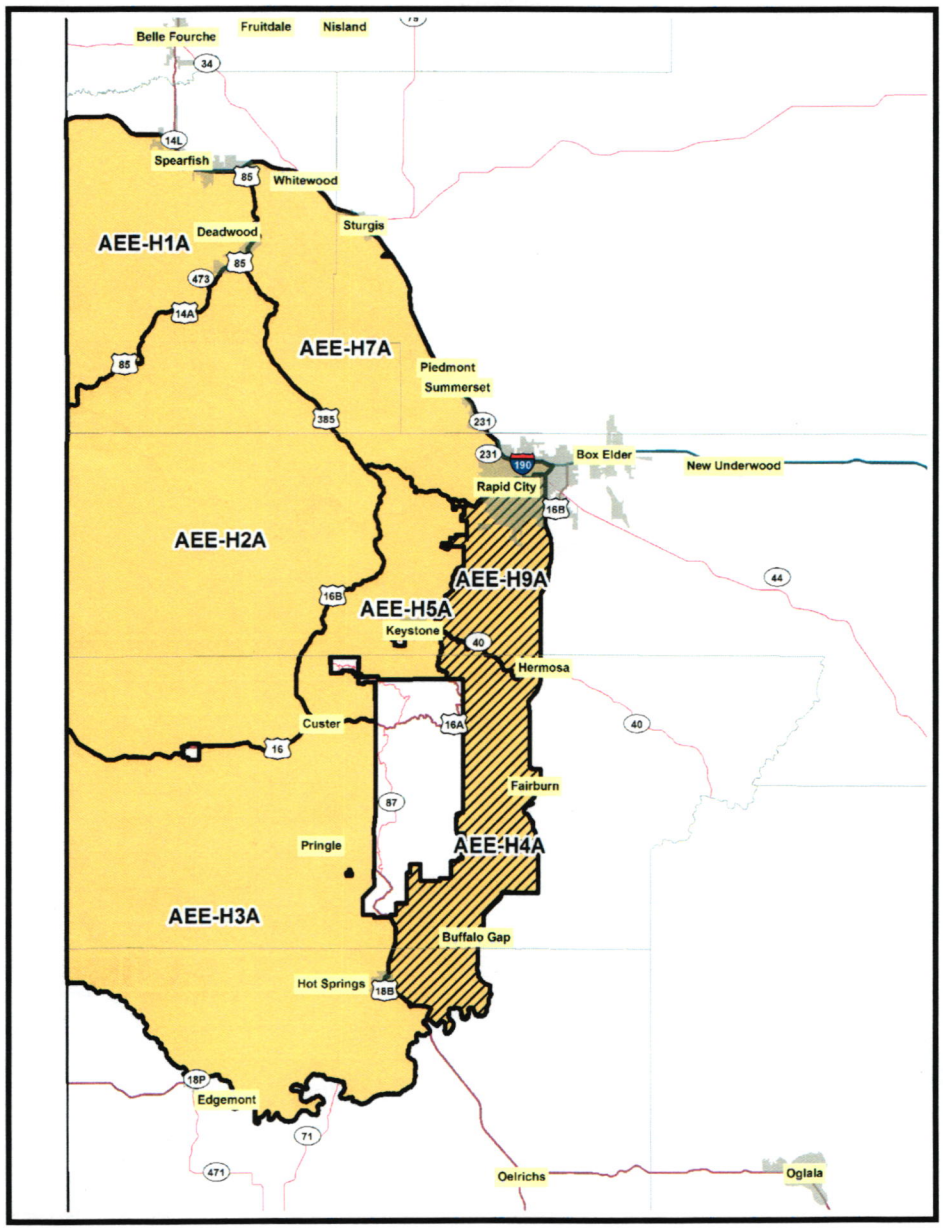
SUPPORTIVE INFORMATION

Year	Licensed Hunters	Hunter Success	Bulls Harvested	Cows Harvested
2010	144	27%	33	5
2011	126	26%	25	8
2012	97	40%	34	4
2013	107	35%	34	3
2014	106	39%	38	4

2014	"Any Elk"					"Antlerless Elk"				
Unit	Appl.1st Choice	Licensed Hunters	Harvest Success	Bulls Harvested	Cows Harvested	Appl.1st Choice	Licensed Hunters	Harvest Success	Bulls Harvested	Cows Harvested
H1	583	20	19%	4	0	12	5	0%	0	0
H2	3,118	50	53%	26	1	24	5	40%	0	3
H3	386	14	43%	5	0	8	5	0%	0	0
H4	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
H5	30	2	0%	0	0	NA	NA	NA	NA	NA
H7	95	5	60%	3	0	NA	NA	NA	NA	NA
H9	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

BLACK HILLS ARCHERY ELK UNITS



Unit	2014			2015		
	"Any" Elk Tags	"Antlerless" Elk Tags	Total Tags	"Any" Elk Tags	"Antlerless" Elk Tags	Total Tags
H1	20	5	25	25	5	30
H2	50	30	80	85	44	129
H3	15	5	20	27	7	34
H4	0	0	0	0	0	0
H5	2	0	2	2	0	2
H7	5	0	5	5	0	5
H9	0	0	0	0	0	0
TOTAL	92	40	132	144	56	200

10a

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

Black Hills Elk Hunting Season
Chapter 41:06:26

Commission Meeting Dates:			
	Proposal	**March 6-7, 2015**	**Pierre**
	Public Hearing	**April 3, 2015**	**Brookings**
	Finalization	**April 3-4, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates: "Any elk" licenses — October 1-31, 2015
"Antlerless elk" licenses — October 16-31 and December 1-15, 2015

Open Area: See attached map

Licenses: 430 "any elk" and 500 "antlerless elk" licenses (total of 930 licenses)

Requirements and Restrictions:

1. No person may possess more than one (1) elk license of any type in a year.
2. No more than two persons may submit applications together.
3. Except for landowner/operator preference applicants, no person who receives a license in the first drawing for this season shall be eligible to apply for a Black Hills elk license in first drawings for the next 9 years.
4. One-half of the licenses allocated in each unit are available for landowner/operator preference. One member of each qualifying landowner/operator household may apply every year.
5. Each elk harvested must be inspected by a Conservation Officer or designee within 24 hours after kill.

Recommended changes from last year:

1. Adjust the number of licenses available from 420 "any elk" and 250 "antlerless elk" licenses (total of 670 licenses) to 430 "any elk" and 500 "antlerless elk" licenses (total of 930 licenses).
2. Allocate a pool of "antlerless elk" contingency licenses, up to 15% of antlerless licenses available in each Black Hills hunting unit, which would be issued by GFP Commission resolution in August if summer range conditions dictate the use of contingency licenses.
3. Repeal Unit BHE-ZZ1.

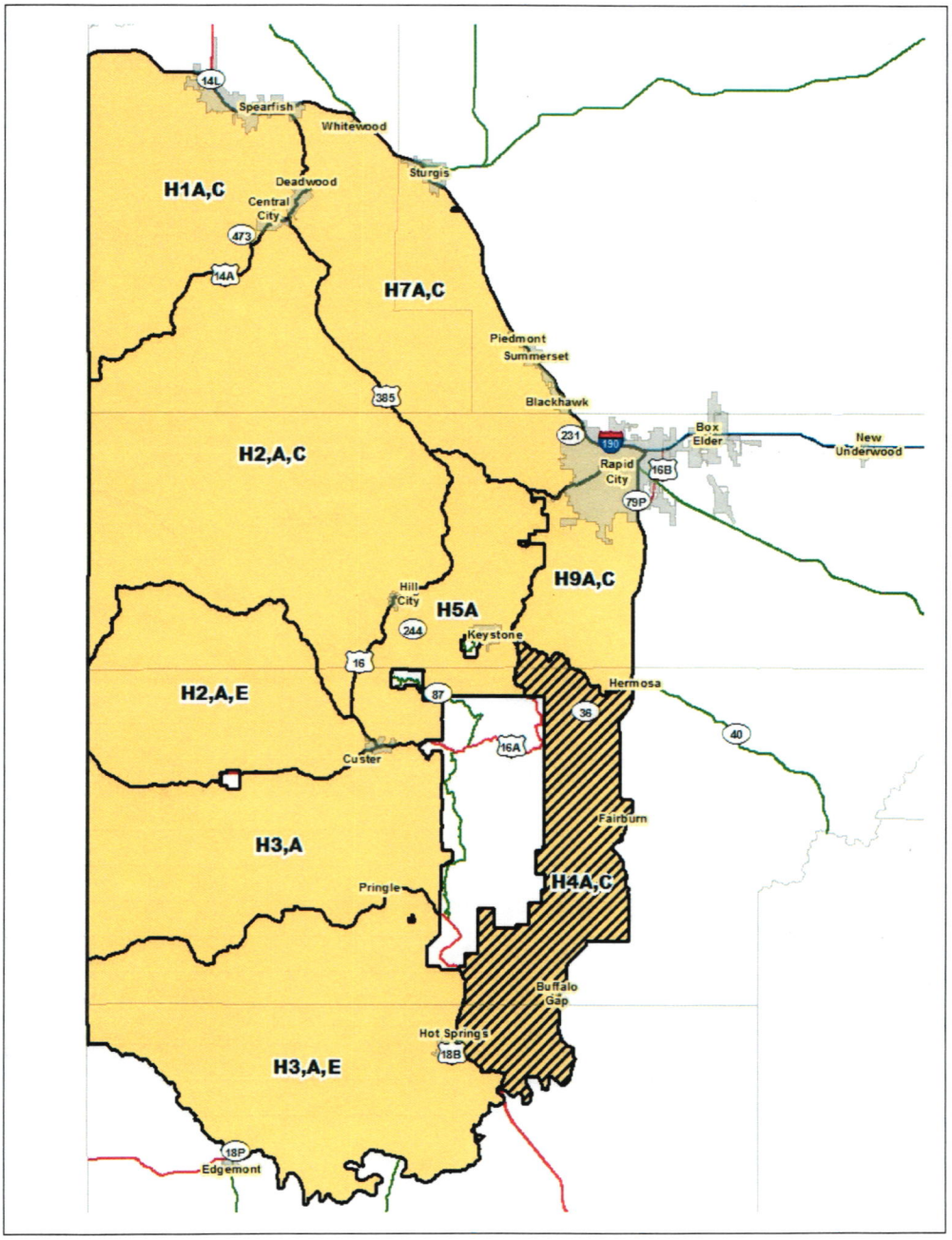
SUPPORTIVE INFORMATION

Year	Licensed Hunters	Hunter Success	Bulls Harvested	Cows Harvested
2010	1,059	53%	303	257
2011	866	55%	298	179
2012	570	73%	295	121
2013	620	60%	273	99
2014	664	71%	299	174

2014	"Any Elk"					"Antlerless Elk"				
Unit	Appl.1st Choice	Licensed Hunters	Harvest Success	Bulls Harvested	Cows Harvested	Appl.1st Choice	Licensed Hunters	Harvest Success	Bulls Harvested	Cows Harvested
H1	1,108	76	65%	42	7	47	40	42%	3	14
H2	8,230	249	86%	188	25	426	146	71%	4	101
H3	1,310	80	68%	48	7	72	58	38%	4	18
H4	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
H5	71	5	40%	2	0	NA	NA	NA	NA	NA
H7	197	10	100%	9	1	NA	NA	NA	NA	NA
H9	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

BLACK HILLS ELK UNITS



Unit	2014			2015		
	"Any" Elk Tags	"Antlerless" Elk Tags	Total Tags	"Any" Elk Tags	"Antlerless" Elk Tags	Total Tags
H1	75	40	115	75	40	115
H2	250	150	400	250	400	650
H3	80	60	140	80	60	140
H4	0	0	0	0	0	0
H5	5	0	5	5	0	5
H7	10	0	10	15	0	15
H9	0	0	0	5	0	5
Total	420	250	670	430	500	930

GAME, FISH AND PARKS COMMISSION ACTION
PROPOSAL

Prairie Elk Hunting Season
Chapter 41:06:59

Commission Meeting Dates:	**Proposal**	**March 5-6, 2015**	**Pierre**
	Public Hearing	**April 1, 2015**	**Brookings**
	Finalization	**April 1-2, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates:	Unit 09A	September 15 – October 31 and December 1-31, 2015
	Unit 11A	July 15 – August 31, 2015
	Unit 11B	September 1 – October 16, 2015
	Unit 11C	October 17 – November 30, 2015
	Unit 11D	September 1 – December 31, 2015
	Unit 15A	September 12 – October 31 and December 1-31, 2015
	Unit 27A	September 1 – October 31, 2015
	Unit 30A	Closed
Open Area:	Unit 09A	Portions of Butte, Lawrence and Meade Counties
	Unit 11A,B,C,D	Bennett County; portions of Jackson and Mellette counties
	Unit 15A	Portions of Butte County
	Unit 27A	Portions of Fall River County
	Unit 30A	Portions of Gregory County
Licenses:	Unit 09A	20 "any elk" and 10 "antlerless elk" licenses
	Unit 11A,B,C,D	15 "any elk" and 16 "antlerless elk" licenses
	Unit 15A	10 "any elk" and 10 "antlerless elk" licenses
	Unit 27A	10 "any elk" and 0 "antlerless elk" licenses
	Unit 30A	No licenses.

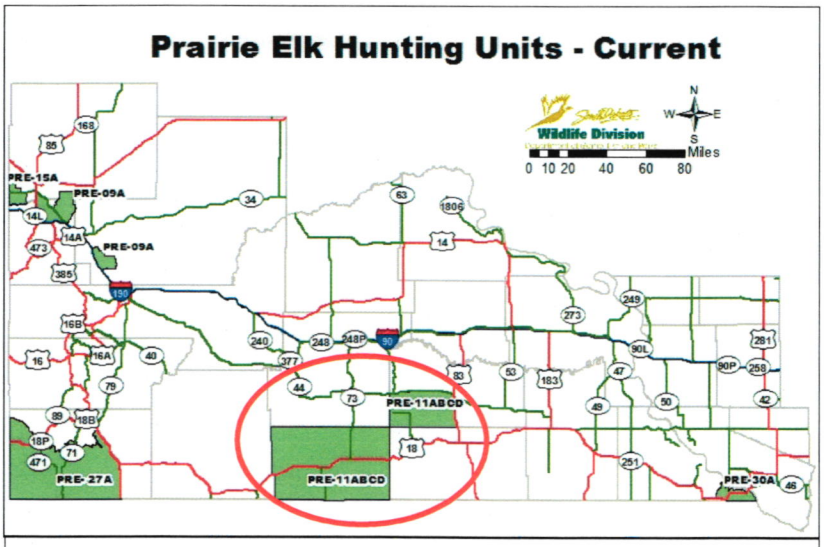
Requirements and Restrictions:

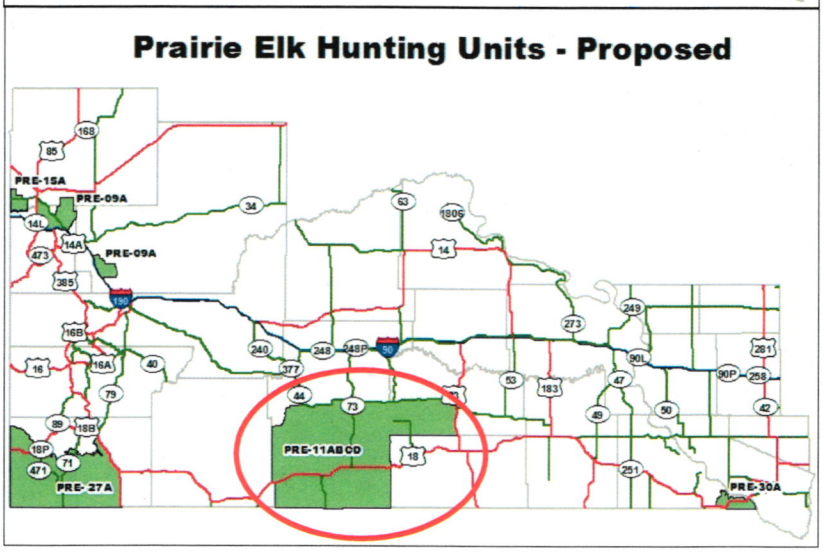
1. No person may possess more than one (1) elk license of any type in a year.
2. No more than two persons may submit applications together.
3. Except for landowner/operator preference applicants, no person who receives a license in the first drawing for this season shall be eligible to apply for a prairie elk license in first drawings for the next 9 years.
4. One-half of the licenses allocated in each unit are available for landowner/operator preference. One member of each qualifying landowner/operator household may apply every year.
5. Each elk harvested must be inspected by a Conservation Officer or designee within 24 hours after kill.

Recommended changes from last year:

1. Adjust the number of licenses available from 57 "any elk" and 36 "antlerless elk" licenses (total of 93 licenses) to 48 "any elk" and 50 "antlerless elk" licenses (total of 98 licenses).
2. No licenses issued for Unit 30A (portions of Gregory County).
3. Add that portion of Jackson County south of SD Highway 44 and BIA Highway 2 to Unit 11A,B,C,D.
4. Change the season dates for Unit 11C from the second Sunday of October to December 31 to the second Sunday of October to November 30.
5. Repeal Unit PRE-ZZ1.

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____





SUPPORTIVE INFORMATION

Year	Licensed Hunters	Hunter Success	Bulls Harvested	Cows Harvested
2010	134	41%	24	31
2011	128	28%	19	17
2012	97	46%	24	20
2013	96	34%	18	14
2014	92	68%	30	31

2014	"Any Elk"				"Antlerless Elk"			
Unit	Licensed Hunters	Harvest Success	Bulls Harvested	Cows Harvested	Licensed Hunters	Harvest Success	Bulls Harvested	Cows Harvested
09A	20	71%	9	6	9	100%	0	9
11A	NA	NA	NA	NA	8	50%	0	4
11B	10	70%	7	0	NA	NA	NA	NA
11C	5	100%	5	0	NA	NA	NA	NA
11D	NA	NA	NA	NA	8	100%	0	8
15A	10	60%	6	0	10	40%	0	4
27A	10	40%	4	0	NA	NA	NA	NA
30A	2	0%	0	0	NA	NA	NA	NA

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

11

GAME, FISH, AND PARKS COMMISSION ACTION
PROPOSAL

Custer State Park Elk Hunting Season (Any Elk)
Chapter 41:06:27

Commission Meeting Dates:	**Proposal**	**March 5-6, 2015**	**Pierre**
	Public Hearing	**April 1, 2015**	**Brookings**
	Finalization	**April 1-2, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates: September 19 – October 4, 2015

Licenses: 8 resident "Any Elk" licenses

Requirements and Restrictions:

1) The unit is open within the boundaries of Custer State Park for the 16-day period beginning the third Saturday of September.
2) Harvested elk must be inspected within 24 hours.

Recommended changes from last year:

1. Adjust the number of licenses available from 4 "any elk" to 8 "any elk" licenses.
2. Repeal Unit CUE-ZZ1.

SUPPORTIVE INFORMATION

Year	Licenses	Applicants	Success Rate
2006	41	11,709	95%
2007	41	12,768	93%
2008	36	12,572	97%
2009	36	13,063	86%
2010	21	13,065	80%
2011	11	12,060	91%
2012	4	11,133	100%
2013	4	12,888	100%
2014	4	11,762	100%

APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

11a

GAME, FISH, AND PARKS COMMISSION ACTION
PROPOSAL

Special Custer State Park Antlerless Elk Hunting Season
Chapter 41:06:47

Commission Meeting Dates:	**Proposal**	**March 5-6, 2015**	**Pierre**
	Public Hearing	**April 1, 2015**	**Brookings**
	Finalization	**April 1-2, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates: Closed

Licenses: 0 licenses

Recommended changes from last year: None.

SUPPORTIVE INFORMATION

Year	Licenses	Applicants	Success Rate	HRD
2006	100	4,105	73%	291
2007	60	4,339	57%	185
2008	40	4,383	59%	108
2009	20	4,546	95%	50
2010	5	4,420	80%	13
2011	CLOSED			
2012	CLOSED			
2013	CLOSED			
2014	CLOSED			

APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

GAME, FISH, AND PARKS COMMISSION ACTION PROPOSAL

Custer State Park Early Archery Elk Hunting Season
Chapter 41:06:28

Commission Meeting Dates:			
	Proposal	March 5-6, 2015	Pierre
	Public Hearing	April 1, 2015	Brookings
	Finalization	April 1-2, 2015	Brookings

DEPARTMENT RECOMMENDATION

Season Dates: September 1-30, 2015

Licenses: 4 "Any Elk" licenses

Requirements and Restrictions:

1. Season opens the first of September and closes the last day of September.
2. Harvested elk must be inspected within 24 hours.

Recommended changes from last year: None.

SUPPORTIVE INFORMATION

Year	Licensed Hunters	1st Choice Applicants	Success Rate	Elk Harvested
2008	8	3,084	25%	2 bulls
2009	8	3,134	25%	2 bulls
2010	5	3,031	0%	None
2011	3	2,000	33%	1 bull
2012	3	2,078	0%	0
2013	3	2,740	100%	3 bulls
2014	4	3,023	100%	4 bulls

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

11c

GAME, FISH AND PARKS COMMISSION ACTION
PROPOSAL

Custer State Park Late Archery Elk Hunting Season
Chapter 41:06:48

Commission Meeting Dates:			
	Proposal	March 5-6, 2015	Pierre
	Public Hearing	April 1, 2015	Brookings
	Finalization	April 1-2, 2015	Brookings

DEPARTMENT RECOMMENDATION

Season Dates: Closed

Licenses: 0 licenses

Recommended changes from last year: None.

SUPPORTIVE INFORMATION

Year	Licenses	Applicants	Success Rate	HRD
2007	50	2,333	5%	370
2008	50	2,532	14%	338
2009	50	2,791	13%	312
2010	30	2,852	0%	200
2011	15	2,842	0%	84
2012	CLOSED			
2013	CLOSED			
2014	CLOSED			

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

11d

2015 Elk Hunting Seasons

2014

Black Hills Elk			
Unit	Resident Licenses		
	Any Elk 21	Atl Elk 23	
H1A	75		
H1C		40	
H2A	250		
H2C		50	
H2E		100	
H3A	80		
H3C			
H3E		60	
H4A			
H4C			
H5A	5		
H7A	10		
H7C			
H9A			
H9C			
TOTAL	420	250	670
Unit	Any Elk 21	Atl Elk 23	

2015

Black Hills Elk			
Unit	Resident Licenses		
	Any Elk 21	Atl Elk 23	
H1A	75		
H1C		40	
H2A	250		
H2C		150	
H2E		250	
H3A	80		
H3C			
H3E		60	
H4A			
H4C			
H5A	5		
H7A	15		
H7C			
H9A	5		
H9C			
TOTAL	430	500	930
Unit	Any Elk 21	Atl Elk 23	

2015

Black Hills Elk	
Unit	Resident Licenses
	Atl Elk Contingency Licenses 23
H1A	
H1C	6
H2A	
H2C	23
H2E	38
H3A	
H3C	
H3E	9
H4A	
H4C	
H5A	
H7A	
H7C	
H9A	
H9C	
TOTAL	75
Unit	Atl Elk Contingency Licenses 23

2014

Archery Elk			
Unit	Resident Licenses		
	Any Elk 21	Atl Elk 23	
H1A	20	5	
H2A	50	5	
H3A	15	5	
H4A			
H5A	2		
H7A	5		
H9A			
30A			
TOTAL	92	15	107
Unit	Any Elk 21	Atl Elk 23	

2015

Archery Elk			
Unit	Resident Licenses		
	Any Elk 21	Atl Elk 23	
H1A	25	5	
H2A	85	44	
H3A	27	7	
H4A			
H5A	2		
H7A	5		
H9A			
30A			
TOTAL	144	56	200
Unit	Any Elk 21	Atl Elk 23	

2014

Prairie Elk			
Unit	Resident Licenses		
	Any Elk 21	Atl Elk 23	
9A	20	10	
11A		8	
11B	10		
11C	5		
11D		8	
15A	10	10	
27A	10		
30A	2		
TOTAL	57	36	93
Unit	Any Elk 21	Atl Elk 23	

2015

Prairie Elk			
Unit	Resident Licenses		
	Any Elk 21	Atl Elk 23	
9A	10	20	
11A		8	
11B	10		
11C	8		
11D		12	
15A	10	10	
27A	10		
30A			
TOTAL	48	50	98
Unit	Any Elk 21	Atl Elk 23	

2014

Custer State Park			
Season	Resident Licenses		
	Any Elk 21	Atl Elk 23	
Archery	4		
Late Archery			
Rifle	4		
TOTAL	8		8
Season	Any Elk 21	Atl Elk 23	

2015

Custer State Park			
Season	Resident Licenses		
	Any Elk 21	Atl Elk 23	
Archery	4		
Late Archery			
Rifle	8		
TOTAL	12		12
Season	Any Elk 21	Atl Elk 23	

GAME, FISH, AND PARKS COMMISSION ACTION PROPOSAL

Custer State Park Non-Trophy Bison Harvest
Chapter 41:06:60

Commission Meeting Dates:	**Proposal**	**March 5-6, 2015**	**Pierre**
	Public Hearing	**April 1, 2015**	**Brookings**
	Finalization	**April 1-2, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates: 47 Days beginning the 4th Monday in January

Licenses: 15 non-trophy bull bison, 10 cow bison permits.

Requirements and Restrictions:

1) The unit is open within the boundaries of Custer State Park for a 47-day period beginning the 4th Monday of January.
2) Permit holders are restricted to one day for the harvest and must arrange hunting date with the Custer State Park Office.
3) Each permit holder shall be accompanied by an authorized Custer State Park official while hunting.
4) Seven non-trophy bull bison and five cow bison licenses allocated to residents in a first draw.

Recommended changes from last year: Change season dates from 49 days beginning the first Saturday in October to 47 days beginning the 4th Monday in January.

SUPPORTIVE INFORMATION

Custer State Park has modified bison handling protocols and schedules because of changes in testing requirements and to reduce stress and associated injury and mortality. These changes have moved the primary sort of surplus sale animals to the end of October rather than the beginning. Previously, the sort of surplus animals including non-trophy harvest animals occurred the beginning of October just after the roundup. With the move of the sort to the end of October, the non-trophy harvest needs to be moved later in the year. Moving the non-trophy bison harvest to after the beginning of the year will remove any conflict with the fall roundup/auction schedule and the trophy bison harvest which occurs from late November until early January. Additionally, animals will have ample time to recover from any stress or injury sustained during roundup and handling.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____

12a

GAME, FISH, AND PARKS COMMISSION ACTION
PROPOSAL

Custer State Park Trophy Bison Bull Harvest
Chapter 41:06:42

Commission Meeting Dates:	**Proposal**	**March 5-6, 2015**	**Pierre**
	Public Hearing	**April 1, 2015**	**Brookings**
	Finalization	**April 1-2, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates: 47 Days beginning the last Monday in November

Licenses: 8 trophy bull bison permits with 2 allocated to residents in the first draw.

Requirements and Restrictions:

1) The unit is open within the boundaries of Custer State Park for a 47-day period beginning the last Monday of November.
2) Permit holders are restricted to three days for the harvest and must arrange hunting date with the Custer State Park Office.
3) Each permit holder shall be accompanied by an authorized Custer State Park official while hunting.

Recommended changes from last year: None

SUPPORTIVE INFORMATION

Custer State Park's trophy bison harvest is the tool used to remove overmature bison bulls (10+ year-old), but is a sought after trophy opportunity. These bulls are eligible for Boone and Crockett awards and most qualify above the minimums.

APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

Mountain Goat Hunting Season
Chapter 41:06:29

Commission Meeting Dates:			
	Proposal	**March 5-6, 2015**	**Pierre**
	Public Hearing	**April 1, 2015**	**Brookings**
	Finalization	**April 1-2, 2015**	**Brookings**

DEPARTMENT RECOMMENDATION

Season Dates: September 1 – December 31, 2015

Open Area: Those portions of Pennington and Custer counties west of Highway 79 except Mount Rushmore National Memorial, Jewel Cave National Monument, and the fenced portion of Wind Cave National Park and Custer State Park.

Licenses: 2 "any mountain goat" licenses

Requirements and Restrictions:

1. Application for a license may be made by any resident hunter who has not been previously issued a mountain goat license.
2. Land operator preference is not applicable to these licenses.
3. Mandatory check of harvested mountain goat by a Conservation Officer or Department representative within 24 hours of kill.
4. Mandatory meeting attendance on the afternoon of day preceding the opening day of the mountain goat season, Regional Office, Rapid City, for education of hunter, for furnishing materials for biological sampling, and for orientation to area.

Recommended change from last year:

1. Offer 2 "any mountain goat" licenses.
2. Change the season dates from the first Saturday of October - October 31 to September 1 – December 31.

SUPPORTIVE INFORMATION

Year	Licensed Hunters	Billies Harvested	Nannies Harvested
2003	3	1	2
2004	3	1	2
2005	2	0	2
2006	2	0	1
2007	Season Closed		
2008	Season Closed		
2009	Season Closed		
2010	Season Closed		
2011	Season Closed		
2012	Season Closed		
2013	Season Closed		
2014	Season Closed		

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

Hunting Requirements and Prohibited Methods
Size of Party Limited
41:06:04:02

Commission Meeting Dates:			
	Proposal	March 5-6, 2015	Pierre
	Public Hearing	April 1, 2015	Brookings
	Finalization	April 1, 2015	Brookings

DEPARTMENT RECOMMENDATION

Current Rule:

41:06:04:02. Size of party limited. No more than 20 persons may cooperate as a group in hunting, except when hunting jackrabbits or predators.

Recommended Change:

41:06:04:02. Size of party limited. No more than 20 persons may ~~cooperate~~ possess a bow and arrow, crossbow, or firearm, including a muzzleloading firearm, while cooperating as a ~~group~~ party in hunting, except when hunting ~~jackrabbits or predators~~ a predator/varmint. The provisions of this section do not apply to a person who is only carrying a concealed pistol, provided the person possesses a valid concealed pistol permit as provided in SDCL chapter 23-7.

SUPPORTIVE INFORMATION

Currently, ARSD 41:06:04:02 states that no more than 20 persons may cooperate as a group in hunting, except when hunting jackrabbits or predators. The manner in which the department has interpreted and enforced the rule has been to count only those persons carrying firearms or bows and arrows. Other party members who may have been involved as walkers, observers, or drivers have not been counted against the party size. The department is recommending approval of this amendment to bring the rule in line with how it has been addressed by department staff.

☐ APPROVE ☐ MODIFY ☐ REJECT ☐ NO ACTION

AUTHORIZED USES OF STATE LAND ACQUIRED BY TITLE VI OF WATER RESOURCES DEVELOPMENT ACT OF 1999 as amended

Department of Game, Fish and Parks Policy

PURPOSE STATEMENT

This policy will provide South Dakota Department of Game, Fish & Parks (SDGFP) staff with additional direction when considering requests for secondary uses of Title VI property acquired pursuant to the Water Resources Development Act of 1999 [P.L. 605-53] as amended (the Act). Rules promulgated under the state's Administrative Procedures Act (SDCL 1-26) and codified under ARSD 41:03 govern many uses of Game Production and Water Access Areas, State Parks and Recreation Areas, and other lands owned, leased or managed by SDGFP. These rules also apply to property acquired pursuant to Title VI of the Act.

BACKGROUND INFORMATION

The Water Resources Development Act of 1999 as amended [P.L. 605-53] (the Act) authorized the transfer of over 90,000 acres of land adjacent to the Missouri River from the Corps of Engineers to the South Dakota Department of Game, Fish and Parks (SDGFP). The South Dakota Legislature enacted legislation in 2000, codified as SDCL 41-2-38, for the purpose of accepting state ownership and management of this property (attachment A). Under Title VI of the Act, the property transferred to SDGFP must be used "for fish and wildlife purposes, or public recreation uses, in perpetuity" (attachment B). Under SDCL 41-2-38, the property must be utilized for "fish, wildlife, park, and all other recreational uses and purposes." In addition, the Legislature granted SDGFP the authority to manage, control, and improve the property on behalf of the state. Management of the property includes the power to lease any of the property so acquired for any agricultural, recreational or other purposes authorized by law. Although Title VI property may be used for purposes other than those set forth in the Act, neither SDGFP's management of the property nor its approval of requested and intended uses of the property can override or be in conflict with the Congressionally mandated purposes established in the Act. Accordingly, while it is not necessary that Title VI property be used *exclusively* for the Congressionally mandated purposes set forth in the Act, the primary use of the property must comply with one or more of the Congressionally mandated uses or purposes or, at an absolute minimum, the use of the property must neither interfere with, eliminate, nor diminish the Congressionally mandated uses and purposes of the property.

POLICY REQUIREMENTS

A. Subject to the guidance set forth in this policy, SDGFP must determine what uses, activities, facilities and improvements are to be allowed on Title VI property. SDGFP has the responsibility to determine whether a proposed secondary use of Title VI property either complies with or interferes with the purposes for which the property was acquired. For the purposes of applying this policy, use of the word "significantly" means "having or being likely to have a major effect or impact."

B. In its determination of whether or not to approve a requested secondary use of Title VI property by a public or private party, SDGFP shall not allow any use of the property which will eliminate, significantly diminish or interfere with the use of the property for fish, wildlife, public recreation or park purposes. Any proposed use of the property which would eliminate, significantly diminish or interfere with the congressionally mandated purposes for which said property was acquired and for which said property is being managed by SDGFP is expressly prohibited.

C. Additionally, in its determination of whether or not to approve a requested secondary use of Title VI property by a public or private party, full consideration must be given to all possible impacts on historic and cultural resources, and the implications of such proposed activities as they relate to The National Historic Preservation Act, The Archaeological Resources Protection Act, and The Native American Graves Protection Act and Repatriation Act.

D. In order for SDGFP to approve a request for secondary use of Title VI property, such proposed secondary use must have as its primary use or purpose one or more of the following:

1. Fish and/or wildlife purposes, such as wildlife habitat improvements and developments (e.g. food habitat plots, woody cover), wildlife habitat management practices (e.g. haying, grazing, burning).

2. Public parks and recreation purposes, such as unrestricted public access (trails, paths or other travel ways), unrestricted public hunting, public campgrounds and park facilities and unrestricted public access to water (e.g. boat ramps, docks).

3. Provides a mutual benefit to the recreating public when the proposed use is for the benefit of a private party or adjoining landowner, or does not unduly impede or interfere with the recreating public's use and enjoyment of the lands.

4. Provides or does not unduly impede unrestricted public access (e.g. trails, paths, or other travel ways) to public waters or lands.

5. If for mowing or chemical treatment of vegetation for fire prevention/control or noxious weed control.

6. Provides a measure for public safety or protection of property.

In arriving at its decision whether the requested secondary use significantly diminishes or interferes with the above stated primary uses and purposes, SDGFP may take the following matters into consideration:

1. Would the contemplated use significantly diminish, adversely affect or eliminate habitat conditions for fish and/or wildlife?

2. Would the contemplated use involve the construction of improvements, including but not limited to buildings, parking lots, bike trails, walking trails, boat ramps, boat docks, firearm and archery shooting areas, which will enhance the public use of the land and adjacent public water for park and recreational purposes?

3. Would the contemplated use result in a private exclusive use of public lands or waters?

4. Would the contemplated use significantly interfere with, diminish or eliminate the use of the land and adjacent public water for fish, wildlife, public recreation or park purposes?

5. Would the contemplated use result in destruction or increased potential for impacts to cultural features or resources?

E. Examples of policy application..

1. In developing an agricultural lease for Title VI property, restrictions must be placed upon the tenant to prevent over-grazing, so as not to destroy the wildlife habitat, and must not prohibit use by the public.

2. ABC Utility Company wishes to place underground conduit (e.g. power, cable TV, telephone) through the property. A similar example might be a municipality or private developer wanting to run water mains or sanitary sewer lines through the property. If these type of projects are to be accomplished without affecting the use of the property for fish, wildlife, park or other recreational purposes (i.e. all will involve the underground placement of the proposed improvements and will require the requesting party to place the land back in its original condition subsequent to the installation of the improvement), they may be approved.

3. The City of Lake Wobegon makes a request that SDGFP allow the City to build a parking lot on Title VI property. In this particular case, the land has no wildlife value as it is a gravel parking lot next to local riverfront businesses where the City has dumped snow over the years, and it is likely that recreational access to the river, a bike trail and an adjacent public park will all be enhanced by the presence of a well designed parking lot. The fact that private businesses will also benefit from this City managed parking lot is not unlike an agricultural lease where the rancher receives economic benefits from the lease with SDGFP on Title VI property but controlled grazing is viewed as an asset to managing the public land.

F. All requests for easements, leases and secondary uses or developments of Title VI property must be directed to and receive the prior written approval of the Director of the Division of Parks and Recreation, the Director of the Division of Wildlife or their duly authorized representatives, as appropriate, before such projects may be undertaken.

G. Nothing in this policy limits the Department's ability or authorization to formulate and implement policy regarding other specific land and water use issues. As an example, private boat docks and access thereto on public waters and lands are statewide issues not limited to Title VI property, and therefore such issues should be addressed as necessary according to established laws rules and policy.

41-2-38. Department to manage certain property transferred to state for fish and wildlife purposes or recreation uses--Promulgation of rules. The State of South Dakota accepts from the United States ownership of property pursuant to and as described in Title VI of the Water Resources Development Act of 1999, Public Law 106-53 consisting of property, land, improvements, and recreation areas to be utilized for fish, wildlife, park, and all other recreational uses and purposes. Upon transfer of ownership or interim acquisition of the property by lease or agreement, the Department of Game, Fish and Parks may manage, control, and improve the property on behalf of the state. The Game, Fish and Parks Commission may promulgate rules pursuant to chapter 1-26 to designate areas within the property as a state recreation area, a state nature area, a state lakeside use area, a state recreational trail, a public shooting area, a game production area, a wildlife refuge, a lake and fishing access use area, or a controlled hunting area. Management of the property includes the power to lease any of the property acquired in this section for any agricultural, recreational, or other purposes authorized by law. Any other statutory authority of the commission to promulgate rules shall apply to the property subject to the Water Resource Development Act.

Source: SL 2000, ch 204, § 1.

Attachment B

Public Law 106–53
106th Congress

Water Resources Development Act of 1999

SEC. 605. TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA

(a) IN GENERAL.—

(1) TRANSFER.—

(A) IN GENERAL.—The Secretary shall transfer to the Department of Game, Fish and Parks of the State of South Dakota (referred to in this section as the ''Department'') the land and recreation areas described in subsections (b) and (c) for fish and wildlife purposes, or public recreation uses, in perpetuity.

15a.

Prepared By:
Sean Blanchette
Concessions Manager
Division of Parks and Recreation
523 East Capitol Avenue
Pierre, SD 57501
Telephone: (605) 773-4230

LICENSE AGREEMENT

This agreement is made and entered into this ____day of_____, 2015, by and between the South Dakota Department of Game, Fish and Parks, 523 E. Capitol Avenue, Pierre, SD 57501, hereinafter referred to as LICENSOR; and, Roger Thorstensen, of 30599 131st Street, Selby, SD 57472, hereinafter referred to as LICENSEE.

RECITALS

Whereas, LICENSOR owns certain real property in Walworth County, South Dakota, more particularly described as follows:

> Government Lot 1 and the SE¼NW¼,except Outlots C and D.
> Outlot C in Government Lot 1, except the East 330.00 feet of the South 480.00 feet.
> Outlot D in the SE¼NW¼, except the East 660.00 feet of the South 660.00 feet.
> The above outlots in the original plat of Milwaukee Land Company's plat of outlots, Pontis, South Dakota.
> W½E½SW¼, W½E½SE¼SW¼, NW¼NW¼NE¼, N½SW¼NW¼NE¼, W½NE¼NW¼NE¼, NW¼SE¼NW¼NE¼, all in Section 13, Township 124 North, Range 80 West of the 5th Principal Meridian, (hereinafter "PROPERTY");

and

Whereas, LICENSEE owns certain real property which borders upon and adjoins the PROPERTY and is legally described as follows:

Lot 3, Schirber Addition to the City of Mobridge, Walworth County, South Dakota (hereinafter "LICENSEE'S property"); and

Whereas, LICENSOR surveyed the PROPERTY and discovered that a small portion of LICENSEE's concrete patio located on the western boundary of LICENSEE's property is built over the westerly lot line of LICENSEE's property and encroaches on to the PROPERTY; and

Whereas, LICENSEE desires to obtain a non-exclusive LICENSE for the primary purpose of maintaining that portion of the existing patio which encroaches upon the PROPERTY, and LICENSOR is willing to grant LICENSEE a license for such purpose; and

Whereas, attached hereto and made a part hereof by reference is EXHIBIT A which identifies the location of the portion of the patio which will be allowed to remain on the PROPERTY as provided in this LICENSE AGREEMENT;

TERMS OF AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises contained in this agreement, the parties agree as follows:

1. LICENSOR hereby grants to LICENSEE a license to occupy and use, subject to all of the terms and conditions of this agreement, that portion of the PROPERTY which is more specifically identified on EXHIBIT A attached hereto and incorporated herein by this reference (hereinafter "licensed area") for the purpose of allowing LICENSEE to keep and maintain a portion of the existing patio on the licensed area from the date of the parties' execution of this agreement and continuing until this agreement is terminated as provided in this agreement. LICENSEE, while exercising his privilege to use the licensed area as provided herein, understands and agrees that

he shall in no way obstruct, hinder, or in any way adversely affect LICENSOR'S use of the entire PROPERTY nor that of the public, users of the PROPERTY, or any other persons or entities who may have an interest in the PROPERTY.

2. The license granted herein is given to LICENSEE as an accommodation for an annual fee of _____ dollars ($____) to be paid to LICENSOR at its above address or such other address as LICENSOR may designate in writing by no later than February 1 of each year this license is in effect. This agreement shall remain in full force and effect from the date of its execution by both parties until terminated as provided in paragraph 3.

3. The license granted herein shall cease and automatically terminate in the event that LICENSEE violates any of the terms and conditions of this agreement, transfers or conveys any interest in LICENSEE'S property to any third party, or in the event that the patio or that portion thereof which is situated on the licensed area is removed or destroyed during the term of this license. Either party may terminate this agreement at any time, specifying the date of termination, by providing written notice to the other party not less than One Hundred Eighty (180) days specified in the notice for the date of termination.

4. This agreement is personal to the LICENSEE. LICENSEE shall have no right to assign or sublicense this license in any way. Any assignment or sublicense of this license by LICENSEE will automatically terminate this agreement and the license granted herein.

5. Upon termination of this agreement for any reason, LICENSEE shall quit, surrender and vacate the licensed area, remove that portion of the the patio which is

situated upon the licensed area and any other improvements installed in, on or attached to the licensed area, and perform whatever restoration to the licensed area is deemed necessary in LICENSOR's sole discretion to put the licensed area in a condition satisfactory to LICENSOR, at the sole expense of LICENSEE.

6. LICENSEE agrees that no construction of new improvements or expansion of the existing improvements may take place on or within the licensed area.

7. LICENSEE shall exercise the privilege herein granted at his own risk and shall be solely responsible for damages and expenses resulting from, arising out of, or in any way connected with the exercise of the privilege by LICENSEE, and LICENSEE's invitees or any other persons entering upon any portion of licensed area. LICENSEE agrees to hold harmless and indemnify the State of South Dakota, its officers, agents, and employees, from and against any and all expenses, liabilities, claims, actions, suits, damages, or other proceedings, including reasonable attorney fees, by or on behalf of any person or entity which may arise as the result of the license granted herein, which includes but is not limited to (1) failure of LICENSEE to perform any of the terms or conditions of this agreement, (2) any injury or damage happening on or about the licensed area, (3) failure to comply with any law of any governmental authority, (4) any mechanic's lien or security interest filed against the licensed area, and (5) any injury, damage or causes of action (civil or criminal) caused directly or indirectly in any way connected with use and maintenance of the licensed area. The provisions of this paragraph 7 do not require LICENSEE to be responsible for or defend against claims or damages to the extent arising from the negligence or intentional acts of LICENSOR, its officers, agents or employees.

8. This agreement shall be governed by, construed and enforced in accordance with the laws of South Dakota. Any lawsuit pertaining to or affecting this agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

9. This agreement constitutes the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this agreement shall not be binding on either party except to the extent incorporated into this agreement. Any modification of this agreement or additional obligation assumed by either party in connection with this agreement shall be binding only of evidenced in writing signed by each party or an authorized representative of each party.

10. Any notice or other communication required under this Agreement shall be in writing and sent to each party's address set forth above or such other address as either party may from time to time designate in writing. Notices shall be given by and to the Director, Division of Parks and Recreation, South Dakota Department of Game, Fish and Parks, on behalf of the LICENSOR, and by and to Roger Thorstensen, on behalf of the LICENSEE, or such authorized designees as either party may from time to time designate in writing. Notices or communications to or between the parties shall be deemed to have been delivered when mailed by first class mail, provided that notice of default or termination shall be sent by registered or certified mail, or, if personally delivered, when received by such party.

In witness whereof, the parties have executed this agreement as of the date and year first above written.

SOUTH DAKOTA DEPARTMENT OF GAME, FISH
and PARKS

By: _____
Its Director, Division of Parks and Recreation

LICENSOR

_____
Roger Thorstensen

LICENSEE

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

On this _____ day of September, 2015, before me _____, the undersigned officer, personally appeared Douglas Hofer, who acknowledged himself to be the Director of the Parks Division, South Dakota Department of Game, Fish and Parks, and that he, in said capacity and being authorized so to do, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(NOTARY SEAL)

_____
Notary Public, State of South Dakota

My commission expires: _____.

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF _____)

On this the ____ day of September, 2015, before me, _____, the undersigned officer, personally appeared Roger Thorstensen, known to me or

satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(NOTARY SEAL)

_____
Notary Public – State of South Dakota

My commission expires: _____

15b

Roger & Bonnie Thorstenson
605-845-6371

South Dakota Game, Fish And Parks:
Attention: Doug Hofer and SD GFP Commissioners

This testimony is to clarify why a small part of cement on Thorstenson lot 3, Schirber Addition, overlaps onto South Dakota Game, Fish And Parks land.

We, Roger and Bonnie Thorstenson purchased lot 3 of Schirber Addition in 2010 from Realtor, Adolph Hepper. Mr. Hepper had surveyors re-check the lot boundaries of lot 3 before the purchase was complete. The West Corps markers were designated as the property lines. Mr. Hepper has written a statement in confirmation of the property line verification. Thorstensons' took pictures of the property with the Corps markers; the photos have been given to Doug Hofer. In 2010/11, The SD GFP had surveying done on the land. The Corps markers were left in place as they were in 2010. When we built in 2013, we measured from the Corps markers to establish the required footage to meet SD GFP standards. We completed the building drawing with measurements for a city building permit. A Mobridge city official made a site visit to verify the building and lot measurements which were approved.

The point is that we honestly tried to follow the land and building codes. Our concern is that the SD GFP did NOT relocate the Corps markers or any markers when they had the area resurveyed. We used the Corps markers as the basis for establishing our building lines.

We are asking SD GFP to forgive the small area of concrete that is on the SD GFP land due to the fact that the Corps markers were in the same place when we purchased the lot as they were when we built. We live by honesty, integrity, and the will of God. We want to do the right thing. Thank you for your consideration and understanding in this specific matter.

Sincerely,

Roger and Bonnie Thorstenson

South Dakota Department of Game, Fish & Parks - Wildlife Division
Land Acquisition and Disposal Report
March 2015

Action Items

None

Information Items

Harney Lumber Company property

Location: Pennington County
Description: Two tracts totaling 6.64 acres
Management Objective: Facilities and public use support for the Outdoor Campus West
Cost: Appraisal work is currently being completed
Expected Closing: May 2015

Pheasants Forever GPA addition

Location: Bon Homme County
Description: 80 acres
Management Objective: Game Production Area – wildlife habitat management and public hunting
Cost: Appraisal work is currently being completed
Expected Closing: June 2015

WSFR Land Bank

Rapid City-Pennington County GIS

Lege

Roads
- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Unimproved road
- Trail
- FS Highway
- Airport Runway
- Not yet coded

Lot Lines
- <Null>
- Lot Line
- Parcel Line

Township/Section Lines
- 0
- 7

County Line

Scale: 1: 1,768

Map Notes:

DISCLAIMER: This map is provided 'as is' without warranty of any representation to accuracy, timeliness, or completeness. The burden for determining accuracy, completeness, timeliness, merchantability, and fitness for or the appropriateness for use rests solely on the user. Rapid City and Pennington County make no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts the limitations of the map, including the fact that the data used to create the map is dynamic and is in the constant state of maintenance, correction, and update. This documents does not represent a legal survey of the land. There are no restrictions on the distribution of printed Rapid City/Pennington County maps, other than the City of Rapid City copyright/credit notice must be legible on the print. The user agrees to recognize and honor in perpetuity the copyrights and other proprietary claims for the map(s) established or produced by the City of Rapid City or the vendors furnishing said items to the City of Rapid City.

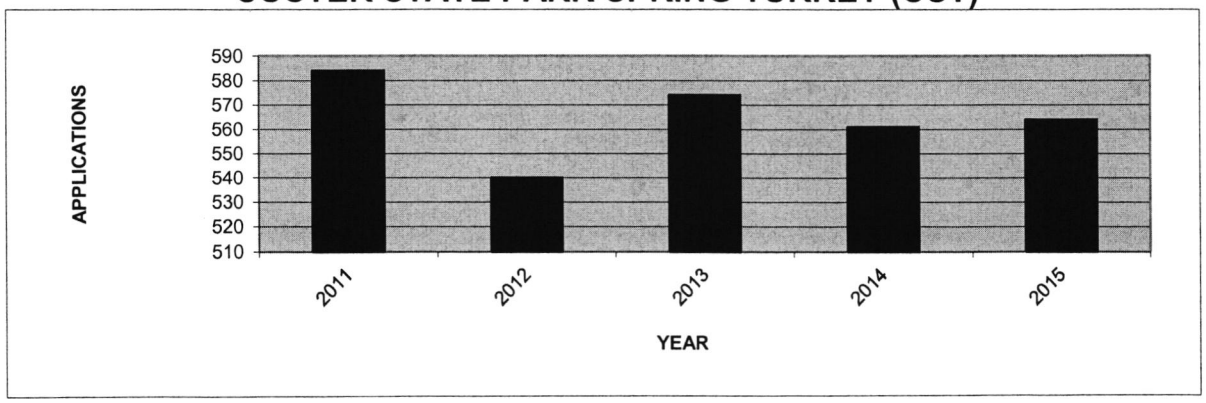
License Sales Totals

(as of Feb 26)

Resident	2015	2014
Combination	15,656	15,931
Junior Combination	1,034	1,157
Senior Combination	3,144	2,773
Small Game	856	883
Youth Small Game	383	338
1-Day Small Game	185	111
Migratory Bird Certificate	7,875	8,900
Predator/Varmint	630	602
Furbearer	1,806	1,919
Annual Fishing	7,265	8,409
Senior Fishing	1,983	2,068
1-Day Fishing	307	414
Gamefish Spearing/Archery	1,143	1,270

Nonresident	2015	2014
Small Game	2,960	2,067
Youth Small Game	183	134
Annual Shooting Preserve	48	35
5-day Shooting Preserve	345	362
1-day Shooting Preserve	193	125
Spring Light Goose	144	168
Youth Spring Light Goose	1	5
Migratory Bird Certificate	1	19
Predator/Varmint	573	515
Furbearer	4	5
Annual Fishing	5,074	4,403
Family Fishing	1,642	1,451
Youth Annual Fishing	171	211
3-Day Fishing	2,785	2,099
1-Day Fishing	1,466	1,556
Gamefish Spearing/Archery	282	315
TOTAL ON FILE =	**58,139**	**58,245**

CUSTER STATE PARK SPRING TURKEY (CST)



YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	PREF POINT ONLY
2015	LICENSES AVAILABLE	0	135	135		
	1ST CHOICE SUCCESSFUL	0	135	135		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	135	135		
	UNSUCCESSFUL	0	429	429		
	TOTAL APPLICATIONS	0	564	564		(94% ONLINE)

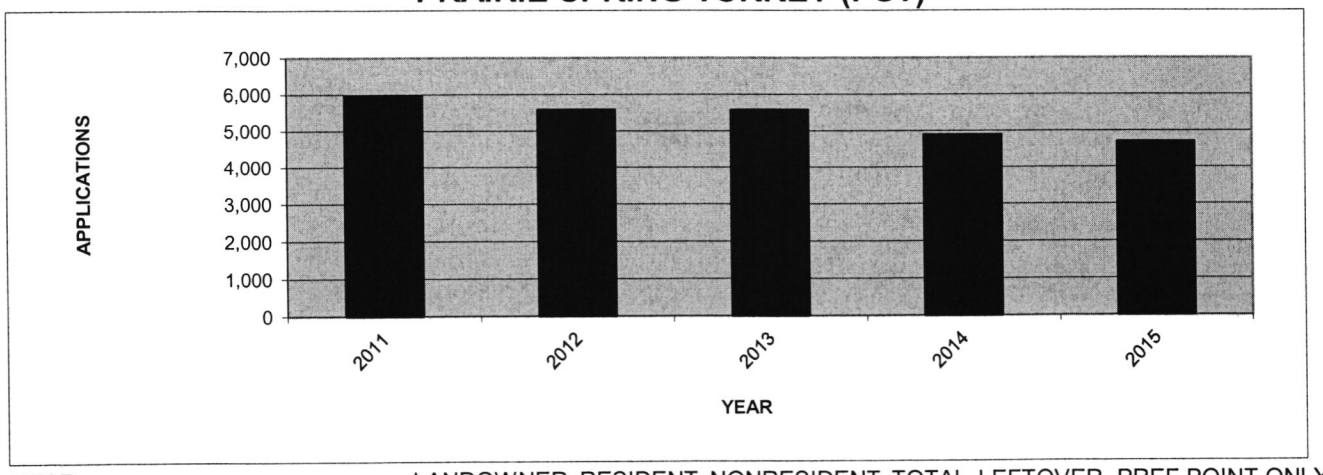
YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	
2014	LICENSES AVAILABLE	0	135	135		
	1ST CHOICE SUCCESSFUL	0	135	135		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	135	135		
	UNSUCCESSFUL	0	426	426		120
	TOTAL APPLICATIONS	0	561	561		(85% ONLINE)

YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	
2013	LICENSES AVAILABLE	0	135	135		
	1ST CHOICE SUCCESSFUL	0	135	135		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	135	135		
	UNSUCCESSFUL	0	549	549		110
	TOTAL APPLICATIONS	0	684	684		(85% ONLINE)

YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	
2012	LICENSES AVAILABLE	0	135	135		
	1ST CHOICE SUCCESSFUL	0	135	135		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	135	135		
	UNSUCCESSFUL	0	492	492		87
	TOTAL APPLICATIONS	0	627	627		(82% ONLINE)

YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	
2011	LICENSES AVAILABLE	0	135	135		
	1ST CHOICE SUCCESSFUL	0	135	135		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	135	135		
	UNSUCCESSFUL	0	527	527		78
	TOTAL APPLICATIONS	0	662	662		(82% ONLINE)

PRAIRIE SPRING TURKEY (PST)



YEAR	LANDOWNER	RESIDENT	NONRESIDENT	TOTAL	LEFTOVER	PREF POINT ONLY
2015 LICENSES AVAILABLE	3,640	3,639	366	7,645		
1ST CHOICE SUCCESSFUL	302	3,420	351	4,073		
2ND CHOICE SUCCESSFUL		69	2	71		
LICENSE ISSUED	302	3,489	353	4,144	3,501	
UNSUCCESSFUL		167	381	548		
TOTAL APPLICATIONS	302	3,656	734	4,692		(91% ONLINE)

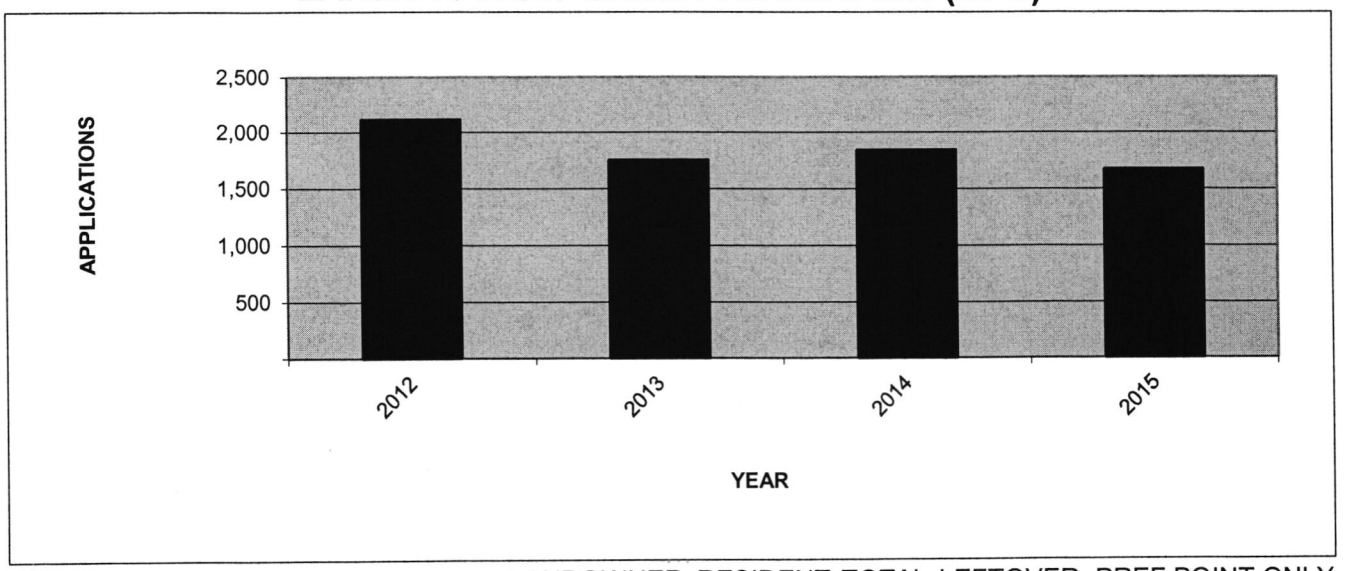
YEAR	LANDOWNER	RESIDENT	NONRESIDENT	TOTAL	LEFTOVER	
2014 LICENSES AVAILABLE	3,852	3,852	384	8,088		
1ST CHOICE SUCCESSFUL	471	3,366	372	4,209		
2ND CHOICE SUCCESSFUL		47	3	50		
LICENSE ISSUED	471	3,413	375	4,259	3,829	
UNSUCCESSFUL		183	443	626		50
TOTAL APPLICATIONS	471	3,596	818	4,885		(90% ONLINE)

YEAR	LANDOWNER	RESIDENT	NONRESIDENT	TOTAL	LEFTOVER	
2013 LICENSES AVAILABLE	3,945	3,945	399	8,289		
1ST CHOICE SUCCESSFUL	373	3,941	388	4,702		
2ND CHOICE SUCCESSFUL		81	4	85		
LICENSE ISSUED	373	4,022	392	4,787	3,502	
UNSUCCESSFUL		202	582	784		85
TOTAL APPLICATIONS	373	4,224	974	5,571		(89% ONLINE)

YEAR	LANDOWNER	RESIDENT	NONRESIDENT	TOTAL	LEFTOVER	
2012 LICENSES AVAILABLE	4,098	4,097	415	8,610		
1ST CHOICE SUCCESSFUL	379	3,952	411	4,742		
2ND CHOICE SUCCESSFUL		51	3	54		
LICENSE ISSUED	379	4,003	414	4,796	3,814	
UNSUCCESSFUL		150	632	782		54
TOTAL APPLICATIONS	379	4,153	1,046	5,578		(88% ONLINE)

YEAR	LANDOWNER	RESIDENT	NONRESIDENT	TOTAL	LEFTOVER	
2011 LICENSES AVAILABLE	4,110	4,110	395	8,615		
1ST CHOICE SUCCESSFUL	434	4,261	395	5,090		
2ND CHOICE SUCCESSFUL		62	3	65		
LICENSE ISSUED	434	4,323	398	5,155	3,460	
UNSUCCESSFUL		158	656	814		62
TOTAL APPLICATIONS	434	4,481	1,054	5,969		(86% ONLINE)

LAKE FRANCIS CASE PADDLEFISH (SFC)



YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	PREF POINT ONLY
2015	LICENSES AVAILABLE	0	350	350		
	1ST CHOICE SUCCESSFUL	0	350	350		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	350	350		
	UNSUCCESSFUL	0	1,323	1,323		
	TOTAL APPLICATIONS	0	1,673	1,673		(94% ONLINE)

YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	
2014	LICENSES AVAILABLE	0	350	350		
	1ST CHOICE SUCCESSFUL	0	350	350		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	350	350		
	UNSUCCESSFUL	0	1,491	1,491		96
	TOTAL APPLICATIONS	0	1,841	1,841		(94% ONLINE

YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	
2013	LICENSES AVAILABLE	0	350	350		
	1ST CHOICE SUCCESSFUL	0	350	350		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	350	350		
	UNSUCCESSFUL	0	1,403	1,403		68
	TOTAL APPLICATIONS	0	1,753	1,753		(92% ONLINE)

YEAR		LANDOWNER	RESIDENT	TOTAL	LEFTOVER	
2012	LICENSES AVAILABLE	0	350	350		
	1ST CHOICE SUCCESSFUL	0	350	350		
	2ND CHOICE SUCCESSFUL	0	0	0		
	LICENSE ISSUED	0	350	350		
	UNSUCCESSFUL	0	1,765	1,765		27
	TOTAL APPLICATIONS	0	2,115	2,115		(88% ONLINE)