

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] Attached Image  
**Date:** Wednesday, September 06, 2017 10:21:32 AM  
**Attachments:** [3598\\_001.pdf](#)

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**From:** Johnson, Brad [mailto:[brad\\_johnson@fws.gov](mailto:brad_johnson@fws.gov)]

**Sent:** Wednesday, September 06, 2017 9:48 AM

**To:** GFP Wild Info

**Subject:** Fwd: [EXT] Attached Image

Please see the attached letter from the U.S. Fish and Wildlife Service concerning the petition to restrict boating on Swan Lake in Clark County, South Dakota.

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Bradley Johnson  
Waubay NWR  
605/947-4521 office  
605/880-3792 cell



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Waubay National Wildlife Refuge  
44401 134A Street  
Waubay, South Dakota 57273  
Telephone: 605.947.4521 Fax: 605.947.4524



September 6, 2017

South Dakota Game, Fish & Parks Commission  
523 East Capital Avenue  
Pierre, SD 57501

This letter is in regards to the petition that was filed proposing to designate Swan Lake in Clark County as a "no boating zone" from October 20 to December 31. Our understanding is that M&E Land Company of Watertown filed a formal petition with the SDGF&P Commission to amend its existing rule for public water safety zones in Clark County. The petition was filed primarily to restrict boating access on Swan Lake to provide a protected rest area for migrating waterfowl during the low plains duck hunting season.

While the Service understands and appreciates the need to have protected rest areas for migratory waterfowl, we are at the same time concerned with the closure of access to public lands through these types of action. In this case, I am specifically referring to an 80 acre Waterfowl Production Area located in Swan Lake (W1/2SE1/4, Sec. 3, T119N, R56W).

Federal Waterfowl Production Areas are owned and managed by the U.S. Fish and Wildlife Service for the American public. These lands were purchased with money from hunters and other outdoor enthusiasts who purchase a Federal Migratory Bird Hunting and Conservation Stamp (Duck Stamp). By regulation, these properties are open to the public for wildlife related outdoor recreation including hunting and fishing. Please consider this when making your decision on this petition.

If you have any questions, please call me 605/947-4521. Thank you.

Sincerely,

Bradley Johnson  
Wildlife Refuge Manager

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] Boat closure petition on Swan Lake  
**Date:** Tuesday, September 05, 2017 3:03:43 PM

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**From:** kellys [mailto:kelsports@midconetwork.com]  
**Sent:** Tuesday, September 05, 2017 2:42 PM  
**To:** GFP Wild Info  
**Subject:** [EXT] Boat closure petition on Swan Lake

Dear GF&P Commission,

Finally, some common sense to enhance waterfowl hunting in the glacier lake area. I was born and raised on a farm in that area and have always hunted waterfowl in that area. I have never understood why the GF&P has not restricted boat traffic on certain lakes during waterfowl season. I have always thought that having boat restrictions on certain "staging" lakes in the area would enhance waterfowl hunting greatly. Common sense tells you that waterfowl need a body of water to rest on. Having boats harassing waterfowl while they are trying to rest just drives them out of the area. I have to thank these gentlemen for giving their time and money to bring this issue to the GF&P commission's attention. It's a start, but in my opinion more lakes need to be restricted in that area. Let's make hunting for the majority a better experience and stop catering to a handful who want to chase waterfowl in a boat. Please vote in favor of this petition.

Sincerely,

Kelly Cotten

Rapid City, South Dakota

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] Cattail-Kettle Lake closing  
**Date:** Tuesday, September 05, 2017 3:38:52 PM

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**From:** Mark L [mailto:vortexcoach1@gmail.com]

**Sent:** Tuesday, September 05, 2017 3:32 PM

**To:** GFP Wild Info

**Subject:** [EXT] Cattail-Kettle Lake closing

I would like to propose a compromise to the petition for closing Cattail-Kettle. Instead of 100% closure, I would be in favor of closure from 01OCT to 01MARCH each year. If this would not be acceptable to the land owners then I think this petition should be denied and legal public access allowed year around.

I fully understand that land owners lost access to an asset when their land flooded. I do not think they should be taxed on any land they are unable to produce on if after 5 years the land is not restored. I also do not understand why common law is not fully in place. That being, if my land (or public land) touches 1 foot of shore of any body of water, then said person (or the public) can have full access to the entire body of water. Ironically, I learned that in a law class at USD in the 1990's.

Their petition did not really describe how they were harmed by the natural flooding that occurred. It seems like they merely do not like people on the lake and want it all to themselves as a private preserve.

Additionally, I am sure you have this same thing in mind, but please proceeded carefully on this and all these land petitions as precedence will be established and I would hate to see all of these waters come off the public availability list.

v/r

Mark Long

**From:** [Miller, LouAnn](#)  
**To:** [Kirschenmann, Tom](#)  
**Subject:** FW: [EXT] Elk contingency licenes  
**Date:** Tuesday, September 05, 2017 8:31:04 AM

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**From:** Dennis DeKraai [mailto:[walleye\\_dek@msn.com](mailto:walleye_dek@msn.com)]  
**Sent:** Friday, September 01, 2017 11:42 AM  
**To:** GFP Wild Info  
**Subject:** [EXT] Elk contingency licenes

I am wondering why the GFP would sacrifice the future of the elk herd due to climate. Shoot the elk no more elk. Feed the elk on public property still have the elk. I would think that it would make more sence to stop grazing of public land than shoot the elk. Or feed the elk. I no money would be the issue. How much money I do not no. But I think that the sportsman would welcome a little raise in license fees to help the survival of the herd. I think keeping stable numbers is very important to hunters success rates and the ability to obtain a license.

**From:** [Miller, LouAnn](#)  
**To:** [Kirschenmann, Tom](#)  
**Subject:** FW: [EXT] elk contingency licenses  
**Date:** Tuesday, September 05, 2017 8:31:21 AM  
**Attachments:** [S.D. drought monitor map Aug. 29, 2017.png](#)

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**From:** Craig Solberg [mailto:[csolberg@pie.midco.net](mailto:csolberg@pie.midco.net)]

**Sent:** Friday, September 01, 2017 12:13 PM

**To:** GFP Wild Info

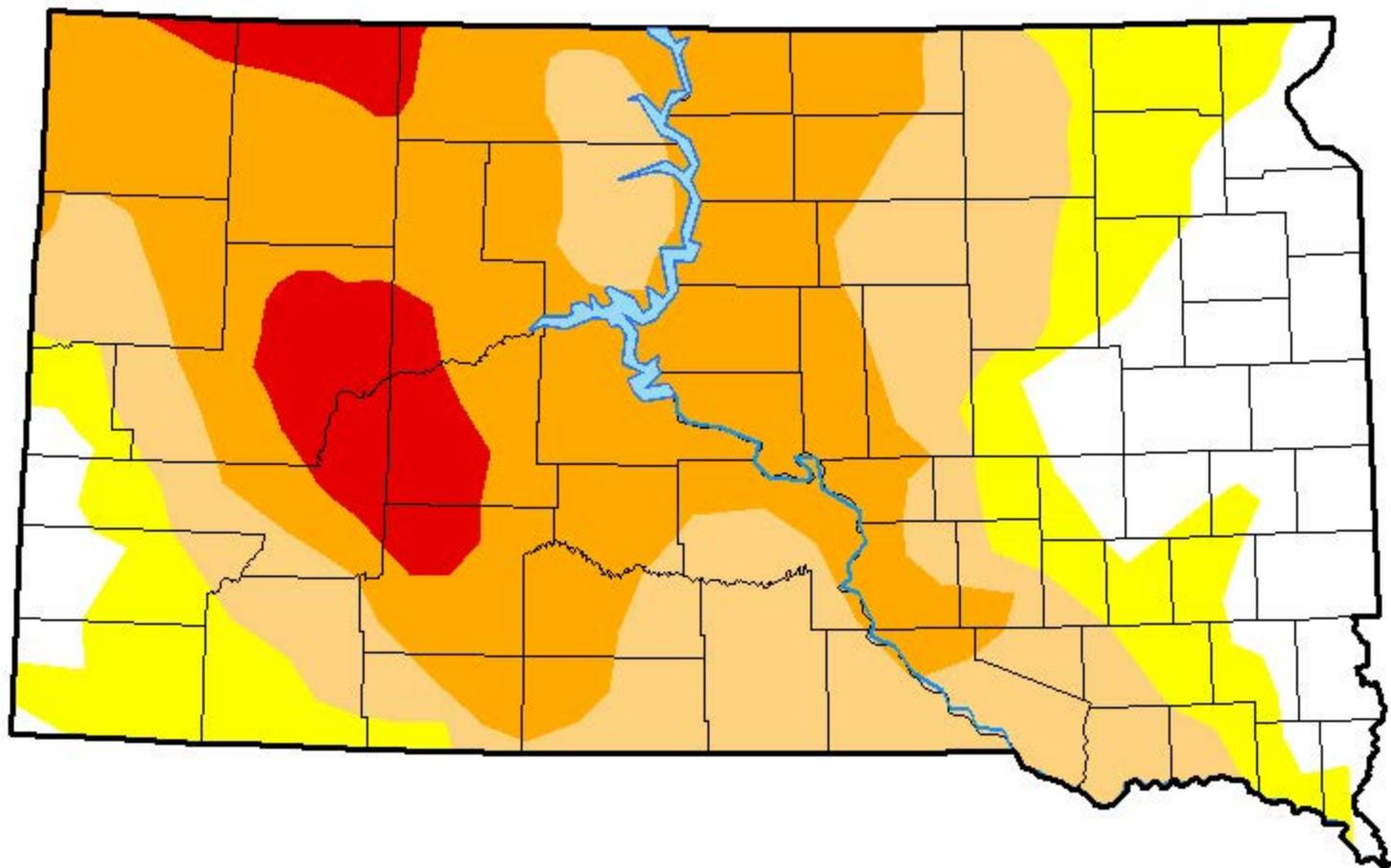
**Subject:** [EXT] elk contingency licenses

Please DO NOT issue elk contingency licenses in 2017!

Attached is a copy of a South Dakota Drought Monitor Map dated Aug. 29, 2017. Only the perimeter of the Black Hills is even shown as abnormally dry, a condition that probably occurs almost every year in at least some part of the Black Hills. A few weeks ago I traveled and camped in the Black Hills. The amount of forage and water from this summer's abundant rains was astounding. Without a doubt much of South Dakota is in a state of drought but not most of the Black Hills.

Just a few short years ago concerned citizens and sportsmen from across the state asked the Game, Fish and Parks Commission to stop the decline of our big game herds and elk in particular by not over issuing cow/antlerless elk licenses. Opportunities for sportsmen to hunt elk in the Black Hills were greatly decreased because the population was so low. Now with an elk herd recovering but still within management goals is there really a need to initiate another decline in our elk herd? One need look no further than the Custer State Park elk herd to see the results of over harvesting cow elk.

If lack of forage is an issue this year why is the U.S. Forest Service proposing to burn off over 15,000 acres of National Forest. At least one large parcel of this land, up to 3,700 acres called the Antihorse Prescribed Fire, lies mostly within the Jasper burn area, an area that is right now covered with as lush a grass cover as has probably occurred since the area burned in the year 2000. This is also the area that much of the Black Hills elk population winters on.



**From:** [Miller, LouAnn](#)  
**To:** [Kirschenmann, Tom](#)  
**Subject:** FW: [EXT] Elk contingency permits.  
**Date:** Tuesday, September 05, 2017 9:21:13 AM

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**From:** jeff [mailto:blankenj3@hotmail.com]  
**Sent:** Sunday, September 03, 2017 10:53 AM  
**To:** GFP Wild Info  
**Subject:** [EXT] Elk contingency permits.

Additional cow harvest: I have not heard additional word on draught affects. I am guessing not severe. I would encourage caution regarding additional cow permits. If absolutely necessary, additional cow harvest could be incorporated into a depredation harvest this winter. I would hope all efforts are to increase herd numbers throughout hills, including CAP herd. Thank you,  
Jeff

**From:** [Miller, LouAnn](#)  
**To:** [Kirschenmann, Tom](#)  
**Subject:** FW: [EXT] Elk contingency  
**Date:** Tuesday, September 05, 2017 9:13:04 AM

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-----Original Message-----

From: Lance Perrett [<mailto:2perretts@gmail.com>]  
Sent: Saturday, September 02, 2017 3:49 PM  
To: GFP Wild Info  
Subject: [EXT] Elk contingency

I spend a lot of time in the Hills. The drought has not affected the Hills like the rest of the state. There is plenty of grass in most of the Hills with a lot of green grass still. I would hope that you seek the advice of people that actually spend the time out there. I feel that if there is a contingency, it would be on the overuse of cattle on the Forest Service. With reduced numbers of cattle on the Forest Service we would have even more forage for the wild game. Please take this into consideration.

Thank You, Lance Perrett

Sent from my iPhone

**From:** [Miller, LouAnn](#)  
**To:** [Kirschenmann, Tom](#)  
**Subject:** FW: [EXT] Elk licenses  
**Date:** Tuesday, September 05, 2017 8:31:48 AM

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-----Original Message-----

From: Dan [<mailto:dessink@live.com>]  
Sent: Friday, September 01, 2017 2:57 PM  
To: GFP Wild Info  
Subject: [EXT] Elk licenses

I assume that you are talking more about drought effects on the winter range when you are discussing allotting contingency cow elk tags? I have followed the elk herds in the western part of unit 2 since the mid 90's and I can say that there is minimal if any drought caused conditions that would cause implementation of more cow tags being issued. The herds are in very good shape and the range is in very good shape. The calf population the last two years has been amazing in this area and seems like much fewer cattle are grazing this year( maybe because ranchers had to lower herd numbers because of their own winter pastures?). Unless the winter range for the elk herds have been decimated by drought I see no reason to lower herd numbers at this time. My opinion, thanks.  
Sent from my iPhone

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] Email Scan document  
**Date:** Tuesday, September 05, 2017 9:12:13 AM  
**Attachments:** [\[Untitled\].pdf](#)

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-----Original Message-----

From: Steve H. [<mailto:sth@dailypost.com>]  
Sent: Saturday, September 02, 2017 2:57 PM  
To: GFP Wild Info  
Subject: FW: [EXT] Email Scan document

Attached are my comments on boating @ Swan Lake.

Steve Horning  
17073 442nd Av  
Henry SD

-----Original Message-----

From: Horning Office [<mailto:hcpa1@dailypost.com>]  
Sent: None  
To: STH@DAILYPOST.COM  
Subject: Email Scan document

Please open the attached document. This document was digitally sent to you using an HP Digital Sending device.

09/01/17

SD Game, Fish and Parks Commission

RE: Making Swan Lake a no boating lake during the low plain duck season.

I am a farmland owner who hunts and fishes on Swan Lake. I do not have land on Swan Lake, but own land 2 ½ miles from Swan Lake. I have had numerous conversations on this subject including talking to the petitioners. Besides the petitioners, only two of approximately 90 people that I have spoken with are in favor of this proposal.

On the south side of Swan Lake some duck hunters use their duck boats to put out decoys in the water. Since the water is too deep to use waders they go to the land to hunt the blue bills.

If this proposal is accepted I predict that the land owners on the north end will have most of the ducks come to them. This would be very good for the land owners. I can envision the non hunting land owners leasing their land out if the ducks go as the petitioner's request.

This leaves me to the non land owning duck hunters. The ducks will go to the private land and since there is a lot of public land on Swan Lake, they would be the big losers. We need non land owning duck hunters.

Please do not privatize Swan Lake.

Sincerely yours,

Steven T Horning  
17073 442<sup>nd</sup> Avenue  
Henry, SD 57243

**From:** [Kirschenmann, Tom](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] extra Elk licenses  
**Date:** Tuesday, September 05, 2017 9:57:44 AM

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**From:** Miller, LouAnn  
**Sent:** Tuesday, September 05, 2017 9:54 AM  
**To:** Kirschenmann, Tom  
**Subject:** FW: [EXT] extra Elk licenses  
**From:** Bret Foley [<mailto:bfoleylighthousebaptistpress@gmail.com>]  
**Sent:** Monday, September 04, 2017 11:07 AM  
**To:** GFP Wild Info  
**Subject:** [EXT] extra Elk licenses

The drought has not affected the Black Hills the same way as the prairie. There is still plenty of forage and the hills still look very green. Just when Elk numbers are looking good GFP wants to kill them off. Then it usually takes 5 to 10 years for them to rebound. I'm against issuing more licenses.

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Virus-free. [www.avast.com](http://www.avast.com)

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] Possible Closure of Swan Lake  
**Date:** Tuesday, September 05, 2017 9:21:49 AM

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**From:** Bob Hoffmann [mailto:bobh@weckworth.com]  
**Sent:** Sunday, September 03, 2017 1:50 PM  
**To:** GFP Wild Info  
**Subject:** [EXT] Possible Closure of Swan Lake

I was born and raised in Watertown. After High School I moved away to make a living. I would return to visit parents, and to hunt in the fall, when possible.

After retiring, we bought a home here and now live here half of the year.

I returned primarily due to my love of the outdoors, and the memories those activities that gave me such joy as a youngster.

That's disappearing!

It's increasingly difficult to get permission to hunt pheasants, without paying someone for the right. Screw 'em. I quit pheasants.

Used to be if I could access a slough legally (or any body of water) I could enjoy my activities up to the "high water mark". Not now. The landowners have gradually squeezed the life out of the joys the outdoors provided me as a kid...and the others who don't share their wealthy status.

If you intend to aide them in their drive to more privatization of hunting and fishing, don't be as obtuse as approving this petition. Get after helping the rich get their way in a more direct, and effective way.

Keep the riff-raff out of the wealthy's way in the outdoors. Just raise the price of the needed licenses to the point that only the elite can partake.

On the other hand, if you buy into the line of Bull Spit the petitioners are feeding you about not shooting ducks off the roost", then just add a note to the hunting regulations book: "It is illegal to shoot waterfall off the roost in Swan Lake". That ought to do it!!!

Bob Hoffmann

"Ask not what your country can do for you. Ask what you can do for yourself!"

On Sep 2, 2017, at 4:25 PM, James Horning <[dr4jrh@gmail.com](mailto:dr4jrh@gmail.com)> wrote:

The closing of Swan Lake to the public is an outright ego trip.

This would open up the lake to a potential commercial adventure limiting hunting or fishing to those willing to pay.

This would also violate the rules re the stocking of fish which has been done in Swan Lake both in 2006 and 2007 as stocking is restricted to bodies of water that are open to the public.

This might have a domino effect on some of the other lakes in SD.

All of this makes the situation worse due to the nonmeandered water issues.

I urge you to deny the request to close Swan Lake for the sportsmen and sportswomen of SD.

I thank you for your time.

James R Horning MD

1008 36th ST NW

Watertown SD 57201-7248

"When I was a boy I was told that anybody could become President;

I'm beginning to believe it." - Clarence Darrow

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] Swan Lake Petition  
**Date:** Tuesday, September 05, 2017 12:03:19 PM

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**From:** John Thompson [mailto:jjthompson@santel.net]  
**Sent:** Tuesday, September 05, 2017 11:46 AM  
**To:** GFP Wild Info  
**Subject:** [EXT] Swan Lake Petition

I am asking the Commission to not approve the petition to close Swan Lake for boat traffic during waterfowl season.

This time of year is when the fishing could be at it's best. The State has spent money to improve boat access to this lake. A portion of the lake is owned by the Sate GF&P and managed as a Game Production Area. This is an excellent lake for those that want to hunt waterfowl from a boat, this petition would put a stop to boat hunting and also create a waterfowl refuge. The refuge would not benefit anyone but the people requesting the closure.

We all know that the number of waterfowl hunters have decreasing each year as there is limited access for places to hunt. This petition will not better the waterfowl hunting in South Dakota, therefore I am asking that the petition be denied.

Thank You

John Thompson  
Fisherman, Hunter, Sportsman and South Dakota Landowner

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] Swan Lake  
**Date:** Wednesday, September 06, 2017 11:05:47 AM

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-----Original Message-----

From: Darin LaQua [<mailto:darrin@tnics.com>]  
Sent: Wednesday, September 06, 2017 10:23 AM  
To: GFP Wild Info  
Subject: [EXT] Swan Lake

Dear Honorable State Game Commissioners,

I am writing in regards to the proposed Swan Lake closure from Oct. 20 thru Dec. 31. As the president of the Dakota Sportsman Inc. in Watertown, I have been receiving a lot of feedback from our members over this issue. Everyone is against this proposed closure. It is not that we sportsmen are unwilling to work with landowners, but the fact that the sportsmen and residents of South Dakota have ownership in that particular body of water. Swan Lake is a Section 8 lake, so it was consequently closed this past spring. Closing it every fall shows disregard for the rights of South Dakota's sportsmen and residents.

Thank you,

Darrin LaQua

President

Dakota Sportsman Inc.

**From:** [Miller, LouAnn](#)  
**To:** [Comes, Rachel](#)  
**Subject:** FW: [EXT] To SD Game, Fish & Parks Commission  
**Date:** Tuesday, September 05, 2017 9:13:44 AM

---

**From:** James Horning [mailto:dr4jrh@gmail.com]

**Sent:** Saturday, September 02, 2017 4:25 PM

**To:** GFP Wild Info

**Subject:** [EXT] To SD Game, Fish & Parks Commission

The closing of Swan Lake to the public is an outright ego trip.

This would open up the lake to a potential commercial adventure limiting hunting or fishing to those willing to pay.

This would also violate the rules re the stocking of fish which has been done in Swan Lake both in 2006 and 2007 as stocking is restricted to bodies of water that are open to the public.

This might have a domino effect on some of the other lakes in SD.

All of this makes the situation worse due to the nonmeandered water issues.

I urge you to deny the request to close Swan Lake for the sportsmen and sportswomen of SD.

I thank you for your time.

James R Horning MD

1008 36th ST NW

Watertown SD 57201-7248

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I'm beginning to believe it.” - Clarence Darrow