

GAME, FISH, AND PARKS COMMISSION ACTION FINALIZATION

Application for License Chapter 41:06:01

Commission Meeting Dates:	Proposal	June 8, 2023	Good Earth State Park
	Public Hearing	Sept 7, 2023	Watertown
	Finalization	Sept 7-8, 2023	Watertown

COMMISSION PROPOSAL

Current Antelope and Turkey Application Eligibility:

1. A person can submit one application in each of the first two lottery drawings, provided they do not possess a license for that season.
2. Following the second lottery drawing, resident and nonresident licenses are pooled.
3. In the third lottery drawing, a person can submit up to four applications if they already have one license for that season and five applications if they do not have a license for that season.
4. In the fourth drawing, a person can submit an unlimited number of applications.

Changes from last year: Modify administrative rule to restrict the number of applications a person may submit during the third draw for Prairie Spring Turkey, Fall Turkey and Prairie Antelope to one application for each season.

DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

SUPPORTIVE INFORMATION

The popularity of turkey and antelope hunting in South Dakota has led to a steady increase in applications. During the first and second draws for turkey and antelope seasons, applicants may apply for one license and can obtain a maximum of one license per season through those draws. During the third draw for turkey and antelope seasons, all remaining licenses are then pooled for residents and nonresidents, alike. Applicants that do not already possess a license from the first or second draw may submit up to five applications and those applicants that already possess a license, may submit up to four applications. During the 2023 third draw for Prairie Spring Turkey, 297 hunters were successful in two or more of their applications, resulting in 556 total hunters with two or more licenses through 3 draws and 1,279 hunters still without a single license (see table below). In many cases, hunters possessed five turkey licenses while there were other applicants that were not able to obtain a single license. This change will allow more applicants the opportunity to hunt each year, rather than a smaller number of hunters possessing multiple licenses. With this modification, 799 applications from the 2,360 total applications would have been excluded in the third draw if all applicants were limited to one application. South Dakota has not conducted a third draw for prairie antelope within the past decade, but this modification would bring the structure of the third draw for all three of these seasons into alignment.

The benefits of this rule modification include: 1) Creates more opportunity for more unique hunters; 2) Reduces draw and administrative rule complexity; 3) Reduces the amount of returned licenses when hunters apply for up to five licenses and then return successful licenses they do not want. Many times, there is not enough time to then reallocate licenses to other hunters; and 4) Creates consistency among turkey and antelope season draws.

Draw	Current	Proposed
1 & 2	1 application per draw 1 license limit through first two draws	No Change
3	Resident and nonresident licenses pooled Up to 5 applications <ul style="list-style-type: none"> • 4 applications if previously successful 	Resident and nonresident licenses pooled 1 application limit
4	Unlimited applications	No Change

DRAFT ADMINISTRATIVE RULE CHANGES

41:06:01:09. Application for unsold big game licenses -- Future eligibility. In antelope and turkey season units where resident and nonresident licenses are limited in number and licenses remain unsold following a second lottery drawing, a person ~~who does not have a license in a season~~ may apply for ~~up to five~~ one leftover ~~licenses~~ license in that season, ~~and a person who already has a license in a season may apply for up to four additional licenses in that season.~~ After the third drawing, a person may apply for an unlimited number of leftover licenses on a first-come first-serve basis. Nonresidents are not eligible for East River spring turkey or East River fall turkey licenses except for licenses unsold after the second lottery drawing. Purchase of an antelope or turkey license under this section does not affect the eligibility of the applicant in future lotteries.

A person who possesses two licenses for any of the Black Hills, East River, West River, Refuge, Custer State Park or Muzzleloader Deer Hunting Seasons may not apply for a license in the second combined lottery drawing for these seasons and a person who possesses one license may apply for one additional license for a season if the person does not possess a license for that season. A resident may submit one application for each season in the third lottery drawing if the resident does not possess a license for that season and in the fourth lottery drawing, a resident may submit no more than five applications. In the third and fourth leftover drawings, a nonresident who does not possess a license may submit two applications and a nonresident who possesses one license may submit one application for a season if the nonresident does not possess a license for that season. After the fourth lottery drawing, a person may obtain an unlimited number of licenses from a pool of remaining resident and nonresident licenses.

If licenses remain unsold after the initial lottery drawing for Black Hills Elk Hunting Season, Prairie Elk Hunting Season, and Archery Elk Hunting Season, a person who does not already have an elk license may apply for a license in a second or subsequent lottery drawing if the person submits the nonrefundable application fee and the applicable license fee with the application. Purchase and receipt of a first-choice elk license during the first lottery drawing counts as a successful application and affects eligibility in future first lottery drawings for the same season. Purchase and receipt of an elk license in the second drawing by the use of preference points is a successful application and affects eligibility in future lottery drawings for these seasons. Purchase and receipt of an elk license in the second lottery drawing without the use of preference points, or purchase and receipt of an elk license in subsequent drawings, does not affect eligibility or preference in future lottery drawings for these seasons.

RESIDENT/NONRESIDENT CRITERIA

1. The Issue – NA
2. Historical Considerations – NA
3. Biological Considerations – NA
4. Social Considerations – The rule change limits resident and nonresident applications similarly.
5. Financial considerations – NA

RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? No.
2. Does the regulation increase the opportunity for new and existing users? Yes, more unique hunters could likely obtain a turkey or antelope license.
3. How does the regulation impact the next generation of hunters, anglers, trappers and outdoor recreationists? There would be more opportunity for hunters to obtain a turkey or antelope license.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? There would be more opportunity for hunters to obtain a turkey or antelope license.

FISCAL IMPACT

None.

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