

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

Public Waters Chapter 41:04:02

Commission Meeting Dates:	Proposal	November 4-5, 2021	Pierre
	Public Hearing	January 4, 2022	Pierre
	Finalization	January 4-5, 2022	Pierre

COMMISSION PROPOSAL

Proposed changes from last year:

1. Remove no boating zones and allow for non-motorized watercraft within the Waubay National Wildlife Refuge and the Waubay State Game Bird Refuge.

SUPPORTIVE INFORMATION

GFP and the USFWS have been in collaboration to discuss ways to increase recreational opportunities, while still meeting the objectives of the refuge system. The USFWS Refuge System recently removed restrictions to increase outdoor opportunities at Waubay National Wildlife Refuge within their mission and management responsibilities. These respective administrative rules are prohibiting the USFWS from allowing these outdoor opportunities.

DRAFT ADMINISTRATIVE RULE CHANGES

The following are proposed draft changes that are intended to incorporate the recommended changes adopted by the Commission.

41:04:02:18. Day County public water safety zones. Day County public water safety zones are as follows:

- ~~(3) The waters of Hillebrand's Lake are a "no boating zone";~~
- ~~(4) The waters of Spring Lake are a "no boating zone";~~
- ~~(5) The waters of Swan Pond are a "no boating zone";~~
- (3) The waters within the boundary of Waubay National Wildlife Refuge, including the waters within the Waubay State Game Bird Refuge, except for designated trails, are a "no motor vehicle zone"; non-motorized watercraft are allowed;

RESIDENT/NONRESIDENT CRITERIA

1. The Issue
 - Why make the change, what are the change alternatives, how will public/stakeholder input be solicited, and how will the change be evaluated if implemented? The USFWS Refuge System recently removed restrictions to increase outdoor opportunities within their mission and management responsibilities. These respective administrative rules are prohibiting the USFWS from allowing these outdoor opportunities.
2. Historical Considerations
 - Until recently, these areas were closed to the above described activities.
3. Biological Considerations
 - What is the current and projected status of the population and habitat conditions for these populations? Not applicable.
4. Social Considerations
 - Not applicable.
5. Financial considerations
 - Not applicable.

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

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, it provides recreational opportunities for those using non-motorized boats, canoes, and kayaks in a new area.
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? Provides recreational opportunities for those using non-motorized boats, canoes, and kayaks in a new area.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? Yes.

FISCAL IMPACT

Not applicable.

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