

# GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

## National Wildlife Refuge Deer Hunting Season Chapter 41:06:36

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>March 9-10, 2023</b>	<b>Pierre</b>
	<b>Public Hearing</b>	<b>May 4, 2023</b>	<b>Custer State Park</b>
	<b>Finalization</b>	<b>May 4-5, 2023</b>	<b>Custer State Park</b>

### DEPARTMENT RECOMMENDATION

**Duration of Recommendation:** 2023 and 2024 hunting seasons

**2023 Season Dates:** Sand Lake NWR November 11-15, November 16-20, November 21-26, November 27 – December 3, December 4-10  
Lacreek NWR October 18-24 and November 22-28  
Waubay NWR\* November 11-19 and November 25 – December 3  
\* includes Waubay State Game Bird Refuge

**2024 Season Dates:** Sand Lake NWR November 9-13, November 14-18, November 19-24, November 25 – December 1, December 2-8  
Lacreek NWR October 16-22 and November 27-December 3  
Waubay NWR\* November 9-17 and November 23 – December 1  
\* includes Waubay State Game Bird Refuge

**Licenses:** Specific number of licenses by tag types and allocation for resident and nonresidents will be recommended by the Department to the GFP Commission at the April Commission meeting.

### **Requirements and Restrictions:**

1. The first season on Sand Lake NWR, all seasons on Lacreek NWR and Waubay NWR are restricted to muzzleloaders.
2. Applicants may apply for only one refuge unit (season) in the first application period.
3. Licenses remaining after the first application period may be purchased by any resident or nonresident on a first-come, first serve basis.

### DEPARTMENT RECOMMENDATION

#### **Recommended changes from last year:**

1. Restrict RFD-SL4 to muzzleloading rifles without telescopic sights with the intention of switching antlerless licenses to any deer licenses for this season.
2. Edit the open unit description of Lacreek Refuge to specify the refuge unit area is specified by the refuge.

### SUPPORTIVE INFORMATION

Sand Lake National Wildlife Refuge staff would like to expand the unique any deer hunting opportunity in the refuge. Success rates for the any deer Sand Lake Refuge seasons are primarily driven by weather conditions, specifically water levels, and not as closely related to buck population levels as other areas. When water levels are high, success decreases because many areas become inaccessible or difficult to hunt. Switching the fourth season from antlerless only to any deer and restricting to muzzleloader will create an additional unique opportunity to hunt a different time when water levels may provide different accessibility.

Lacreek Refuge staff designate hunting areas within the refuge which vary annually. The recommended rule change is designed to allow Lacreek Refuge staff to specify hunting unit boundaries.

<b>APPROVE</b> _____	<b>MODIFY</b> _____	<b>REJECT</b> _____	<b>NO ACTION</b> _____
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The recommended maximum number of one-tag deer licenses will be established in administrative rule and the GFP Commission via administrative rule will determine specific number of licenses by tag types and allocation amongst residents and nonresidents.

Preliminary harvest data for the 2022 deer hunting seasons just became available. Department staff will review all harvest and other biological data, population modeling outputs, determine population objectives for whitetail and mule deer, and then bring recommendations for unit-specific license numbers and types to the GFP Commission at the April Commission meeting.

Refuge Deer

Year	Licenses Sold	Bucks Harvested	Does Harvested	Total Harvest	Tag Success
2019	158	42	13	55	35%
2020	159	53	5	58	36%
2021	152	56	6	62	41%
2022	158	53	17	70	44%

**DRAFT ADMINISTRATIVE RULE CHANGES**

1.

41:06:36:02. Sand Lake open units. The following is a description of the units open to deer hunting on the Sand Lake National Wildlife Refuge:

(1) Unit RFD-SL1 is open for five consecutive days beginning on the second Saturday of November. The licenses are restricted to muzzleloading rifles without telescopic sights as provided in § 41:06:04:14;

(2) Unit RFD-SL2 is open for five consecutive days beginning on the day following the end of the Unit RFD-SL1 season;

(3) Unit RFD-SL3 is open for six consecutive days beginning on the day following the end of the Unit RFD-SL2 season;

(4) Unit RFD-SL4 is open for seven consecutive days beginning on the day following the end of the Unit RFD-SL3 season. The licenses are restricted to muzzleloading rifles without telescopic sights as provided in § 41:06:04:14; and

(5) Unit RFD-SL5 is open for seven consecutive days beginning on the day following the end of the Unit RFD-SL4 season.

A hunter possessing an unfilled "antlerless deer" license for any Sand Lake deer hunting unit may hunt the refuge for nine consecutive days beginning on the day following the end of Unit RFD-SL5 season.

2.

41:06:36:02.01. Lacreek open units. The following is a description of the units open to deer hunting on the Lacreek National Wildlife Refuge:

(1) Unit RFD-LC1 is open for seven consecutive days beginning on the third Wednesday of October; and

(2) Unit RFD-LC2 is open for seven consecutive days beginning on the fourth Wednesday of November.

<b>APPROVE</b> _____	<b>MODIFY</b> _____	<b>REJECT</b> _____	<b>NO ACTION</b> _____
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The deer hunting units within the refuge are set by Lacreek Refuge. Information is available at Lacreek Refuge headquarters and will be mailed to successful applicants.

All Lacreek open units are restricted to muzzleloading rifles without scopes.

#### 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?
  - NA
2. Historical Considerations
  - NA
3. Biological Considerations
  - What is the current and projected status of the population and habitat conditions for these populations?
  - NA
4. Social Considerations
  - NA
5. Financial considerations
  - NA

#### RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? NA
2. Does the regulation increase the opportunity for new and existing users? NA
3. How does the regulation impact the next generation of hunters, anglers, trappers and outdoor recreationists? NA
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? NA

#### FISCAL IMPACT

No fiscal impact is expected to the Department.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_