

# GAME, FISH, AND PARKS COMMISSION ACTION PROPOSAL

## Trapping Prohibitions Chapter 41:08:02

Commission Meeting Dates:	Proposal	May 6-7, 2021	Custer State Park
	Public Hearing	July 8, 2021	Watertown
	Finalization	July 8-9, 2021	Watertown

### COMMISSION PROPOSAL

#### Current Rule:

**41:08:02:01. Water-sets prohibited -- Dates -- Exceptions.** Except as otherwise provided in this section, no person may set a trap within 30 feet of water from October 1 through October 31. A live trap, snare, or trap designed specifically to catch raccoons may be used. Body grip or killer traps set in accordance with § 41:08:02:06 may be used for beaver in all counties west of the Missouri River except the portion of the Black Hills Fire Protection District south of Interstate 90 and west of State Highway 79, except U. S. Forest Service lands.

No person may flag, mark, or otherwise attempt to claim a muskrat house on public land or waters before sunrise on November 1. No person may flag or mark any muskrat house during the muskrat season, except those houses containing an operational trap set.

The placing of any traps in or on a muskrat house of any size is prohibited east of the Missouri River from March 16 through August 31.

Except as provided for in this section, no person may place any trap (set or unset), stake, cable, chain, wire, or other device used for the purpose of attaching a trap, or otherwise attempt to claim or mark a trap site on any public road right-of-way or public land or water open to trapping within 30 feet of water from October 1 through the opening of the mink season.

#### Proposed changes from last year:

1. Modify existing administrative rule to allow body-grip or killer traps set in accordance with ARSD 41:08:02:06 to be used for beaver in all counties east of the Missouri River (this change would align East River with West River).
2. Modify existing administrative rule to correct an error regarding the end date that traps can be placed in or on muskrat houses east of the Missouri River (i.e. Change to April 30).

### DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

### SUPPORTIVE INFORMATION

Change #1: This change would bring administrative rule in-line with proposed changes to the beaver season in eastern South Dakota.

Change #2: Simple date correction.

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

**RESIDENT/NONRESIDENT CRITERIA**

1. The Issue – Not applicable.
2. Historical Considerations – Not applicable.
3. Biological Considerations – Not applicable.
4. Social Considerations – Not applicable.
5. Financial considerations – Not applicable.

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

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

**FISCAL IMPACT**

No fiscal impact to the Department.

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