

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

Public Waters/Fishing Seasons

Chapter 41:04:02 and 41:07:02

Commission Meeting Dates:	Proposal	March 3-4, 2002	Pierre
	Public Hearing	May 5, 2022	Custer State Park
	Finalization	May 5-6, 2022	Custer State Park

COMMISSION PROPOSAL

Proposed changes from last year:

1. Modify applicable dates and the area included in "no discharge of a firearm from a boat" of Indian Springs and Antelope Lakes in Clark County.
2. Modify applicable dates and the area included in the closure of fishing from a boat of Indian Springs and Antelope Lakes in Clark County.

SUPPORTIVE INFORMATION

In 2017, HB1001 tasked the SD Game Fish and Parks to work on agreements with landowners on non-meandered water issues. One such agreement was with a landowner on Indian Springs Lake in Clark County. The current rule was put into place in 2018 after discussions with a landowner who owned most of the flooded private property in the Indian Springs basin. It was the opportunity to balance the request of the landowner and the public recreational use of Indian Springs Lake.

Landownership has changed hands since the original agreement. Due to water levels increasing in the area, the new landowner has requested to simplify the boundaries of the current area closed to "discharging a firearm or fishing from a boat" on Indian Springs to also include the waters of Antelope Lake. Antelope Lake is currently designated as a State Waterfowl Refuge. As part of this request, the landowner also agreed to change the start date in the current rules 41:04:02:12b and 41:07:02:01b to October 20th, giving sportsmen and women an additional 10 days in the fall to hunt and fish from a boat while allowing the water to be open to public recreational use during the winter, spring, and summer months. This date would also align with boating regulations on other state refuges.

Indian Springs Lake is a non-meandered body of water thus is subject to landowner request to close it to recreational use if so desires. By GFP staff working with the current landowners, Indian Springs Lake can remain open to public recreational activities with minimal restrictions for 2 months vs being shut down year-round.

DRAFT ADMINISTRATIVE RULE CHANGES

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

41:04:02:12. Clark County public water safety zones. The Clark County public water safety zones are as follows:

(2) The waters of Indian Springs and Antelope Lake west of a line from 42750 174th Street to 42750 177th Street to 424th avenue are designated as a "no discharge of a firearm from a boat" from October 40 20 through December 31.

41:07:02:01. Inland waters. Except as provided in § 41:07:01:05, all species of fish except those species listed in §§ 41:10:02:05 and 41:10:02:06 may be caught, taken, or killed by hook and line year-round within inland waters.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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The following restrictions apply to inland waters:

(2) In Clark County the waters of Indian Springs and Antelope Lake west of a line from 42750 174th street to 42750 177th street to 424th avenue is closed to fishing from a boat from October 40 20 through December 31.



South Dakota Department of Game, Fish and Parks

Indian Springs / Antelope Lake Boundaries



Current Boundary Proposed Boundary Meandered Water Line Waterfowl Refuge

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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RESIDENT/NONRESIDENT CRITERIA

1. The Issue
 - None
2. Historical Considerations
 - None
3. Biological Considerations
 - None
4. Social Considerations
 - None
5. Financial considerations
 - None

RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate?
 - Yes. It will limit the fishing from a boat and discharging of a firearm from a boat from October 20 to December 31.
2. Does the regulation increase the opportunity for new and existing users?
 - Yes. This rule would allow for an additional 10 days to fish from a boat or discharge of a firearm from a boat in the fall. It will also ensure most of Indian Springs Lake will remain open to ice, spring, and summer fishing.
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists?
 - Indian Springs Lake is close to communities like Clark and Watertown. Indian Springs Lake remaining open allows an excellent outdoor recreational opportunity.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors?
 - Yes. It would allow more time for recreational use of Indian Springs Lake.

FISCAL IMPACT

Making this change and adding 10 additional fishing days on Indian Springs could have significant fiscal impact to the local businesses when the fishing is good.

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____