

# GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

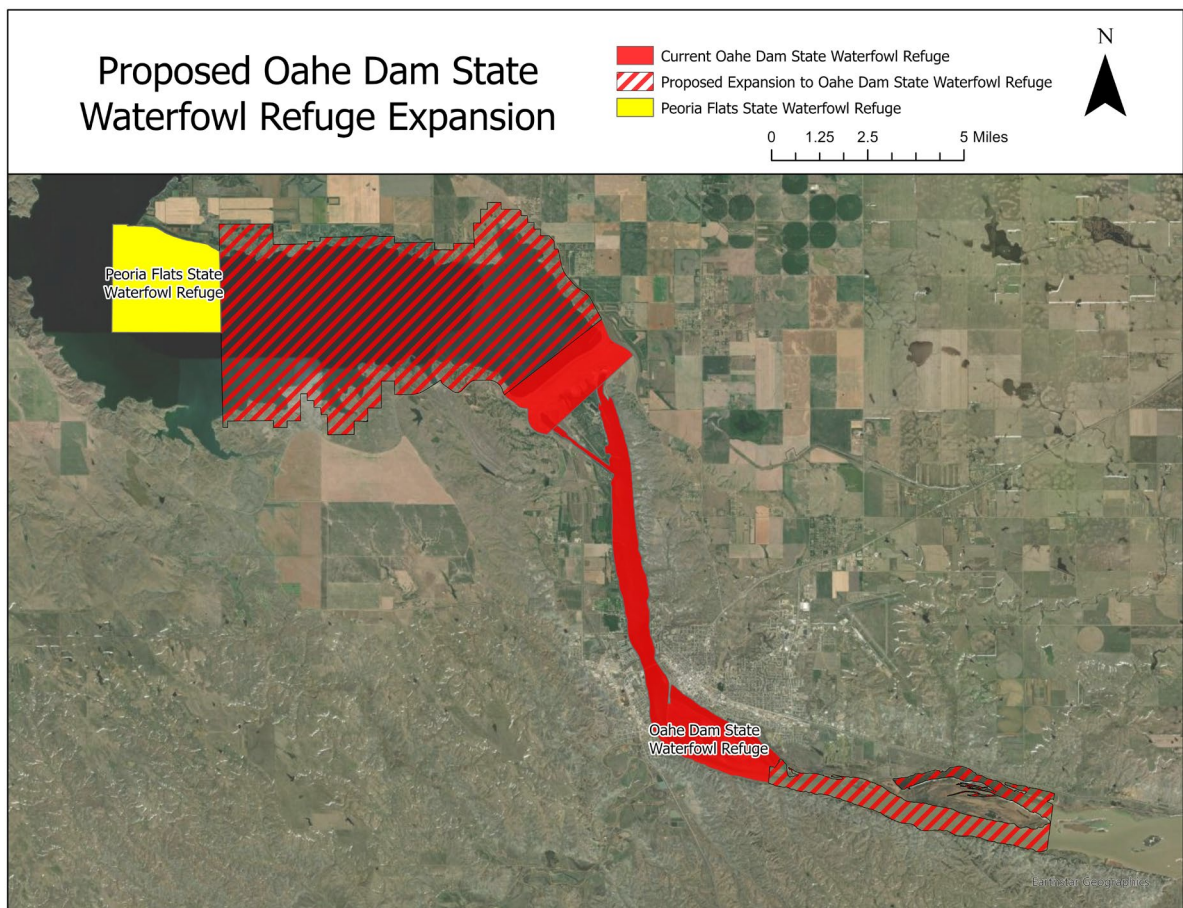
## Refuges Chapter 41:05:02

Commission Meeting Dates:	Proposal	January 4-5, 2022	Pierre
	Public Hearing	April 7, 2022	Watertown
	Finalization	April 7-8, 2022	Watertown

### COMMISSION PROPOSAL

#### Proposed changes from last year:

1. Modify the boundary of the Oahe Dam State Waterfowl Refuge by expanding the geographic area of the refuge to include the water of Lake Oahe and all lands owned and managed by the South Dakota Department of Game, Fish and Parks and the US Army Corps of Engineers lying south and west of S.D. Highway 1804 and north and east of S.D. Highway 1806 from the current refuge boundary upstream of Oahe Dam to the east boundary of Peoria Flats State Waterfowl Refuge and the water line from the downstream point of LaFramboise Island to the downstream point of Farm Island (see map).



APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
---------------	--------------	--------------	-----------------

## SUPPORTIVE INFORMATION

The Commission denied a petition submitted by the South Dakota Migratory and Upland Gamebird Association as a component of the petition was to include a 50-year clause. The Commission, however, did develop a proposal that includes the addition to the Oahe Dam State Waterfowl Refuge as requested by the petitioner and believes the requested additions to the Oahe Dam State Waterfowl Refuge deserve an opportunity for public comment.

It is unknown if the proposed refuge change will enhance waterfowl hunting opportunities in the Pierre/Ft. Pierre area at a level greater than the current public hunting opportunities that would be taken away. In addition, the total area in the proposed refuge expansion and removal of public access for waterfowl hunting opportunities is 14,768 acres; a 444% increase in size that includes 11,704 acres of water and 3,064 acres of land. The proposed refuge expansion would remove shoreline hunting that includes 24.2 miles upstream and 24.5 miles downstream of Oahe Dam.

## DRAFT ADMINISTRATIVE RULE CHANGES

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

**41:05:02:68. Missouri River refuges.** Except as otherwise expressly provided in this section, the Missouri River refuges described in subdivisions (1) through (11), and (13) and (14) are closed to all waterfowl hunting from the opening day of the earliest waterfowl season through the last day of the Canada goose season and are open to duck hunting after the last day of the Canada goose season. The Missouri River refuges described in subdivision (12) and subdivisions (15) through (21), are closed to waterfowl hunting during all of the waterfowl seasons. The refuges, including all islands and bars within the refuges, are described as follows:

(12) Oahe Dam State Waterfowl Refuge comprises an area that includes the water of Lake Oahe and all lands owned and managed by the South Dakota Department of Game, Fish and Parks and the US Army Corps of Engineers lying south and west of S.D. Highway 1804 and north and east of S.D. Highway 1806 located east of the west section lines of sections 25 and 36 in township 112 north, range 81 west of the fifth principal meridian, Hughes County; the west section line of section 1 in township 111 north, range 81 west of the fifth principal meridian, Hughes County; the west section lines of sections 29 and 32 in township 6 north, range 30 east of the Black Hill meridian, Stanley County; and the west section line of section 5 in township 5 north, range 30 east of the Black Hills meridian, Stanley County, and continuing 3,000 feet downstream from the center of the top of the Oahe Dam grade; and an area within the water's edge from Oahe Dam to the downstream point of LaFramboise Farm Island. The wing dike, channel block 6, and the causeway located in section 9, township 5 north, range 31 east of the Black Hills meridian in Stanley County, commonly known as Echo Point, are closed to waterfowl hunting;

## RESIDENT/NONRESIDENT CRITERIA

Not applicable.

## RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? Yes, by not allowing waterfowl hunting on public water and lands in the expanded geographic area of the refuge.
2. Does the regulation increase the opportunity for new and existing users? No, it restricts waterfowl hunting on public water and lands in the expanded geographic area of the refuge with the desire of increasing waterfowl hunting in the Pierre/Ft. Pierre area.

APPROVE \_\_\_\_\_

MODIFY \_\_\_\_\_

REJECT \_\_\_\_\_

NO ACTION \_\_\_\_\_

3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? Restricts waterfowl hunting in the expanded geographic area of the refuge with the desire of increasing waterfowl hunting in the Pierre/Ft. Pierre area.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? Not applicable.

**FISCAL IMPACT**

Unknown.

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