

Public Comments

Furbearer/Trapping Seasons

Jerald Pedersen

Estelline SD

Position: support

Comment:

No comment text provided.

Sandra Seberger

Rapid City SD

Position: oppose

Comment:

I object to the extension of the trapping season for beavers and otters. Our state of South Dakota needs the environmental gifts these species bring to our land water and air.

Nancy Hilding

Black Hawk, SD

Position: oppose

Comment:

I opposed the delisting of the northern river otter in May 2020. I entirely opposed the hunting/trapping season for otters in SD in 2020 and now oppose in 2021. I do not believe you had adequate understanding of your population of otters in 2020 and the population was too small to support hunting. I am especially concerned with inadequate otter population monitoring in 2021. You did not do all the monitoring promised in the otter management plan on pages 9 & 10.

However if you persist with wishing to have a season, I suggest that you consider reducing the harvest limit and/or area where the harvest is allowed. You can consider changes to rules not public noticed but raised in public testimony.

Below I suggest 3 alternative options for rule change to consider:

1. Do not increase the harvest limit from 15 to 20 irrespective of how fast otters are trapped or
2. Reduce the harvest limit below 15 to a lower amount such as 10 or 5 and/or
3. Reduce the area that otters can be hunted in, especially to exclude any hunting on the main stem of the Missouri River, so as to better allow the otters to move up the River and into the mouths of various west River tributaries.

Nancy Hilding

Black Hawk SD

Position: oppose

Comment:

Nancy Hilding
President
Prairie Hills Audubon Society
P.O. Box 788
Black Hawk, SD 57718
phas.wsd@rapidnet.com
July 4th, 2021

Dear Commission,

We resubmit our comment letter on the rule change proposed for extending the length of the beaver trapping season east River. We sent it in at an earlier month -- after the 2021 proposal was first announced. We wish to add this additional comment to it.

We explained that the change is not needed. State law provides that the people who encounter conflict beaver on their lands can call up Game, Fish and Parks and get permission to kill such beaver.

We think you should ask staff to provide you with statistics on how many such requests they get a year? What are the statistics on the types of problems reported? Where are the problems occurring?

We want you to ask the staff about how or if they engage in teaching public about non-lethal conflict management or beaver relocation. Do they attempt to teach the public about the positive value of beavers? We hope you continue with the public calling in to ask permission, so the staff have an opportunity to teach about values of beaver, and teach about non-lethal mitigations and consider relocations.

Nancy Hilding

Black Hawk, SD

Position: other

Comment:

For Trapping prohibitions, when having a rule allowing larger conibear traps you require them to be set in water. You do not have a required distance from the edge of the water. I express concern for dogs or other wildlife wading into the water to drink or swim and incidentally triggering the traps. I suggest you require a set back from the edge of water, especially if near population areas that may have domestic pets.

Nancy Hilding

Black Hawk, SD

Position: oppose

Comment:

Nancy Hilding
President
Prairie Hills Audubon Society
P.O. Box 788
Black Hawk, SD 57718
phas.wsd@rapidnet.com

We submit our comments in opposition to the otter trapping/hunting season as an attached document.

GPA Disposal Evaluation

Curtis Gruba

Grenville SD

Position: oppose

Comment:

I believe the sale of the Mondry portion would be a mistake. This would have a negative impact on both the lake and area wildlife. As far as the encroachment issue goes, I believe this issue could easily be corrected with a fence and/or fines.

Other

Shauna Winckler

Sioux Falls SD

Position: oppose

Comment:

Very disappointed with my last weekend spent camping. I felt as though we were constantly being watched like children by certain park staff. We turned our music off at 11 like the rules state. We were gathered around the campfire visiting with our family. That is why you sell firewood is so campsites can use it. We were turned in for being too loud by neighboring campsites when we couldn't hear our own group in our own campers. When you have a bigger group the sound will be louder than a smaller group. We felt as though we couldn't enjoy our stay without someone complaining about something we were doing. People should be able to come down enjoy their guests and stay up talking around their campfires. That's the entire point of camping.



June 24, 2021

James E. Moore
James.Moore@woodsfuller.com
Extension 613

VIA E-MAIL ONLY

Russell.Olson@state.sd.us

Russell Olson, Chair
South Dakota Game, Fish & Parks Commission
221 Lake Ridge Dr.
Wentworth, SD 57075

Re: Proposed Sale of Mondry Portion of Pickerel Lake GPA

Dear Mr. Olson:

I represent the Pickerel Lake South Park Association, of which I am also a member. The Association is a non-profit entity composed of property owners on the south end of Pickerel Lake. There are currently approximately 50 members of the Association, including property owners adjacent to the real property referred to as the Mondry Portion of Pickerel Lake GPA that is on the Commission's agenda for possible sale.

At the Association's annual meeting on Saturday, June 18, 2021, the members present voted unanimously to advise the Commission that the Association is opposed to the sale. As adjacent landowners, we prefer that the land be retained for game production, natural habitat, and conservation.

Paul Coughlin has shared that the land was appraised based on a highest and best use as backlots for use by adjacent landowners. The appraised per-acre value, which is \$15,000, significantly exceeds the value of crop and pasture land in northeast South Dakota. On average, according to SDSU Extension Service reporting, the average value of crop land is \$4,597 per acre and \$1,845 per acre for pasture. A sale at or exceeding the appraised value would therefore ensure that the property would not be used for agricultural purposes.

A very small percentage of the land is suitable for development—for back lots or any other purpose. Most of the land could not be developed because of the terrain, access issues, and the lack of utilities. As adjacent landowners (the people who would supposedly benefit from the sale), we prefer that the property remain in a natural state for the benefit of everyone who enjoys Pickerel Lake. We are particularly concerned that development efforts might result in land being cleared, habitat being lost, and natural drainage being altered.

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Russell Olson, Chair
South Dakota Game, Fish & Parks Commission
June 24, 2021
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Members of the Association are automatically members of the Pickerel Lake Conservancy. We support the Conservancy's efforts to protect the water quality, natural resources, and ecosystems of Pickerel Lake and its surrounding watershed. We know that the Conservancy is also opposed to the sale. In particular, the proposed sale seems contrary to other beneficial partnerships between the Department of Game Fish & Parks and the Conservancy, including the NE Glacial Lakes Watershed Improvement and Protection Project, the development of conservation easements throughout the watershed, the administration of grant funds for shoreline restoration around the lake, and the development of a hiking path between the West and East Units of the Pickerel Lake Recreation Area.

The Association values its relationship with the Department of Game Fish & Parks and the State of South Dakota. As members, we value Pickerel Lake not only because we own property on the lake, but also because we understand the value of the lake to the public at large, including Kosciusko Township and Day County. Pickerel Lake is a jewel among South Dakota's lakes, and we are proud to do what we can to conserve it for future generations.

We hope that you will reject the proposed sale as detrimental to Pickerel Lake and the conservation of wildlife and water resources in northeast South Dakota. Thank you for your consideration.

Yours very truly,

WOODS, FULLER, SHULTZ & SMITH P.C.



James E. Moore

cc: Doug Sharp - Doug.Sharp@state.sd.us
John Locken - Jon.Locken@state.sd.us
Travis Bies - Travis.Bies@state.sd.us
Robert Whitmyre - Robert.Whitmyre@state.sd.us
Charles Spring - charles.spring@state.sd.us
Craig Schaunaman- cecs@nvc.net

June 27,2021

Doug Sharp, Vice Chair
South Dakota Game, Fish & Parks Commission

Dear Mr. Sharp,

This letter is to express my personal objection to the proposed sale of the 7 ½ acres of habitat/conservation land near the south end of Pickerel Lake (sometimes known as the Mondry parcel).

I am a member of the Pickerel Lake South Park Association and a member and supporter of the Pickerel Lake Conservancy (PLC) who as an organizations also object to the sale of this property.

My family has owned lake property at Pickerel Lake for over 70 years and 4 generations. I am a 3rd generation owner and my adult children are 4th. I have many memories of Pickerel and have witnessed the many changes to the dynamics of the lake and surrounding land. As a child I remember picking chokecherry's with my siblings and cousins along Peabody Avenue adjacent to the Mondry Parcel so that my grandmother and mom could make jelly. I also remember walking up Webster Blvd on the East side of the lake and picking gooseberrys from the bushes that lined it.

The Mondry parcel is adjacent to the lots that I own. With the change in traffic, roads, and structures on the lake the run off into the lake has increased. I feel that if the property would sell it would be for development and would create an additional strain on the ecosystem and the natural watershed that it currently provides.

This year our beach was lucky enough to have a resident Bald Eagle perch in our trees. This is first time in my lifetime I have heard of one being this close to human dwellings in this area. Also the property is home to turkeys, deer and other wildlife that would surely lose their habitat. I do not personally hunt but do know that this area has been accessed for archery hunting by family and friends.

I have been on the Mondry land and believe it would make a great nature trail for all to enjoy and experience the natural land and habitat of the Glacial Lakes area. I also believe that this property clearly fits within with the Vision and Mission statements found on the Game, Fish & Parks Commission website.

Please reconsider putting this piece of property up for auction as I believe the public would be missing out on some beautiful raw nature. I know that my grandparents purchased their cabin because of the serenity and natural beauty that Pickerel Lake provided. Pickerel Lake still provides this calmness for my family as a 3rd and 4th generation with the hope that there will be an ongoing legacy for future generations to come and be able to experience all its glory, splendor and pristine nature. Our state is very lucky to have such areas accessible to the public.

Sincerely,

Carolyn Grover Schaunaman-Pickerel Lake
2864 Jeanne Dr
Grenville, SD 57239

To: Game Fish and Parks Commission
Re: Proposals for Increased Trapping/Hunting of Beaver season
June 30, 2021

I am writing to urge you NOT extend the beaver trapping and hunting season from 6 months to 12 months east river.

Beavers are a critical and useful part of our ecosystem. Beavers are actually being used world wide to rehabilitate damaged ecosystems. The US and especially SD are behind the times in recognizing that beavers have been proven to improve groundwater, filter sediments and pollutants from streams, decrease flooding, keep ephemeral creeks flowing year-round, and create critical habitat to fish and other wetland species. I refer you to this website that has numerous articles on the benefits of beavers.

<https://www.martinezbeavers.org/wordpress/the-ecological-benefits-of-beavers/>.

Additionally, trapping of beaver results in incidental killing of river otters and almost all, if not all otters in SD are located east River. *"According to the report, from 1979 to 2016, 117 otter mortalities were reported. About 73% were killed from incidental catches by beaver trappers"* Mark Watson, Black Hills Pioneer Feb 29, 2020. Trapping of beaver is cruel and unnecessary! It may result in the beaver (and incidental otters) drowning to death. If trapping is due to conflict with human activity, there are already laws on the books to deal with these situations. Statute (SDCL 41-8-23) allows folks in SD to kill beaver that are causing damage to their property year-round. Therefore this rule change is uncalled for. Furthermore GFP should be promoting non-lethal mitigation as part of your animal damage management plans. <https://www.beaversolutions.com/> is a good resource for alternatives.

While I am on the topic of cruelty of trapping, I also understand that you are considering extending permission on use of body grip/killing/conibear traps for beaver. Both leg hold and body grip traps are extremely cruel. Animals smaller than the adult target animals may press the trap trigger later, thus crushing other body parts. Water sets are allowed from the edge of the water. Beaver may be restrained fully under water, partially under water in shallows or on land. SD West River the trap check times are only 3 and a partial day and East River the trap check times are 2 and a partial day. Traps set in water, below ice, have trap check times of 5 and a partial day. Most states require 24 hour trap check times. Leaving animals for this long a time period in these types of traps is atrocious!

In conclusion GFP should start monitoring SD surface waters for signs of beaver & create population distribution data. Observing and considering beaver restoration rather than extending the barbaric

practice of beaver trapping. Thank you for your consideration to leave the beaver hunting/trapping season east river as is, or shortening it. As well as beginning to reframe your understanding and wildlife management practices on this critical species and their benefit to our ecosystem.

Caryn Lerman
Hot Springs, SD

President
Prairie Hills Audubon Society
P.O. Box 788
Black Hawk, SD, 57718
nhilshat@rapidnet.com
605-787-6466
July 4th, 2021

SD Game, Fish and Parks Commission
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Dear Commissioners,

We object to the 15-20 harvest limit because:

- 1) Otters should never have been delisted in 2020 - we don't think GFP have demonstrated that a large enough population exists to support this level of hunting/trapping.
- 2) We want otters reintroduced West River. Any surplus East River otters should be live trapped moved West River, not killed.
- 3) The staff has just given us information about the 15 dead otters killed by trapping in 2020 - such as age and sex. The staff hasn't disclosed all the monitoring promised in the Otter Management Plan on pages 10 and 11:

"The following have been identified as guiding principles and needs in the development of a meaningful, long-term river otter monitoring program:

- *_Learn from the experience of other wildlife management entities.*
- *Ensure that delisting distribution and reproduction criteria continue to be met.*
- *Monitor changes in distribution and presence/absence.*
- *_Obtain and interpret information on harvested populations including sex ratio, age distribution, reproductive rates and areas where harvest occurred.*
- *Monitor distribution for at least 5 years following delisting.*
- *Review existing data collected in the state regarding habitat suitability and incorporate this information into evaluations of areas that may support river otter expansion.*
- *_Continue to refine specific state needs to understand river otter distribution and occupancy, abundance, and population trends.*
- *Consider different monitoring efforts within the primary recovery area vs the remainder*

of the state. " (Emphasis added)

We have underlined monitoring items that we want disclosed to the public. GFP should release this promised data to public, if it has the data.

GFP staff should also tell us what the incidental take of otters via trapping was since the delisting. The GFP should report on all known otter deaths not occurring during the hunting/trapping season.

The vote on the 2021 season should be continued until the public can review population monitoring data updates, if the staff has data. If GFP is not monitoring the distribution and reproductive criteria as promised in the plan, it should stop the hunting/trapping.

4) SD GFP is proposing to increase the length of the beaver trapping season East River. This will increase otter deaths, as otters are associated with beaver and are incidental take from beaver trapping.

5) Most trapping/snaring methods are cruel. Otters may be trapped in water and some may have been dying by drowning.

Thanks,

Nancy Hilding
President
Prairie Hills Audubon Society

Nancy Hilding
President
Prairie Hills Audubon Society
P.O. Box 788
Black Hawk, SD 57718
May 30th, 2021

Game, Fish and Parks Commission
523 East Capitol
Pierre, SD 57501

Dear Game, Fish and Parks Commission,

CONFLICT BEAVER

We don't think SDGFP Commission should approve an increase in beaver season east river under the excuse of conflict beaver management. Conflict beaver management is provided for under SDCL 41-8-23.

SDCL Provides for Conflict Beavers

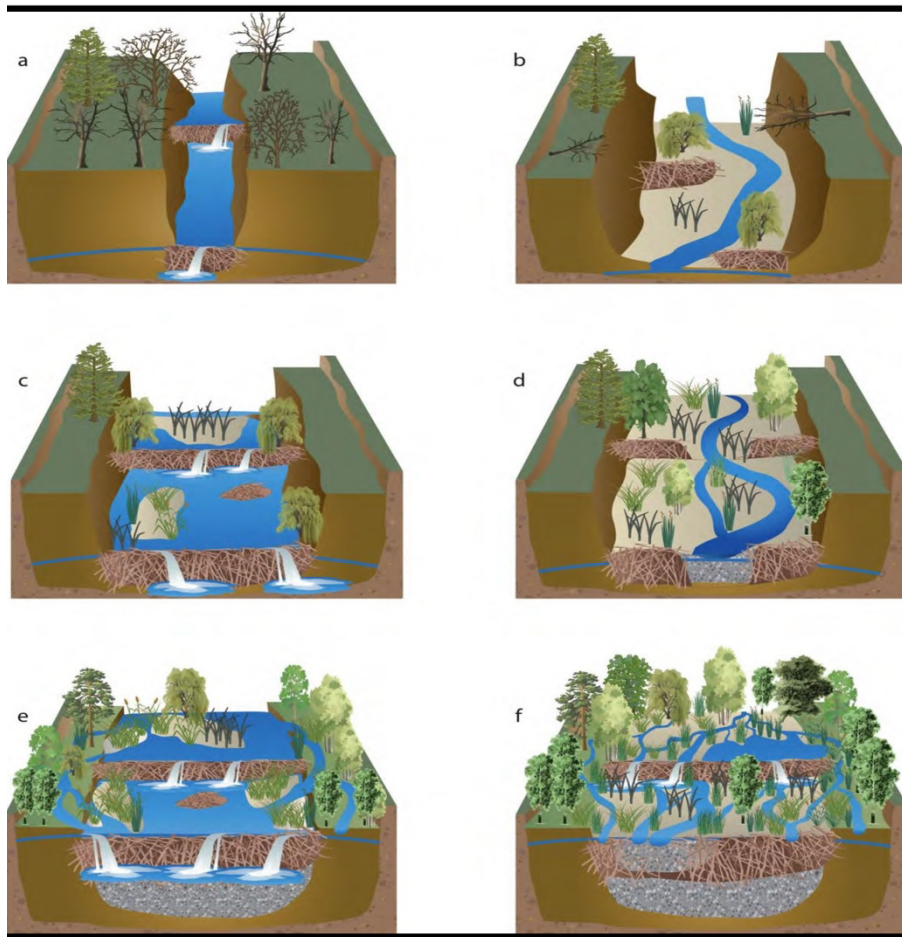
SDCL 41-8-23. Killing of mink, muskrats, and beavers causing damage. Mink may be killed at any time if doing damage around buildings but all such mink killed are the property of the state, if taken during the closed season. If muskrat or beaver are injuring irrigation ditches, dams, embankments, or public highways, or causing any other damage to property, the secretary of game, fish and parks may issue a permit to trap or kill such animals at any time. The Game, Fish and Parks Commission may authorize the killing or trapping of beaver upon public lands and game preserves at any time the commission deems necessary. (Emphasis added)

BEAVER AS A KEYSTONE SPECIES

Beavers help habitat and species

- Beavers are a keystone species
- Beavers create habitats associated with surface water and thus help both aquatic and terrestrial species.
- Beavers may change the landscapes near surface water
- Beaver's dams create settling ponds, which reduce sediment pollution
- Beavers are a Management Indicator Species on the Black Hills National Forest

Here is a diagram showing beaver dams changing the landscape over time from “The Beaver Restoration Guidebook: Working with Beaver to Restore Streams, Wetlands, and Floodplains.” (At page 12)



“Figure 2: Conceptual model illustrating how beaver dams affect the development of incised streams; (a) beaver attempting to build dams within narrow incision trenches where high stream power often results in blowouts or end cuts that help to widen the incision trench, as illustrated in (b), allowing an inset floodplain to form. The widened incision trench results in lower stream power which enables beaver to build wider, more stable dams (c). Because of high sediment loads, the beaver ponds rapidly fill up with sediment and are temporarily abandoned, but the accumulated sediment facilitates the growth of riparian vegetation (d). This process repeats itself until the beaver dams raise the water table sufficient to reconnect the stream to its former floodplain (e). Eventually (f), the stream ecosystem develops a high level of complexity as beaver dams, live vegetation and dead wood slow the flow of water and raise groundwater levels such that multithread channels are formed, often connected to offchannel wetlands such that the entire valley bottom is saturated, as described elsewhere (Sedell and Frogatt 1983, Walter and Merritts 2008). Figure from Pollock et al. 2014.’

STAFF NEEDS TO PROVIDE DATA ON ABUNDANCE AND DISTRIBUTION

We don't think the SDGFP Commission should approve increase in beaver trapping, without a report from staff on population abundance and distribution of active and inactive beaver dams in SD. SD GFP should have some monitoring of beaver populations and dams in place. They are an important keystone species with important impacts to surface water and water quality. They provide many benefits to society besides a hunting resource for hunter/trappers. SDGFP should think of all the other resources beavers provide and other users besides hunters who benefit from them being alive, including wildlife watchers and photographers. You should give special consideration to their purposes on public land.

RIVER OTTER

We don't think SDGFP Commission should approve an increase in beaver season east river as beaver are very important for providing habitat for river otter, which SDGFP has only recently delisted and recently established a hunting/trapping season for. We don't think staff has yet fully reported on otter population monitoring post delisting/post hunting. Why just one year into a river otter delisting, do you want to assault a key part of their habitat and increase risk of incidental take of otter during beaver trapping?

SD 2018 Endangered and Threatened Species Status Review says at page 124
"Of 117 reported river otters killed in South Dakota from 1979 through 2016, 73% were killed incidental to legal trapping activities....
A year-round beaver trapping season west of the Missouri River and a focus on non-native trout management in Black Hills streams will impair statewide recovery of river otters." (Emphasis added)

From the SD River Otter Management Plan - a chart on incidental take of 216 otters via trapping (page 18)

Table 5. Species targeted when river otter were incidentally captured in South Dakota 2019.

Species	Frequency	%
beaver	116	53.7%
unknown	70	32.4%
raccoon	19	8.8%
fish	5	2.3%
mink	3	1.4%
other	3	1.4%
	216	100%

Melquist in his 2015 report to SDGFP on his 4-year study of SD river otters writes on page 71:

"I do not believe current regulations for harvesting and controlling beaver populations in South Dakota are conducive to the expansion of otters in West River and could hinder the rate of growth in East River. In South Dakota, female otters give birth on approximately 1 April. Any lactating female otter trapped and killed will result in the loss of her offspring. To reduce the possibility of trapping female otters with dependent young, beaver trapping seasons should not extend beyond 31 March. The unrestricted 31 March take of beaver that is currently allowed in West River should be replaced with a harvest season not to extend beyond 31 March if SDGFP plans to try and recover otters in that region of the State. Unregulated shooting of beaver should be discouraged or prohibited to avoid accidentally shooting an otter"

Features looked for in evaluating suitability of different streams for otters (Melquist at page 12)

- *Stream characteristics: Varying water depths and stream velocity, stream meanders, suitable bank cover (trees, shrubs), and presence of bank and instream Structures.*
- *Watershed features: Presence of adjacent wetlands and suitable tributaries, presence of beaver or beaver activity, and the level of human impacts.*
- *Prey availability: A diverse prey base (e.g., multiple fish species, crayfish, and frogs) is always preferable to enhance otter habitat. While I always looked for the*

presence of potential prey at each survey site, prey suitability was based on existing data.

- *Other factors: Not a high traffic area and few or no human establishments (Emphasis added)*

BLACK HILLS

The section of SD Administrative Rule on the beaver season, 41:08:01:07, as it describes the season for the Black Hills is not easy to understand. Please view the sections highlighted in yellow and green. We drew a map to show you how they divide the private land in the Black Hills. Why did SDGFP divide the Black Hills private land so the northern Hills has a longer season than much of the central and southern Hills? What is the logic and reason for that? The BHNF, acknowledging their importance, has made them a management indicator species. Why have a 360-day season even appropriate in the Black Hills? We suggest this section be rewritten.

41:08:01:07. *Beaver trapping and hunting season established. The season is open from sunrise on November 1 through sunset on April 30 to catch, trap, or hunt beaver within the Black Hills Fire Protection District south of Interstate 90 and west of State Highway 79, except U. S. Forest Service lands where the beaver season is open from January 1 through March 31. The season is open year-round to catch, trap, or hunt beaver in the remaining portion of the Black Hills Fire Protection District. In all counties east of the Missouri River the season is open from sunrise on November 1 through sunset on April 30. The season is open year-round to catch, trap, or hunt beaver in all counties west of the Missouri River except the portion of the Black Hills Fire Protection District as described in this section.*



An excerpt from the Black Hills National Forest Land and Resource Management Plan
1997 Revision
Phase II Amendment at page II-32:

*The following species should be used as management indicator species (MIS).
The indicators or their habitats will be monitored to indicate overall changes in
the forest ecosystem. MIS will generally be monitored using trends in habitat;
however, when available, population trends may be used as a strong indicator of
management response. Population monitoring will be discretionary as provided

by

36 CFR 219.14.f.(2005).

Black-backed woodpecker (*Picoides arcticus*)

Brown creeper (*Certhia americana*)

Golden-crowned kinglet (*Regulus satrapa*)

Grasshopper sparrow (*Ammodramus savannarum*)

Ruffed grouse (*Bonasa umbellus*)

Song sparrow (*Melospiza melodia*)
Beaver (*Castor canadensis*)
White-tailed deer (*Odocoileus virginianus*)
Mountain sucker (*Castostomus platyrhynchus*)
(Emphasis added)

.....

WE SUGGEST AN ALTERNATIVE RULE CHANGE

As there is a conflict between otters and beaver trapping in April and to clean up the strange Black Hills text of the rule, we suggest that the Beaver trapping rule be amended to read as follows:

*41:08:01:07. **Beaver trapping and hunting season established.** The season is open from sunrise on November 1 through sunset on March 31st to catch, trap or hunt beaver in all of South Dakota, except U. S. Forest Service lands where the beaver season is open from January 1 through March 31.*

Literature Cited

Black Hills National Forest Land and Resource Management Plan 1997 Revision
Phase II Amendment, Department of Agriculture Forest Service Rocky Mountain Region
Black Hills National Forest, Custer, South Dakota, March 2006
https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd592921.pdf

Pollock, M.M., G.M. Lewallen, K. Woodruff, C.E. Jordan and J.M. Castro (Editors) 2017.
The Beaver Restoration Guidebook: Working with Beaver to Restore Streams,
Wetlands, and Floodplains. Version 2.0. United States Fish and Wildlife Service,
Portland, Oregon. 219 pp.:
<https://www.fws.gov/oregonfwo/promo.cfm?id=177175812>

SD Department of Game, Fish and Parks, SOUTH DAKOTA RIVER OTTER
MANAGEMENT PLAN, 2020-2029, Wildlife Division Report, 2020-02, Pierre, South
Dakota, July 2020
https://gfp.sd.gov/UserDocs/docs/otter_plan_2020-08-28.pdf

SD Department of Game, Fish and Parks, STATE T&E SPECIES STATUS REVIEWS,
APPROVED BY SDGFP COMMISSION, 5 APRIL 2018
<https://gfp.sd.gov/UserDocs/nav/status-reviews.pdf>

Wayne E. Melquist, Ph.D., FINAL REPORT, Determination of river otter (*Lontra canadensis*) distribution and evaluation of potential sites for population expansion in

South Dakota, 1 October 2011 - 30 January 2015, Prepared for: Wildlife Diversity
Program South Dakota Game, Fish and Parks, May 2015
[https://gfp.sd.gov/images/WebMaps/Viewer/WAP/Website/SWGSummaries/FINAL
REPORT](https://gfp.sd.gov/images/WebMaps/Viewer/WAP/Website/SWGSummaries/FINALREPORT)

Melquist River Otters T-55.pdf

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Hilding", with a stylized flourish at the end.

Nancy Hilding
President
Prairie Hills Audubon Society