



## **AGENDA - Revised**

### **Game, Fish and Parks Commission**

September 5-6, 2019

Holiday Inn Convention Center

305 N 27<sup>th</sup> Street, Spearfish, SD

Livestream link <http://www.sd.net/home/>

**Call to order 1:00 PM MT**

#### **Division of Administration**

##### Action Items:

1. Conflict of Interest Disclosure
2. Approve Minutes of the July 2019 Meeting, July Special Meeting and August Special Meeting. <https://gfp.sd.gov/commission/archives/>
3. Additional Commissioner Salary Days
4. Commission 2020 Meeting Schedule
5. License List Request
6. Hunt for Habitat Funding
7. Recruitment Retention and Reactivation (R3)

##### Information Items:

8. Visit Spearfish
9. Zebra Mussel Response Plan
10. Missouri River Refuges

#### **Petitions**

11. Muzzleloader Antelope
12. Dog Training on Public Lands
13. Trapper ID

#### **Public Hearing 2:00 PM**

#### **Open Forum**

#### **Finalizations**

14. Velvet Antler Tagging
15. Wildlife Feeding Dates
16. Rules Review Process Chapter 41:01 through 41:03 – Style and Form

#### **Proposals**

17. Chronic Wasting Disease Regulations
18. Trapping Regulations
19. Muzzleloader Scopes
20. Mountain Lion Hunting Season
21. CSP Coyote Hunting Season

This agenda is subject to change without prior notice.

22. Hoop Nets and Set Lines
23. Public Waters – Aeration
24. Fish Importation
25. Aquatic Invasive Species
26. Rules Review Process Chapter 41:04 through 41:05 – Style and Form
27. Park Entrance and Camping Fees

#### **Division of Parks and Recreation**

Action Items:

28. Gorton Property Transfer

Information Items:

29. Revenue, Camping and Visitation Reports

#### **Division of Wildlife**

Action Items:

30. Elk Contingency Licenses
31. Mountain Lion Plan Adoption

Information Items:

32. Big Game Water Development Projects
33. Pheasant Brood Survey Report
34. License Sales Update

#### **Solicitation of Agenda Items from Commissioners**

#### **Adjourn**

Next meeting information:

October 3-4, 2019

AmericInn Conference Center

1981 East King Ave., Chamberlain, SD

GFP Commission Meeting Archives <https://gfp.sd.gov/commission/archives/4/>

**Minutes of the Game, Fish, and Parks Commission**  
**July 8-9, 2019**

Chairman Gary Jensen called the meeting to order at 1:05 p.m. CT at Americinn Hotel and Convention Center in Fort Pierre, South Dakota. Commissioners Gary Jensen, Travis Bies, Mary Anne Boyd, Jon Locken, Scott Phillips, Russell Olson, Douglas Sharp, Robert Whitmyre and approximately 35 public, staff, and media were present.

**DIVISION OF ADMINISTRATION**

**Conflict of Interest Disclosure**

Chair Jensen called for conflicts of interest to be disclosed. None were presented.

**Approval of Minutes**

Jensen called for any additions or corrections to the June 6-7, 2019 meeting minutes or a motion for approval.

Motion by Locken with second by Whitmyre TO APPROVE THE MINUTES OF THE JUNE 6-7, 2019 MEETING. Motion carried unanimously.

**Additional Commissioner Salary Days**

No additional salary days were requested.

**Second Century Initiatives**

Kevin Robling, deputy secretary, provided an update on the Second Century Initiative and status of current activities/

**Non-meandered Waters**

Kevin Robling, deputy secretary, provided an update on nonmeandered waters stating the goal is to continue providing recreational opportunities for families and outdoor enthusiasts who enjoy South Dakota's great outdoor resources, while also addressing concerns of landowners who own the land under the water. He noted the number of acres marked closed to public recreational use.

**Deer Application Deadline Update**

Robling informed the commission that the first round deadline for East River, West River, Black Hills, Muzzleloader, Custer State Park, and Refuge deer applications was June 19. He noted the additional outreach done to ensure hunters were aware of the new deadline. The second deadline will be July 31.

**Bighorn Sheep Auction License GPA Spending Example**

Robling spoke about how the funds from the big horn sheep auction would be spent. Auction date would end sometime in September. Funds would be spent on big horn sheep management, GPAs and some money sent to the Second Century Habitat Fund. Hypo – 207,500 GPAs, 85,000 to big horn sheep and 207,500 to Fund. Paul Coughlin discussed specific project ideas of how the money for GPAs would be spent. Examples included water impoundments and food plots. Chairman Jensen asked a question regarding the private lands program and where the money would go, east river

vs. west river. Kevin Robling responded that the Department will work with the fund to ensure money is going to both sides of the state. Will set aside the 50% that will go to the Habitat Fund and focus on the 50% that will go to the Department.

Motion by Phillips TO SPEND 50 PERCENT OF MONEY RECEIVED FROM AUCTION TAG EQUITABLY ON ALL PUBLIC LANDS. Motion failed by lack of second.

Motion by Phillips second by Bies TO SPEND THE DEPARTMENTS 50 PERCENT OF MONEY RECEIVED FROM THE AUCTION TAG EQUITABLY ON PUBLICLY OWNED LANDS IN THE STATE.

### **Parks and Wildlife Fee Package Discussion**

Scott Simpson, parks and wildlife division director, and Tony Leif, wildlife division director, discussed current fees and possible increases that may be necessary.

### **Recruiting the Next Generation**

Robling provided information on current youth recruitment efforts and incentives offered.

## **PETITIONS**

### **Muzzleloader Deer Optics**

Roger Twamley, Oacoma, SD submitted a petition to allow the use of 1-4x or 1-6x power scopes for black powder deer hunting as he has had difficulty finding a 1x scope.

Motion by Phillips, second by Locken TO APPROVE THE RECOMMENDED CHANGE TO ALLOW FOR 1-4X AND 1-6X POWER SCOPES. Roll call vote: Boyd-yes; Locken – yes; Bies - no; Olson- no; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-yes. Motion passes with 6 yes votes and 2 no vote. Motion passes.

### **Trapping**

Nancy Hilding, Black Hawk, SD presented her petition to require a trapper ID, modify trap check times, require trapper registration and require a trapper report.

The commission addressed each item separately.

Hilding requested all traps and snares set for wildlife must have a trapper ID displayed except for landowners trapping on their own land. The ID should include either name or a number or code provided by GFP and GFP should keep these ID's private from open records searches.

Motioned by Bies, second by Olson TO DENY THE PETITION ON TRAPPER ID. Roll call vote: Boyd-yes; Locken – yes; Bies - yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-no. Motion passes with 7 yes votes and 1 no vote. Motion passes.

Motion by Phillips, second by Bies TO ADOPT RESOLUTION 19-17 (APPENDIX A) DENYING THE PETITION. Motion withdrawn to add additional language.

Motion by Sharp, second by Bies TO ADOPT RESOLUTION 19-17 (APPENDIX A) DENYING THE PETITION. Roll call vote: Boyd-yes; Locken – yes; Bies - yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-no. Motion passes with 7 yes votes and 1 no vote. Motion passes.

Hilding presented her petition on trap check time stating South Dakota's times are excessively long and causing them to be inhumane. She requested the rules be rewritten to clarify the times to be 24 hours from the time in which the trap is set.

Motioned by Phillips, second by Sharp TO APPROVE THE PETITION TO MODIFY THE TRAP CHECK TIMES. Roll call vote: Boyd-yes; Locken – yes; Bies - no; Olson- no; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-yes. Motion passes with 6 yes votes and 2 no vote. Motion passes.

Hilding presented her petition on trapper registration that would require all persons setting traps or snares for wildlife be registered with GFP which would provide GFP with a list of people who trap and provide a more accurate count of the people who are trapping.

Motioned by Locken, second by Bies TO DENY THE PETITION ON TRAPPER REGISTRATION. Roll call vote: Boyd-yes; Locken – yes; Bies - yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- no; Jensen-no. Motion passes with 6 yes votes and 2 no vote. Motion passes.

Motion by Boyd, second by Sharp TO ADOPT RESOLUTION 19-18 (APPENDIX B) DENYING THE PETITION. Roll call vote: Boyd-yes; Locken – yes; Bies - yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-no. Motion passes with 7 yes votes and 1 no vote. Motion passes.

Hilding presented her petition to require all people trapping or snaring excluding those on their own land to complete a trapper report annually. The report would indicate types and number of each species harvested, sex if known and also the non-harvested species caught and the condition of the animal when found and if released alive how many released had damage to them that would decrease their odds of survival. The report would also indicate time periods of trapping.

Motioned by Whitmyre, second by Olson TO DENY THE PETITION ON TRAPPER REGISTRATION. Roll call vote: Boyd-yes; Locken – yes; Bies - yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- no; Jensen-no. Motion passes with 6 yes votes and 2 no vote. Motion passes.

Motion by Whitmyre, second by Olson TO ADOPT RESOLUTION 19-19 (APPENDIX C) DENYING THE PETITION. Roll call vote: Boyd-yes; Locken – yes; Bies - yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-no. Motion passes with 7 yes votes and 1 no vote. Motion passes.

## **PUBLIC HEARING**

The Public Hearing began at 2:08 p.m. and concluded at 2:09 p.m. The minutes follow these Commission meeting minutes.

**OPEN FORUM**

Jensen opened the floor for discussion from those in attendance on matters of importance to them that may not be on the agenda.

Steve Nelson, Pierre, SD provided the commissioners packets of letters he provided to the Governor and legislators in regards to his recommendation to increase fees by \$5 to raise at least a million dollars to help pay for habitat and predator control. Nelson also spoke in regards to dove hunting where legislators recently passed legislation making more areas open to dove hunting and the department should advertise this increase opportunity especially to get youth involved.

**FINALIZATIONS**

**Antelope Hunting Season**

Chad Switzer, wildlife program administrator, presented the recommended changes to the antelope hunting season with a recommended change from proposal to adjust the number of West River resident license from no more than 300 two-tag antelope licenses to 4,030 one-tag antelope licenses and no more than 600 two-tag antelope licenses.

**Requirements and Restrictions:**

1. One-half of the licenses allocated in each unit are available for landowner/operator preference.
2. Landowners not possessing a license that allows the harvest of a buck may purchase an “any antelope” or a two-tag “any antelope” + “doe/fawn antelope” license that is valid on their property only.

**Recommended changes from last year:**

1. Adjust the number of West River resident licenses from no more than 4,665 one-tag antelope licenses and no more than 300 two-tag antelope licenses to 4,235 one-tag antelope licenses and no more than 600 two-tag antelope licenses.
2. Adjust the number of East River resident licenses from no more than 100 one-tag antelope licenses to 85 one-tag antelope licenses.
3. Modify Unit 36A (Hughes County) by removing Hyde County.
4. Establish Unit 38A to include Buffalo, Hand and Hyde counties.
5. Modify Unit 50A (Mellette County) to include Todd County.

Resident Tags

Year	Buck Tags	Doe Tags	Total Tags
2017-2018	3,865	1,400	5,265
2019-2020	3,535	1,900	5,435

Motioned by Boyd, second by Phillips TO APPROVE THE RECOMMENDED CHANGES TO THE ANTELOPE HUNTING SEASON. Motion carried unanimously.

Motion by Boyd, second by Bies TO APPROVE THE RECOMMENDED CHANGES TO THE ANTELOPE HUNTING SEASON AS AMENDED. Motion carried unanimously.

Motioned by Locken with second by Phillips TO APPROVE THE ANTELOPE MANAGEMENT PLAN. Motion carried unanimously.

Switzer presented the recommended changes to the archery antelope hunting season to modify the geographic area open for the archery antelope hunting season.

Motion by Locken, second by Phillips TO APPROVE THE RECOMMENDED CHANGES TO THE ARCHERY ANTELOPE HUNTING SEASON. Motion carried unanimously.

Switzer presented the administrative action to allocate hunting unit licenses and access permits for the antelope hunting season.

Motioned by Sharp with second by Bies TO APPROVE THE RECOMMENDED CHANGES TO THE ANTELOPE LICENSE ALLOCATION (appendix D). Motion carried unanimously.

#### **Archery Deer Hunting – Sand Lake Refuge**

Switzer presented the recommended change to remove the current delayed start date for the archery deer hunting season at Sand Lake National Wildlife Refuge and align with the September 1 opening date. He explained that after recent discussions with staff at Sand Lake National Wildlife Refuge and as part of an initiative to increase fishing and hunting opportunities on National Wildlife Refuges across the nation, the removal of this delayed opener is being recommended to increase archery deer hunting opportunities.

Motion by Sharp, second by Bies TO APPROVE THE RECOMMENDED CHANGE TO THE ARCHERY DEER HUNTING SEASONS. Motion failed.

Motion by Locken, second by Bies TO REJECT THE RECOMMENDED CHANGE TO THE ARCHERY DEER HUNTING SEASONS. Motion carried.

#### **Restrict Firearm Use on GFP Land by Oacoma**

Mark Ohm, wildlife regional supervisor, presented the finalization to eliminate the use of centerfire rifles and muzzleloaders on the American Crown Creek public hunting area near the city of Oacoma that was presented through the petition process due to safety concerns by an adjacent landowner. Lack of authority to implement the desired rule was discussed and difficulties with enforcement and differentiating between areas was shown with a map of the area. A short discussion was also held to look at the idea of restricting use of public areas based on safety zones. Maps of other areas that this would impact were also provided. The Department requested that Commission reject the proposal.

Motion by Phillips, second by Boyd TO REJECT THE PROPOSED CHANGE TO RESTRICT CENTERFIRE RIFFLE AND MUZZLELAODER USE ON GFP LAND NEAR OACOMA. Motion carried unanimously.

### **PROPOSALS**

#### **Velvet Antler Tagging**

Tony Leif, wildlife division director, presented the recommendation to repeal the rule requiring velvet antlers be tagged as the statute was repealed by legislation during the 2019 session.

Motion by Bies, second by Whitmyre TO REPEAL THE TAGGING OF VELVET ANTLERS. Motion carried unanimously.

### **Chronic Wasting Disease**

Switzer presented the chronic wasting disease plan and recommendation to establish new rules related to transportation and disposal of deer and elk carcasses from other states and hunting units within South Dakota's known endemic areas where Chronic Wasting Disease had been confirmed.

Motion by Phillips, second by Sharp TO ADVANCE BOTH ALTERNATIVES FOR INTERSTATE AND INTRASTATE CARCASS TRANSPORTATION AND REQUIRE HUNTERS, WILDLIFE PROCESSING FACILITIES AND TAXIDERMISTS PROPERTY DISPOSE OF CARCASSES. Motion carried unanimously.

Motion by Olson, second by Boyd TO APPROVE THE CHRONIC WASTING DISEASE PLAN. Motion carried unanimously.

Switzer presented the recommendation to modify the date to establish use or maintain a bait station to conclude by August 1 as a because of the September 1 start date for archery deer hunting.

Motion by Olson, second by Locken TO ADJUST THE TIME PERIOD WHEN BIATING ID PROHIBITED. Motion carried unanimously.

### **Rules Review Process Chapter 41:01 through 41:03 – Style and Form**

Jon Kotilnek, senior staff attorney, and Andy Alban, program administrator, presented the recommended changes to administrative rules pertaining to GFP as part of the review process. The Department recommends the following rule changes for the following administrative rules in an effort to reduce redundancy, increase transparency and improve consistency:

#### **Chapter 41:01**

1. 41:01:01:02 – Appointment of hearing officer – amend rule to insert gender neutral language and update authority.
2. 41:01:01:03 – Create new rule within article 41:01 to address applicability of GFP rules for Department employees in the performance of their official duties.
3. 41:01:02:01 – Definitions – create additional definitions of “state park system” and “water access areas.”

Motion by Boyd, second by Bies TO APPROVE THE RECOMMENDED CHANGES AS PROPOSED TO RULES IN CHAPTER 41:01. Motion carried unanimously.

#### **Chapter 41:02**



1. 41:02 – License Agents – amend article title to “Licensing Agents” for consistency with rules found within this article.
2. 41:02:01:04 – Restriction on sale of licenses – amend rule to address nomenclature for consistency.
3. 41:02:01:05 – Postdating prohibited-Exception – amend rule to address nomenclature for consistency.
4. 41:02:01:07.01 – Disconnecting licensing agents with past due accounts – amend rule to differentiate between agent suspensions and revocations.
5. 41:02:01:12 – Emergency authorization books – amend rule to make form and style changes.

Motion by Boyd, second by Sharp TO APPROVE THE RECOMMENDED CHANGES AS PROPOSED TO RULES IN CHAPTER 41:02. Motion carried unanimously.

#### Chapter 41:03

1. 41:03:01:01 – Unauthorized land use and entry on posted land prohibited – amend rule to eliminate unnecessary language.
2. 41:03:01:01.01 - Time restrictions for use of George S. Mickelson Trail – amend rule in an effort to consolidate rules and address time restrictions for use of all Department lands.
3. 41:03:01:01.02 – Time restrictions for use of state park system – repeal rule/consolidation.
4. 41:03:01:01.03 – Time restrictions for use of public hunting areas and lake access areas – repeal rule/consolidation.
5. 41:03:01:01.04 – Prohibited use of walk-in areas – amend rule to eliminate unnecessary language.
6. 41:03:01:02 – Leaving of property on department land – amend rule to address nomenclature for consistency.
7. 41:03:01:04 – Permit required for certain organized events – amend rule to address nomenclature for consistency.
8. 41:03:01:07 – Commercial use prohibited – amend rule to eliminate unnecessary language.
9. 41:03:01:10 – Buildings, erection of signs, advertising, and fences prohibited – amend rule to eliminate unnecessary language and address nomenclature for consistency.
10. 41:03:01:11 – Loud speakers prohibited – amend rule to eliminate unnecessary language and address nomenclature for consistency.

11. 41:03:01:13 – Pet prohibitions – amend rule to address nomenclature for consistency and make form and style changes.
12. 41:03:01:14 – Horses and riding prohibited-Exception – amend rule to address nomenclature.
13. 41:03:01:15 – Camping in state park, state recreation area, and state lakeside use area allowed only in designated campgrounds – Fourteen-night limit – amend rule to address nomenclature.
14. 41:03:01:16 – Restrictions on use of firearms, crossbow, and bows-Exceptions – amend rule to address nomenclature and eliminate unnecessary language.
15. 41:03:01:16.02 – Restrictions on use or possession of firearms on lake and fishing access and game production areas-Exceptions – amend rule to address nomenclature.
16. 41:03:01:16.03 – Discharge of firearms and bows on George S. Mickelson Trail prohibited – repeal unnecessary rule.
17. 41:03:01:17 –Slingshots prohibited – amend rule to address nomenclature and eliminate unnecessary language.
18. 41:03:01:19 – Limitation on tree stands, elevated platforms, and portable blinds – amend rule to provide additional clarity.
19. 41:03:01:20 – Hiking off trails at Bear Butte without permission prohibited-Exception – amend rule to provide additional clarity.
20. 41:03:01:21 – Hang gliding prohibited – amend rule to add appropriate authority.
21. 41:03:01:23 – Residential trash prohibited at department trash facilities – amend rule to provide additional clarity.
22. 41:03:01:24 – Glass containers prohibited – amend rule to provide additional clarity and eliminate unnecessary language.
23. 41:03:01:25 – Jumping and diving at Palisades State Park, Custer State Park, Big Sioux Recreation Area, and Angostura Reservoir prohibited – amend rule to provide additional clarity.
24. 41:03:01:26 – Use of certain rock climbing aids prohibited-Exceptions – amend rule to address nomenclature.
25. 41:03:01:27 – Forage restrictions – Custer State Park and Mickelson Trail – amend rule to add authority.
26. 41:03:01:29 – Restrictions on use of metal detectors-Written authorization required – amend rule to address nomenclature.
27. 41:03:01:31 – Alcoholic beverage prohibited at Lake Alvin swim beach – amend rule in an effort to consolidate similar rules and add provision for Bolton Game Production Area in Union County.

28. 41:03:01:32 – Alcoholic beverage prohibited at Bear Butte State Park – repeal rule/consolidation.
29. 41:03:01:33 – Leaving of human remains at Bear Butte State Park prohibited – repeal rule as it is covered by other state statutes and administrative rules by Department of Health.
30. 41:03:01:34 – Hunter Quarry Lake and Fishing Access Area-Entry or use prohibited-Exceptions – repeal rule and move to more appropriate section under ARSD 41:04:02.
31. 41:03:01:35 – Bait stations prohibited – amend rule to provide additional clarity.
32. 41:03:01:36 – Limitation on trail cameras – amend rule to provide additional clarity.
33. 41:03:01:37 – Firewood prohibited – amend rule to address nomenclature.

Motion by Bies, second by Locken TO APPROVE THE RECOMMENDED CHANGES AS PROPOSED TO RULES IN CHAPTER 41:03:01. Motion carried unanimously.

#### Chapter 41:03:02

1. 41:03:02:01 – Driving off roads prohibited-Exceptions – amend rule to provide clarity and eliminate unnecessary language and add specific authority.
2. 41:03:02:02 – Speed limit on department lands – amend rule to provide clarity and consolidate similar rules and add specific authority.
3. 41:03:02:05 – Exhibition driving prohibited – amend rule to provide clarity on applicable areas and add specific authority.
4. 41:03:02:07 – Obedience to yield signs required-Pedestrian has right of way – repeal rule/consolidation.
5. 41:03:02:09 – Obedience to stops signs required – repeal rule/consolidation.
6. 41:03:02:10 – Obedience to one-way road signs required – repeal rule/consolidation.
7. 41:03:02:11 – Parking in no parking zones prohibited – repeal rule/consolidation.
8. 41:03:02:12 – Parking in handicapped space restricted – repeal rule/consolidation.
9. 41:03:02:13 – Restrictions on motor vehicles-Exceptions – amend rule to provide additional clarity on applicable areas and add specific authority.

Motion by Whitmyre, second by Boyd TO APPROVE THE RECOMMENDED CHANGES AS PROPOSED TO RULES IN CHAPTER 41:03:02. Motion carried unanimously.

#### Chapter 41:03:03

1. 41:03:03:03 – Park entrance license required for admission to state parks and certain recreation areas and lakeside use areas – amend rule to provide additional clarity and add specific authority.

2. 41:03:03:03.01 – Park entrance license exemptions – amend rule to consolidate similar rules and address additional areas where park license exemption exists and add specific authority.
3. 41:03:03:03.02 – Spring open house park entrance license exemption – amend rule to provide additional clarity and add additional periods for free park entrance and add specific authority.
4. 41:03:03:03.03 – Park entrance license not required – repeal rule/consolidation.
5. 41:03:03:04 – Time limits on daily license – amend General Authority/Law Implemented.
6. 41:03:03:05 – Limitations on half-price annual park entrance license – amend rule to provide additional clarity.
7. 41:03:03:06 – Park entrance license fees – amend rule to provide additional clarity.

Motion by Olson, second by Sharp TO APPROVE THE RECOMMENDED CHANGES AS PROPOSED TO RULES IN CHAPTER 41:03:03. Motion carried unanimously.

#### Chapter 41:03:04

1. 41:03:04:01 – Definitions – amend administrative misspelling.
2. 41:03:04:02 – Camping permit required-Exceptions – amend rule to provide clarity.
3. 41:03:04:04 – Registration procedures – amend rule to provide additional clarity.
4. 41:03:04:05.01 – Campsite reservations-Payment of camping fees-Cancellation fees – amend rule to provide additional clarity and add authority.
5. 41:03:04:05.02 – Reserved group picnic shelter fee – amend General Authority/Law Implemented.
6. 41:03:04:07.01 – Sale of firewood – amend rule to address nomenclature and add authority.
7. 41:03:04:10.02 – Camping cabin and rent-a-camper occupancy restricted – amend rule to eliminate reference to rent-a-camper and add authority.
8. 41:03:04:11 – Use of electrical service restricted – amend rule to address nomenclature and add authority.
9. 41:03:04:12 – Checkout times enforced – amend rule to provide additional clarity and address nomenclature and add authority.

Motion by Sharp, second by Phillips TO APPROVE THE RECOMMENDED CHANGES AS PROPOSED TO RULES IN CHAPTER 41:03:04. Motion carried unanimously.

#### Chapter 41:03:05 and Chapter 41:03:06

1. 41:03:05:01 – Payment of trail user service fee required for certain recreational trails – amend rule to provide additional clarity and add authority.
2. 41:03:05:04 – Expiration of daily trail user pass – amend rule to extend time period that daily trail user pass is valid.
3. 41:03:05:06 – Display of trail user pass – amend rule to provide additional clarity.
4. 41:03:06:01 – Display of a commercial snowmobile trail user pass required – amend rule to eliminate unnecessary language.

Motion by Phillips, second by Bies TO APPROVE THE RECOMMENDED CHANGES AS PROPOSED TO RULES IN CHAPTER 41:03:05 and 41:03:06. Motion carried unanimously.

### **DIVISION OF PARKS AND RECREATION CSP Private Cabin Permit Adjustment**

Simpson asked the Commission to approve a resolution authorizing the department to execute consent to provide Judith Wegner equal shares of interest and site permittee of the private cabin permit in Custer State Park currently owned by Wegner Auto Company.

Motioned by Bies with second by Phillips TO ADOPT RESOLUTION 19-16 (Appendix E) as presented Motion carried unanimously.

### **Palisades State Park Expansion Update**

Travis Theilen, parks and recreation , provided an update explaining that park staff has developed a 5 year phased approach that outlines the proposed development at Palisades State Park. This process will consider budget limitations, current ag/farming leases and public access where appropriate. A concept map was provided to show how this development might look. The map and phases were a result of local public meetings and input from staff on observed park use. Soft development is expected to begin in the spring of 2020 with farm ground conversion to grass and tree plantings.

**Recreation Trails Program Update** – not presented due to meeting time limitations

### **Concessionaire Workgroup**

Simpson presented an update to the commission on the plan to organize a workgroup to review concessions.

**Revenue, Camping and Visitation Reports** – not presented due to meeting time limitations

### **DIVISION OF WILDLIFE**

#### **Elk Raffle License Approval**

Tom Kirschenmann, wildlife deputy director, presented a request for elk raffle license from the Rocky Mountain Elk Foundation (RMEF) to be raffled off to raise funds for their program which protects and enhances habitat for the elk population and other

species. Revenue for 2018 was \$48,000 that was put with other funds they raised to spend approximately \$100,000 on partnership projects.

Motioned by Bies, second by Boyd TO APPROVE THE REQUEST FROM ROCKY MOUNTAIN ELK FOUNDATION TO OBTAIN AN ELK LICENSE TO BE RAFFLED OFF IN MAY FOR THE 2020 SEASON. Motion carried unanimously.

#### **Lake County Turkey Translocation Update**

Josh Delger, regional terrestrial's supervisor, provided an update on the turkeys that were placed in Lake County

#### **Grazing Leases on GPA's**

Paul Coughlin, terrestrials habitat program administrator, and Nathan Baker, regional terrestrials supervisor, provided information on GPA grazing management noting number of acres, habitat composition and annual costs and rates.

#### **Road Right-of-Way Ditch Mowing**

Robling provided a brief update on the enforcement efforts for road ditch mowing that was a collaborative effort with the Governor's Office, Department of Public Safety, Department of Transportation, and Game, Fish and Parks. Outreach was done to notify people of the July 10 deadline and staff from each agency continues to work together on enforcement. He noted this makes up approximately 60,000 acres of nesting habitat.

#### **Coyote Depredation Response**

Nathan Baker, regional terrestrials supervisor, and Brad Janecke, wildlife damage specialist, provided information on how GFP responds to coyote depredation events.

Keith Fisk, wildlife damage management program administrator, provided the commission an update on the external review of the South Dakota's Wildlife Damage Management and Animal Damage Control Programs that is being conducted by the Wildlife Management Institute (WMI). He explained this review is to evaluate the efficacy of the services provided.

**Big Game Water Development Projects in the Black Hills** – not presented due to meeting time limitations

**Lake Sharpe New Creel Technique** – not presented due to meeting time limitations

**License Sales Update** – not presented due to meeting time limitations

#### **SOLICITATION OF AGENDA ITEMS FROM COMMISSIONERS**

Commissioner Jensen requested additional discussion on recruiting the next generation at the September meeting.

#### **Adjourn**

Motion by Whitmyre, second by Bies TO ADJOURN AT 12:18 P.M. Motion carried unanimously.

Respectfully Submitted,

*Kelly R Hepler*

Kelly R. Hepler, Department Secretary

**Appendix A**  
**RESOLUTION 19-17**

WHEREAS, Nancy Hilding of Black Hawk, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated July 3, 2019, requesting that the Game, Fish and Parks Commission create a new administrative rule, ARSD § 41:08:02:03.01 (Trapper ID) – to require all traps and snares to have IDs for the reasons more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL §1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of requiring all traps and snares to have IDs; and

WHEREAS, the department has not fully vetted the potential burdens, both on the department and on the trappers, by requiring trappers to place tags on their traps; and

WHEREAS, the regulatory benefit of a trap tagging requirement has not been vetted to determine the potential benefits of such a tagging system.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution as adopted by the Commission shall constitute the Commission’s written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission’s discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission’s discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Nancy Hilding of Black Hawk, South Dakota.



**Appendix B**  
**RESOLUTION 19-18**

WHEREAS, Nancy Hilding of Black Hawk, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated July 3, 2019, requesting that the Game, Fish and Parks Commission create a new administrative rule, ARSD § 41:08:02:03.02 (Trapper Registration and Reporting) – to require all trappers actively trapping to register with the department more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL §1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of requiring all active trappers to register with the department; and

WHEREAS, a process for trapper registration is already provided for in the furbearer licensing requirement statute; and

WHEREAS, requiring trapper registration would conflict with the statutorily-provided license exemptions for youth under the age of 16 and landowners trapping on their own land; and

WHEREAS, no other user group regulated by the Department and Commission is required to register their activity plans for the upcoming season; and

WHEREAS, activity plans can and will change as various weather and other extraneous conditions change.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution as adopted by the Commission shall constitute the Commission’s written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission’s discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission’s discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Nancy Hilding of Black Hawk, South Dakota.

**Appendix C**  
**RESOLUTION 19-19**

WHEREAS, Nancy Hilding of Black Hawk, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated July 3, 2019, requesting that the Game, Fish and Parks Commission create a new administrative rule, ARSD § 41:08:02:03.02 (Trapper Registration and Reporting) – to require all trappers actively trapping to report at the end of the year to the department more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL §1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of requiring all active trappers to report at the end of the year to the department; and

WHEREAS, the Department already conducts harvest surveys of trappers that have furbearer licenses; and

WHEREAS, fur dealers are required to maintain complete records of all fur bought or sold and are required to report all transactions to the Department on an annual basis.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution as adopted by the Commission shall constitute the Commission’s written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission’s discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission’s discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Nancy Hilding of Black Hawk, South Dakota.

**Appendix D**  
2019-2020 Antelope

Unit	Unit Name	% NR	Resident Licenses			Nonresident Licenses			Licenses and Tag Totals									
			AnyA 41	D/K 43	AA+DK 48	2 D/K 49	AnyA 41	D/K 43	AA+DK 48	2 D/K 49	RES 1-tag	RES 2-tag	RES Licenses	RES Tags	NR 1-tag	NR 2-tag	NR Licenses	NR Tags
02A	Pennington East	2%	100	0	0	0	2	0	0	100	0	100	0	2	0	2	2	
11A	Bennett/Ogala Lakota	4%	50	0	0	0	2	0	0	50	0	50	0	2	0	2	2	
15A	Butte NW	2%	200	100	0	0	4	2	0	300	0	300	0	6	0	6	6	
15B	Butte Lawrence	2%	200	100	0	0	5	2	0	350	0	350	0	7	0	7	7	
20A	Corson	8%	50	0	0	0	4	0	0	50	0	50	0	4	0	4	4	
21A	Custer Pennington Central	2%	100	0	0	0	2	0	0	100	0	100	0	2	0	2	2	
24A	Dewey	8%	40	0	0	0	4	0	0	40	0	40	0	4	0	4	4	
27A	Fall River/Custer Southwest	2%	500	0	0	0	11	0	0	500	0	500	0	11	0	11	11	
31A	Haskell	4%	100	0	0	0	4	0	0	100	0	100	0	4	0	4	4	
36A	Harding West	4%	0	0	300	300	0	12	12	0	600	1,200	0	24	24	24	48	
36B	Harding East	2%	300	200	0	0	6	4	0	500	0	500	0	10	0	10	10	
36A	Hughes	2%	25	0	0	0	1	0	0	25	0	25	0	1	0	1	1	
38A	Hyde Hand/Bufalo	2%	10	0	0	0	1	0	0	10	0	10	0	1	0	1	1	
39A	Jackson	4%	50	0	0	0	2	0	0	50	0	50	0	2	0	2	2	
41A	Jones	4%	40	0	0	0	2	0	0	40	0	40	0	2	0	2	2	
46A	Lynan																	
46B	Ft. Pierre National Grasslands																	
49A	Meade North	2%	400	100	0	0	8	2	0	500	0	500	0	10	0	10	10	
49B	Meade South	8%	300	200	0	0	24	16	0	500	0	500	0	40	0	40	40	
50A	Mellette/Todd	4%	30	0	0	0	2	0	0	30	0	30	0	2	0	2	2	
53A	Perkins North	4%	150	0	0	0	10	0	0	150	0	150	0	6	0	6	6	
53B	Perkins South	8%	250	300	0	0	10	12	0	550	0	550	0	22	0	22	22	
58A	Stanley	8%	40	0	0	0	4	0	0	40	0	40	0	4	0	4	4	
59A	Sully	2%	30	0	0	0	1	0	0	30	0	30	0	1	0	1	1	
60A	Tripp																	
63A	Walworth/Potter	4%	20	0	0	0	1	0	0	20	0	20	0	1	0	1	1	
64A	Ziebach	4%	150	0	0	0	6	0	0	150	0	150	0	6	0	6	6	
	<b>TOTAL</b>		<b>3,235</b>	<b>1,000</b>	<b>300</b>	<b>300</b>	<b>112</b>	<b>38</b>	<b>12</b>	<b>4,235</b>	<b>600</b>	<b>4,835</b>	<b>5,435</b>	<b>150</b>	<b>24</b>	<b>174</b>	<b>198</b>	
Unit	Unit Name	% NR	AnyA 41	D/K 43	AA+DK 48	2 D/K 49	AnyA 41	D/K 43	AA+DK 48	2 D/K 49	RES 1-tag	RES 2-tag	RES Licenses	RES Tags	NR 1-tag	NR 2-tag	NR Licenses	NR Tags

Antelope  
2017-2018 vs. 2019-2020 Comparison

Unit #	Unit Name	2017-2018 Resident Licenses	2019-2020 Resident Licenses	# Change	% Change	2017-2018 Resident Tags	2019-2020 Resident Tags	# Change	% Change
02A	Pennington East	150	100	-50	-33%	150	100	-50	-33%
11A	Bennett/Shannon	50	50	0	0%	50	50	0	0%
15A	Butte NW	300	300	0	0%	600	300	-300	-50%
15B	Butte/Lawrence	600	350	-250	-42%	600	350	-250	-42%
20A	Corson	50	50	0	0%	50	50	0	0%
21A	Custer/Pennington Central	125	100	-25	-20%	125	100	-25	-20%
24A	Dewey	40	40	0	0%	40	40	0	0%
27A	Fall River/Custer Southwest	550	550	0	0%	550	550	0	0%
31A	Haakon	100	100	0	0%	100	100	0	0%
35A	Harding West	300	600	300	100%	300	1,200	900	300%
35B	Harding East	300	500	200	67%	300	500	200	67%
36A	Hughes	25	25	0	0%	25	25	0	0%
38A	Hyde/Hand/Bufalo	25	10	-15	-60%	25	10	-15	-60%
39A	Jackson	50	50	0	0%	50	50	0	0%
41A	Jones	30	40	10	33%	30	40	10	33%
45A	Lyman	0	0	0	0%	0	0	0	0%
45B	Ft. Pierre National Grasslands	0	0	0	0%	0	0	0	0%
49A	Meade North	800	500	-300	-38%	800	500	-300	-38%
49B	Meade South	500	500	0	0%	500	500	0	0%
50A	Mellette/Todd	30	30	0	0%	30	30	0	0%
53A	Perkins North	150	150	0	0%	150	150	0	0%
53B	Perkins South	550	550	0	0%	550	550	0	0%
58A	Stanley	40	40	0	0%	40	40	0	0%
59A	Sully	30	30	0	0%	30	30	0	0%
60A	Tripp	0	0	0	0%	0	0	0	0%
63A	Walworth/Potter	20	20	0	0%	20	20	0	0%
64A	Ziebach	150	150	0	0%	150	150	0	0%
<b>TOTAL</b>		<b>4,965</b>	<b>4,835</b>	<b>-130</b>	<b>-3%</b>	<b>5,265</b>	<b>5,435</b>	<b>170</b>	<b>3%</b>

Antelope Archery Access Permits

Designated Area	Number of Access Permits
	Any Antelope
Portions of Custer and Pennington counties within the Black Hills Fire Protection District	5

2017-2018 vs. 2019-2020 Comparison

Designated Area	Number of Access Permits
	Any Antelope
<b>2017-2018:</b> Portions of Custer and Pennington counties within the Black Hills Fire Protection District	5
<b>2019-2020:</b> Portions of Custer and Pennington counties within the Black Hills Fire Protection District	5

**Appendix E**  
**RESOLUTION 19-17**

WHEREAS, the South Dakota Game, Fish and Parks Commission has been advised that Wegner Auto Company is the owner of a cabin located in Custer State Park (Custer County) on property described as:

No. 2 Wihaha Tipi in the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) and the Northeast Quarter (NE1/4) of Southwest Quarter (SW1/4) all of Section Seven (7), Township Three (3) South, Range Six (6) East, of the Black Hills Meridian, Custer County, South Dakota.; and

WHEREAS, the property upon which the cabin is located is owned by the South Dakota Department of Game, Fish and Parks and has been leased to Wegner Auto Company by permit by reason of a Stipulation of Settlement and Dismissal entered in Craft v. Wipf, Civil Action No. 85-5092, U.S. District Court for the District of South Dakota, Western Division, and subsequent agreements and permits executed thereafter based on said Stipulation and Dismissal; and

WHEREAS, the Commission has been advised that Wegner Auto Company desires to and has added equal shares of their interest in said cabin and cabin site permit to Judith Wegner as an additional permittee; and

WHEREAS, the Commission has been requested to approve said Addition.

NOW, therefore, be it resolved that in the event the Department receives an executed Agreement and Assignment of the cabin site permit and cabin and appurtenances located thereon and which further provides that said additional Assignee agrees to abide by all of the terms and conditions of the aforementioned Stipulation of Settlement and Dismissal and all subsequent agreements relative thereto, including but not limited to Cabin Site Permits, Addendums, and all agreements relative to establishing the lease or rental payments due the Department, then in that event, the Department is authorized to execute a Consent to the requested additional Assignment.

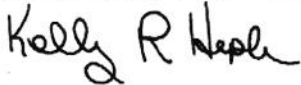
Public Hearing Minutes of the Game, Fish and Parks Commission  
July 8, 2019

The Commission Vice chair Scott Phillips began the public hearing at 2:08 p.m. CT at Americinn Hotel and Convention Center in Fort Pierre, South Dakota. Commissioners Gary Jensen, Travis Bies, Mary Anne Boyd, Jon Locken, Scott Phillips, Russell Olson, Douglas Sharp, Robert Whitmyre were present. Phillips indicated written comments were provided to the Commissioners prior to this time and will be reflected in the Public Hearing Minutes. Phillips then invited the public to come forward with oral testimony.

No verbal comments were received.

See attached written public comments submitted prior to the public hearing  
The public Hearing concluded at 2:09 p.m.

Respectfully Submitted,



Kelly R. Hepler, Department Secretary

# Public Comments

## Other

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**Matthew Lewison**

**Custer SD**

**mattlewison@hotmail.com**

**Comment:**

The placidity of Deerfield Lake is unique and deserving of the preservation that the current no-wake restrictions provide. The needs of boaters wishing to travel at higher rates of speed are already well-accommodated in area lakes.

---

**Cheryl Schreier**

**Custer SD**

**claschreier@gmail.com**

**Comment:**

I oppose changing the no wake zone on Deerfield Lake. The regulation has been in effect for the past 55 years and there are other lakes in the area, Pactola and Sheridan that have areas for higher speed boats. I am a kayaker and paddleboarder and recreate on no wake lakes without the danger of fast moving boats. It is a safety concern, as well as impacting the tranquility this lake provides for the public. Thank you for considering my comments and please leave the no wake status for Deerfield Lake. A gem in the Black Hills of South Dakota.

---

**Bretton Hill**

**Black Hawk SD**

**Comment:**

To put it shortly and simply: Deerfield's charm and strength is in its tranquility. Keep it a refuge for those who seek peace and solitude.

---

**Jim Weimer**

**Rapid City SD**

**weimer@rap.midco.net**

**Comment:**

Deerfield Lake is very close to 2 miles long. If you have spent much time at all at the lake, you've noticed well over 90% of the boat fishing is within 1/2 mile of the boat ramps. To go that 1/2 mile+ at 25 mph would take 1.2+ minutes (you don't have time to get up to speed before you idle down !) and at 5 mph it would take 6 minutes. After driving over 1 hour from Rapid City, over 50 minutes from Spearfish, or 30+ minutes from Custer or Hill City and launching and loading the boat, time savings is not a factor at all !

You will most always see canoes, kayaks, and paddleboards there on any random day.

Don't mess up the peace and

serenity of Deerfield Lake and the small craft for NO reason.

Thank you for your time

---

**Jon Crane**

**Hill City SD**

**joncrane@mac.com**

**Comment:**

I strongly oppose raising the speed on Deerfield Lake. I love to kayak on Deerfield because it is the only lake of any size in the Black Hills that I can use without worrying about speeding boats. I do not kayak on Pactola and Sheridan Lakes because of the speedboats and Jet Skis destroy the tranquility and make it more dangerous. 25 miles an hour is way too fast. In fact, I would be in favor of prohibiting all motors except electric trolling motors on Deerfield. Thank you for your consideration

Sincerely,

Jon Crane



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**Andrew Fanaras**  
**Haverhill MA**  
**afanaras@yahoo.com**

**Comment:**

I cannot believe that a states game commission would even consider changing the current season less than 3 months before it is set to open. As a travelling bow hunter I have seen states all across the country propose changes to an upcoming season but it happens in the winter! Many, like myself, plan these hunts at least 6 months, if not a year, in advance. My friend and I already have flights booked, reservations at an airbnb, time off work, etc. This will be our first time coming to SD after spending 10 yrs bow hunting Wyoming Sept 1. We decided to make a change after spending 10 days last Sept staying in SD. The people and businesses seemed very receptive to out of state hunters. This was a big decision for us. I've spoken 4 different times thru the winter and spring with Game, Fish and Parks about our hunt. Never once was I told that the Game commission would consider changing the season dates. If not from a chance e-mail from a hunting website sending out news we would never have known of this. Not a good impression from the state we are thinking of changing to after 10 years in Wyoming. Like most nonresident hunters we spend money on licenses, lodging, food, supplies, car rentals, etc every year. During a tour of Mt. Rushmore last year we were told SD wants to encourage tourism in the state. Creating a bias against nonresident hunters by making their season different than residents and proposing such a change less than 3 months before the opener isn't going to "encourage tourism" to SD!

---

**M Dean Hade**  
**Rapid City SD**

**Comment:**

The current no-wake restriction is a positive restriction. It has worked for 50 plus years. A change would increase noise, air and water pollution

---

**Kathryn Hart**  
**Rapid City SD**  
**hart@rap.midco.net**

**Comment:**

Please leave Deerfield Lake as is WITHOUT motorized boating...thank you

---

**Darlene Kutzler**  
**Hill City And Huron SD**  
**bdkutzler@gmail.com**

**Comment:**

We love the tranquility of Deerfield Lake. While there are other lakes that allow speeding boats and water activities, we feel that we need a quite pristine spot where there are no distracting elements. Canoes and other self-propelled watercraft should not have to worry about being upended by wake of those speeding boats. Please do not allow this speed increase. Keep our lake peaceful.

---

**Arthur Hubbard**  
**Southold NY**  
**athubb12@gmail.com**

**Comment:**

I booked a mule deer/antelope archery hunt for Sept 2019 in January with an SD outfitter because I was told by you folks the tag would be guaranteed. I put down \$2500 non refundable to the outfitter. If the commission intends to make changes such as making the deer tag a lottery I would ask that any changes not take affect until 2020 or at the very least retroactive for those of us who already made a purchase for this years hunting season.

---

**Randy Gaskins**  
**Sturgis SD**  
**rgaskins@nwtf.net**

**Comment:**

Deerfield Lake is the last good lake in the Black Hills where you can enjoy a quiet and calm day kayaking, canoeing, or fishing in a float tub. There are plenty of lakes for water skiing, and boat racing. Please leave one lake for people that enjoy the peace and quiet.

---

**Susan Kruse**  
**Garretson SD**  
**susan\_kruse2000@yahoo.com**

**Comment:**

I'm very excited about the expansion! We own a home just east of the park, as well as land just north of the golf course.

For any new camp sites or buildings, I'd love to see a more sustainable model.

Use gray (shower) water for the toilets.  
Install toilets with half and full flush features.  
Use renewable energy for electric sites (either solar or wind).

If you're going to create an education center, have an area on ways to lower your carbon footprint. That area should be easy to update as there are always new ideas and options becoming available.

Have at least one campsite with an EV charging station.

Offer a full recycling station that accepts everything Sioux Falls will take.

There are hundreds of ideas on how to support sustainable travel. I'd love to see Palisades State Park become the most sustainable park in South Dakota.

---

**Kathy Sjomeling**

**Hermosa SD**

**ksjomeling@gmail.com**

**Comment:**

I use Deerfield lake, specifically, because of the current no wake Zone. As an avid kayaker, it is hard to find a large body of water in the black hills that is safe for a kayak, without speeding boats! Removing the no wake zone will remove Deerfield from an area I will use. Strongly oppose!!

---

**Kelly Recker**

**Ottawa OH**

**Turkeykiller35@yahoo.com**

**Comment:**

Start date of nonresident archery of public hunting: Making a change to the start of deer season this close to opening season puts hunters that have to plan in advance time off work in a difficult position. It's my opinion that changing the start date should be postponed until next season. Many hunters have already made their 2019 hunting arrangements with work and family, including myself.

Nonresident access permits: Knowing that the access permit is free, it is my concern that some may apply for these free permit with having no intention to hunt on public land, but to purposefully limit the availability of access permits for others. Outfitters that don't use public land may encourage their clients to apply for these permits with the intent of limiting the availability of permits to hunters that like to "do it yourself". This would also limit a hunters choice and force them to have to go through an outfitter. It is my strong opinion that this change would only benefit the outfitters and put the public land hunters at a huge disadvantage. I recommend charging a high enough fee for the access permit that would discourage this from happening.

I am also greatly concerned about the schedule that has been proposed for having to apply for archery tags. With your new timeline a hunter could very likely apply for an archery tag then come to find out later that they have been blocked from being able to get an access permit. With this new proposed timeframe, most hunters would not purchase an archery tag without having guaranteed availability of an access permit. I am strongly recommending that the committee take their time with this role out until all angles can be considered. If you choose to move forward, it is imperative that the results of the access permit lottery be posted with recipient knowing if they have been awarded an access permit BEFORE the August 1st deadline for archery tags.

Thank you for your time and consideration.

Kelly Recker  
(419)796-0307  
Ohio

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**Jim Cloos**

**Milbank SD**

**jjcloos@itcmilbank.com**

**Comment:**

I support having an application deadline but believe deadline could be earlier , force them to commit sooner. Feel it necessary to limit total number of non res hunters. Just limiting number of access permits to certain areas will just push more of unlimited number onto walk in, school, etc. Limit the number of non res and raise the price.

The later non res start date should be later still, October maybe.

Talked to hunters from Pennsylvania last season who have been coming to SD for 6-7 years. When asked why not going to Mont only 20 more miles away they said it was cheaper and could get license anytime.

Thank You for listening to our concerns.

---

**Justin Herreman**

**Rapid City SD**

**jherreman@gmail.com**

**Comment:**

Dear Game Fish and Parks Commission:

We the 600+ members of the Black Hills Paddlers are writing this letter in opposition of the plan to remove the no wake restriction on Deerfield Reservoir. We are a regional organization of paddle sports enthusiasts in the Black Hills Region. We are composed of members who enjoy canoeing, kayaking, stand-up paddle boarding and other human powered water sports. Many of our members enjoy fishing from our paddle craft.

Deerfield Reservoir is the largest lake in the Black Hills where people can enjoy recreational opportunities without fear of boat wakes and without the noise of loud boat motors. There are plenty of other lakes in the region (Pactola Reservoir, Sheridan Lake, Angostura Reservoir, Stockade Lake) that are large and where motor sports enthusiasts can enjoy their recreational opportunities.

We the majority members of The Black Hills Paddlers feel it would be a disservice to the Black Hills outdoor recreation community and the tourism industry to change the atmosphere of this gem of a lake. We have assisted in Triathlons at this lake in the past and this venue was chosen because of the lack of motorized boat wakes.

We respect the rights of motorized boats and many of us are owners of motorized watercraft. Deerfield reservoir is also a haven for wildlife including nesting eagles and we believe this change will negatively impact this wildlife in multiple ways. We respectfully request this change not be made and the solitude and uniqueness of Deerfield Reservoir be preserved for the enjoyment of all South Dakotans.

Regards,

Justin Herreman - Vice President  
Stacy Smith - Secretary & Treasurer  
600+ additional members

---

**Ross Vander Vorste**

**Berkeley CA**

**vandervorste.ross@gmail.com**

**Comment:**

Practiced by few and mastered by even fewer, archery hunting remains one of the most natural and ethical forms of hunting. More strict regulations on archery hunters, either in-state or out-of-state, will limit archery hunting at a time when hunter numbers are declining nation-wide.

As a former resident of SD, I have cherished my 10+ years of archery hunting in the state. Only through archery can you connect so closely with wildlife and the landscapes they thrive in. Never once during my time as an SD resident hunting public lands, did I say "I am being bothered by out-of-state archery hunters."

As an out-of-state hunter, I had planned to come back to archery hunt the opening weekend on public lands with my hunting friends, who remain in-state residents, a tradition that we hoped we could continue for many years.

I feel that benefits of allowing out-of-state archery hunters on public lands on the opening week far outweigh the negatives to in-state archery hunters. South Dakota relies on the money out-of-state hunters bring in and preventing these hunters from accessing public lands will hurt SD reputation as a great state for hunters as well as the local business in those areas.

Thank you for your consideration,

Ross Vander Vorste

---

**Ce Faulkner**

**Piedmont SD**

**faulnce@aol.com**

**Comment:**

There are plenty of other lakes in the hills for speed. Leave the one for quiet.

---

**Tim Pravecsek**

**Winner SD**

**bowhunterinsd@yahoo.com**

**Comment:**

I believe the new regulations will help, but feel they do not go far enough. I would like to see a later start for non-residents and earlier application deadline for non-residents. I have bow hunted the public land at the mouth of the White River and can tell of experiences 15-1 ratio of non-residents to residents. And as far as harvest have come upon animals not followed up on or followed up and left.

---

**Nathan Mielke**

**Breezy Point MN**

**nathan\_mielke@hotmail.com**

**Comment:**

Proposal #1: Archery hunting for nonresident hunters will begin on the first Saturday after Labor Day for public lands and private land leased by the department.

This proposal is a joke, majority of the states do not delay nonresidents hunting because there is no meaningful impact on the population from nonresident archers. There is no reason to delay it because of a few resident hunters who want all of the public land to their selves. The majority of public land in western South Dakota are a public resource owned by the federal government. Limiting the use of this land to nonresidents is a travesty. Especially to hold it for just the resident archery hunter who has little impact on the overall population. Crowding is not a problem in most of the state, maybe those who think it is crowded should look else where. Also other neighboring states have more archers per square mile than South Dakota.

Proposal #2: Establish an application deadline of August 1 for nonresident hunters, where any application received after that date the license will only be valid on private land, not including Walk-In Areas.

The number of nonresident archers is so low that it is a joke that it would be limited. What is the point of performing a draw or limiting the date of purchase when the nonresident hunter is having little to no impact on the population or crowding. Nonresidents typically come for the rut and tend to hunt for a maximum of a week. If crowding does occur, it tends to be a localized issue and happens during the rut when it is busy in every state (including both residents and nonresidents). Limiting the use of our federal public lands is a travesty (which most of western south Dakota public land is). This will also have a negative effect on the amount of money that is drawn into South Dakota.

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**Mike Wilson**

**Tipton IA**

**Bison4me@icloud.com**

**Comment:**

I Respectfully object. What has the State done to mitigate issues? I've mentioned to the staff at Parks that they don't do enough to educate hunters that special rules apply in Parks. Signs at entrances, at campgrounds, a hand out sheet with rules on one side and a map on the other would help a lot. Rather than trying some mitigation measures it appears we are jumping to bans and heavy restrictions for a problem that may be solvable with better info and education. Don't punish us all for problems at a few busy Parks. Thank you for your time.

---

**Mike Wilson**

**Tipton IA**

**Bison4me@icloud.com**

**Comment:**

I respectfully oppose these proposed rules that would limit nonresident archery access to public land, reduce tags, and limit seasons. The States own published statistics for 2018 do not support the claims made by the petitioner (Dana Rogers-SDBI). On that basis alone I believe the Commissioners should table the issue until more study is done. SBDI claims the problem is wide spread...false, the stats show only a few counties have issues. SDBI claims that nonresidents have more money than South Dakotans and so can afford to hunt on private land...false and that is a ridicules and insulting claim. SDBI claims nonresident success rates are higher...often true but not unusual. Nonresidents have limited time and a lot invested, so of course they tend to be more focused and thus success rates are higher. The rule changes proposed are not based on good facts or science and would cause real confusion with various start dates and where hunting is allowed some land types and not others. Please table this finalization until more study is done. I'd gladly pay more for a tag and public land access rather than create a blizzard of confusing rules. These rules could result in a significant reduction in license fee income for the State and huge drop in hunting associated economic costs. Thank You.

---

**Mike Norton**

**Rapid City SD**

**nortonmichael1922@yahoo.com**

**Comment:**

My question is (and I've mentioned it to the staff at Angostura) they don't do anything to educate hunters that special rules apply. Signs at both entrances, at campgrounds, a hand out sheet with rules on one side and map on the other would help a lot.

I've archery hunted state parks where I am allowed too since I was a kid.

Why punish us all. I've never been in trouble and there is very limited hunters. We pay for our state parks why shut them down for archery hunting! Archery hunters are way more ethical and law abiding citizens. I have been a park ranger for many years and worked in states with the best animal growth in the world.

This is getting out of control in South Dakota.

---

**Peter Sanchez**

**Fort Pierre SD**

**phsanchez16@ole.augie.edu**

**Comment:**

I believe for non-residents the start date should be moved back until around the last weekend of September or the 1st of October, as the season used to be. This would allow time for Residents to hunt before non-residents ran all over every piece of public. Non-residents are especially present in the northwestern and southwestern parts of the state, as there are large numbers of mule deer on public land in these areas. However, soon after the first weekend of the season deer are pushed onto private land and tough for everyone to access. Therefore, I propose that in these two areas in particular (around buffalo gap national grassland, south of Edgemont, in the Cave Hills, and in the Slim Buttes) Non-residents should have limited access. I quite frankly do not understand why non-residents are able to buy statewide archery permits over the counter. Make it a draw system for counties that are extremely popular to non-residents. I have hunted in the cave hills before (Custer National Forest) and even with the needed access permit, the place is absolutely crawling with hunters the first week of the season. This area should have non-resident access permits reduced to around 25-50, residents only get 100 rifle tags, why let nonresidents run rampant in a unit that has seen large decrease in trophy quality the last few years? If you are worried about losing money, make the access permits on a draw basis instead of first-come first-served basis (as proposed), and that way you could charge an application fee to not lose funds from the reduced number of permits allowed. Overall, I believe the number of permits should be limited in the Custer National Forest as proposed, but maybe consider reducing the numbers even further, especially for non-residents. When I hunted there, I could not believe the number of fork-horned mule deer I saw slung over the back of guys pickups only to hear them brag about it at the bar. How can you manage for trophy quality when you don't even let the young bucks show their potential, christ they still have milk on their lips. South Dakota overall needs to do a better job of managing our herds and selecting certain areas that are managed for trophy quality and certain areas that are managed for herd size. This way, there can be areas for meat hunters and areas for trophy hunters. I agree completely with making public-land, statewide nonresident tags only available before August 1. South Dakota is a great state for Archery hunting and it is well known, however, we need to do a better job managing our herds and I believe the proposed changes would be a step in the right direction if they include the above changes.

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**Nicholas Renemans**

**Fort Pierre SD**

**Nixxmail@yahoo.com**

**Comment:**

I agree with most of the items proposed. Especially the access permits for Custer National Forest in Harding Co. I would propose that the archery access permits for non residents be more synonymous with the rifle tags allotted to nonresidents in that area. I feel there should be less non resident pressure to this limited access area. Thank for you time.



---

**Jesse Dewitt**

**Auburn IN**

**dewijw01@yahoo.com**

**Comment:**

The recently proposed season change for out of state deer archery hunters is opposite of Governor Kristi Noem recent message. Not only is the proposed change unwelcoming, but it also affects local residents who hunt with out of state family and friends. In my experience, there is sufficient public access to accommodate all hunters. Delaying the start date will make pressure greater for the 3 week window prior to the start of antelope rifle season. This rule change would also eliminate the possibility of a velvet harvest. Other states do not have such rules for non resident hunters, please continue to be more welcoming and expanding hunters opportunities. Thank you.

---

**Linda Hiltner**

**Wall SD**

**lmhiltner@yahoo.com**

**Comment:**

Several times, I have rented a kayak and used it on Lake Pactola. Even though I hugged the shore, the power boat wakes reached the shore. What may be fun for water skiing, jet skis and fast boats is dangerous for those of us wanting something slower and unhurried to enjoy. Then at times when I was kayaking, I felt as though the fast power boats were purposely getting as close as they could to the kayak -- perhaps just for fun for them. Not so for the people in kayaks or canoes. I sincerely hope the Deerfield Lake speed limit remains as a no-wake zone.

Thank you for your time and attention on this matter.  
Best regards,  
Linda M. Hiltner

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**Jacob Gabel**

**Rapid City SD**

**jrgabel@gmail.com**

**Comment:**

To Whom it may concern

I have been out of town and I missed the opportunity to comment on the GFP considering the removal of the wake zone restriction on Deerfield Reservoir. That being said I couldn't allow myself to not reach out and voice my

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**Jane Rogers**

**Des Moines IA**

**jrogers@spindustry.com**

**Comment:**

testing

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**Mike Hurvig**  
**Rochester MN**  
**outwestland@gmail.com**

**Comment:**

What in the world is happening with my home state? The proposal to delay the non-resident archery start date on public lands is not a good idea. Not only do we pay A LOT for the license to begin with, but I would bet that more than half of the non-residents are coming back to hunt with residents (I go with my family - the only times we get to spend much time together is hunting deer and pheasants). I go with my father who does not have many more hunting years, my brother, a family friend, and my brother's college roommate - all of whom are SD residents. Now I will no longer be able to partake in the archery hunt with them unfortunately. I'm not sure what you think the benefit to doing this is - it will drive people away from having any interest in hunting in SD any longer. Maybe that's what you want, I'm not sure. It's a difficult balance to keep residents happy and keep the HUGE revenue coming in from many sources from the non-residents. One day you may wish you handled non-residents differently, but hopefully that doesn't happen for you.

Sincerely,  
One less non-resident paying for an archery license in 2019.

---

**Tom Martley**  
**Rapid City SD**  
**tmartley@aol.com**

**Comment:**

Hoping you leave Deerfield Lake a "no wake" lake. I would hate to see a bunch of jet skier's and power boats there making lots of noise and wakes. It is a nice peaceful place and hope it is left that way.

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**Mike Ratigan**  
**Newcastle WY**  
**mikecandy@rtconnect.net**

**Comment:**

Caller wanted to let us know that he wants us to leave Deerfield Lake wake free. He tried to put it on a public comment but the I am not a robot button would not allow him to click any boxes so would not let him submit completed form

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**Kevin Jensen**  
**Alcester SD**  
**pastorkevin605@icloud.com**

**Comment:**

I stand against the proposed change to increase the allowed boat speed at Deerfield Lake to 25 mph. I have fished on that lake and go out there every year to fish there or on the nearby streams. Changing the rule of no wake makes no sense. It is a pristine alpine lake and needs to remain that way with the no wake rule in place and enforced!

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**Loren Clayton**  
**Omaha NE**  
**I\_clayt52@cox.net**

**Comment:**

Our NE Douglas County BassMasters Club was informed that the length limit regulations for bass have changed for your "Trophy Lakes." We would encourage the State of SD to change them back to what they have been for years in the past. Our club holds club tournaments in IA, MO, KS, and OK. Our records consistently show that we catch more lbs. of fish when we fish either Francis Case or Lake Sharpe, and Roy Lake. It's the only reason we drive for 6 hours to fish in your state. We feel after 2 yrs after the regulations change, the fishing will be the same as the other states where we fish. Multiply that times the number of other clubs going to your state for the same reasons and that adds up to a lot of revenue not being spent. We are associated with BassMasters and thus are obligated to "catch and release." We have a lot of fun, because we usually all catch our five fish tournament limit, weigh in, and then release them. We tell others how much fun we have, show pictures, and tell the lengths/weights. That in and of its self draws more tourism. We ask "the powers to be" to please reconsider changing the regulations back to what they used to be. We thank you!

---

**Shawn Pliska**  
**Sioux Falls SD**

**Comment:**

For all the money I spend on licenses, park fees, preference points, donations for sportsman clubs and taxes I feel that my opinion does not matter. South Dakota recreational opportunities have declined over the past year for my family, but CWD scares the crap out of me. Educate the public first is the answer, not more rules right out of the gate.

Proper disposal of carcasses should be encouraged, but not fineable. Several rural areas of this state don't have proper disposal site. It's out of line to expect rural hunters to drive several miles pass road killed deer to dispose of carcasses. I attended CWD work shop, to many unknowns. Not much data out there beside what we know from the black hills herds, little to no data collected outside of the black hills. More rules are not the answer.

No bird feeders below 6', Synthetic based deer lure products, no hauling deer or elk out of endemic area without head or hide (key word is endemic, what is your definition of numbers for endemic). As hunter for many years, I do not support any of this plan. Nobody knows if all the state herd is affected because animals have not been tested in most counties.

---

**Brad Croucher**

**Mitchell SD**

**bkstickbow@mitchelltelecom.net**

**Comment:**

This site needs an overhaul. I have been cheated out of a hunting season with my sons and I don't have that many left. I applied east river deer and at the end no group number, and said there was a control error. I started over and at the checkout it stated I was not eligible to apply for the unit, I figured the first app was good. Told my sons to apply on their own because no group number. Because of a trip the following Monday I could not call GFP to get answers so now I find out no application was recorded for me, my son has drawn a tag and no leftovers in that county.....lovely! This is the most confusing site I have ever been on. Take it back to where it was in the beginning at least you could apply on line. YOU HAVE UNSIMPLIFIED THE SIMPLE To bad for me and mine.

**Minutes of the Game, Fish, and Parks Commission**  
**July 24, 2019**

Chairman Gary Jensen called the meeting to order at 1:00 a.m. CT at via teleconference. Commissioners Gary Jensen, Mary Anne Boyd, Jon Locken, Scott Phillips, Russell Olson, Douglas Sharp, Robert Whitmyre were present when the roll was called. It was noted that a quorum was present. Secretary Kelly Hepler was present along with 15 staff and public in Pierre, 4 staff and public in Sioux Falls and 5 staff and public in Rapid City, and 1 staff in the Watertown, and 5 staff and public in the Chamberlain location.

**Conflict of Interest Disclosure**

Chair Jensen called for conflicts of interest to be disclosed. None were presented.

Jon Kotilnek, senior staff attorney, explained the reason for the special meeting and the requirements and process of emergency rules.

**Finalize Emergency Amendment to Containment Water Rules to Include Lake Sharpe and Lake Francis Case**

John Lott, fisheries chief, presented the proposed rule change that would allow Game, Fish and Parks to designate Lake Sharpe and Lake Francis Case as containment waters thus requiring boaters to follow decontamination rules as laid out in ARSD 41:10:04:08.

Lott further explained there is an imminent threat to the public welfare and the emergency rule would secure or protect the best interests of the state. The zebra mussel is a devastating aquatic invasive species that has a significant impact on reservoir infrastructures. The mussel attaches to intakes on dam structures as well as intake valves and pumps used for irrigation purposes. This results in substantial costs for mussel removal and equipment maintenance.

Zebra mussels have the potential to harm aquatic ecosystems and impact municipal and agricultural water systems. The species is a filter feeder that consumes plankton and algae in the water. Each individual is capable of filtering over one liter of water per day. Zebra mussels also become troublesome for recreational users and water users when they attach to the insides of engine cooling systems and water intake structures and restrict the movement of water. The shells are extremely sharp which could potentially limit the use of swimming beaches. In some areas of the country, they have been found in densities of over 700,000 individuals per square meter.

Currently, administrative rule lists four water bodies as containment waters that require recreational users to take additional precautionary measures when recreating with a boat. The addition of this emergency rule would add two additional water bodies to the list, Lake Francis Case and Lake Sharpe.

It is necessary for an emergency rule to be implemented because given the statutory requirements and timelines, an ordinary rule would not become effective until October 2019. The quicker the Department can act in order to maximize efforts in slowing the spread of the mussels the better chances we have at preventing more lakes from becoming infested with zebra mussels.

Motion by Phillips, second by Boyd TO APPROVE THE ADOPTION OF AQUATIC INVASIVE SPECIES RULES 41:10:04:06 TO INCLUDE LAKE FRANCIS CASE (from Fort Randall Dam upstream to Big Bend Dam) AND LAKE SHARPE (from big Bend Dam upstream to Oahe Dam) IN THE CONTAINMENT WATERS. Roll call vote: Boyd-yes; Locken – yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-yes. Motion passes with 7 yes votes and 0 no vote.

The commission noted the need to approach AIS management statewide and proposed sending a letter to Governor Noem on this issue.

Motion by Phillips, second by Sharp TO INFORM THE GOVERNOR AND ASK HER TO LEAD A STATEWIDE CALL TO ACTION TO DEVELOP AND IMPLEMENT A COMPREHENSIVE RESPONSE TO THE SIGNIFICANT ENVIRONMENTAL, CULTURAL, SOCIAL AND ECONOMIC THREAT PRESENTED BY ZEBRA MUSSELS AND OTHER AQUATIC INVASIVE SPECIES IN OUR STATE Roll call vote: Boyd-yes; Locken – yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-yes. Motion passes with 7 yes votes and 0 no vote.

**Adjourn**

The meeting adjourned at 2:02 p.m.

Respectfully Submitted,



Kelly R. Hepler, Department Secretary

**Minutes of the Game, Fish, and Parks Commission**  
**August 12, 2019**

Chairman Gary Jensen called the meeting to order at 3:00 a.m. CT at via teleconference. Commissioners Gary Jensen, Mary Anne Boyd, Scott Phillips, Douglas Sharp, Robert Whitmyre were present when the roll was called. It was noted that a quorum was present. Secretary Kelly Hepler was present along with 9 staff and public in Pierre and 2 staff in Sioux Falls.

**Conflict of Interest Disclosure**

Chair Jensen called for conflicts of interest to be disclosed. None were presented.

**Approval to proceed with 2020 Bighorn Sheep Auction Tag**

Tom Kirschenmann, wildlife deputy, presented the application letter and supporting information provided by the Midwest Chapter of the Wild Sheep Foundation requesting to be selected to auction the 2020 Bighorn Sheep tag. Supporting documents included all the required information detailed in rule and no other organization submitted an application.

Motion by Phillips, second by Boyd TO APPROVE RESOLUTION 19-20 ALLOWING THE WILD SHEEP FOUNDATION TO AUCTION THE 2020 BIGHORN SHEEP HUNTING LICENSE. Roll call vote: Boyd-yes; Locken – yes; Olson- yes; Whitmyre - yes; Phillips – yes; Sharp- yes; Jensen-yes. Motion passes with 5 yes votes and 0 no vote.

**Adjourn**

The meeting adjourned at 2:17 p.m.

Respectfully Submitted,



Kelly R. Hepler, Department Secretary



# GAME, FISH AND PARKS COMMISSION

## 2020 MEETING SCHEDULE

**January 16-17, 2020** **Pierre – RedRossa Convention Center**  
808 W Sioux Avenue, Pierre, SD 57501

**February** No Meeting

**March 5-6, 2020** **Pierre – Ramkota Hotel & Convention Center**  
920 W Sioux Avenue, Pierre, SD 57501

**April 2-3, 2020** **Sioux Falls – Good Earth State Park**  
26924 480<sup>th</sup> Ave, Sioux falls, SD 57108

**May 7-8, 2020** **Custer State Park – Event Barn**  
US Hwy 16A, Custer, SD 57730

**June 4-5, 2020** **Pierre - Ramkota Hotel & Convention Center**  
920 W Sioux Avenue, Pierre, SD 57522

**July 16-17, 2020** **Fort Pierre - AmericInn**  
3112 Island Drive, Fort Pierre, SD 57532

**August** No Meeting

**September 2-3, 2020** **Rapid City – Outdoor Campus West**  
4130 Adventure Trail, Rapid City, SD 57702

**October 1-2, 2020** **Fort Pierre - AmericInn**  
3112 Island Drive, Fort Pierre, SD 57532

**November 5-6, 2020** **Brookings – McCrory Gardens**  
631 22<sup>nd</sup> Avenue, Brookings, SD 57007

**December 3-4, 2020** **Fort Pierre - AmericInn**  
3112 Island Drive, Fort Pierre, SD 57532

Meeting times are Thursday 1:00p.m. -5:00p.m. reconvening Friday 8:00a.m.-12:00p.m.



DATE	LOCATION	SEASON/REGULATION	PROPOSE	FINALIZE
January 16-17	<i>Pierre</i>	No Proposals Scheduled	January	March
February		NO MEETING		
March 5-6	<i>Pierre</i>	Elk ** (Black Hills, Archery, Prairie, CSP) CSP Bison	March	April
April 2-3	<i>Sioux Falls - Good Earth</i>	No Proposals Scheduled	April	May
May 7-8	<i>Custer State Park – Event Barn</i>	No Proposals Scheduled	May	June
June 4-5	<i>Pierre</i>	Fall Turkey ** Sage Grouse	June	July
July 16-17	<i>Fort Pierre</i>	Threatened & Endangered Species **	July	September
August		NO MEETING		
September 2-3	<i>Rapid City – Outdoor Campus West</i>	Bobcat ** Fishing Regulations ** Elk Contingency Licenses	September	October
October 1-2	<i>Fort Pierre</i>	Waterfowl Spring Turkey ** (Firearms, Archery, CSP)	October	November
November 5-6	<i>Brookings</i>	No Proposals Scheduled	November	December
December 3-4	<i>Fort Pierre</i>	No Proposals Scheduled	December	January

\*\*Seasons/regulations scheduled for 2 years.

\*\*\*Seasons/regulations scheduled for 3 years.

Management Plans scheduled for adoption

(SCHEDULE SUBJECT TO CHANGE)

Updated July 29, 2019



## Considerations for Scheduling GFP Commission Meetings

Last Updated August 2018

- Administrative Rule Deadlines per SDCL 1-26-4:
  - Notice of Public Hearing must be published and served to LRC, BFM and interested parties at least 20 day prior to the hearing. 1-26-4(2) & 1-26-4(3)
  - Service of document to IRRC 5 days before committee meeting 1-26-2.1 and 1-26-4(9).
- Season, Regulation and Management Plan Schedules
- Federal Framework
- Conflicting Dates of the following:
  - Legislative Session
  - National and Regional Association Conferences
  - Commissioner Commitments

## Criteria for Consideration on Reviewing Meeting Locations

Last Updated :: July 2016

*In April 2016 the department decided there was a need to identify factors used when determining the location for holding future meetings. The key factors below must be considered in selection of all Commission meeting sites. (GFP properties are excluded from these requirements)*

- Cellular service.
- High speed internet access (Wi-Fi).
- Adequate meeting room facility and associated staff requirements:
  - Space: minimum of 2,000 square feet.
  - Audio Visual Equipment: projector, screen, microphone, power hookups and phone line access.
  - Business Equipment: printer, copier, etc.
  - Support available to setup and handle any technical difficulties should they arise.
- Relative Comfort (temperature inside, tables/chairs, etc.).
- Adequate hotel rooms and capacity of rooms for expected influx at state per diem rate.
- Proximity to dining facilities offering breakfast, lunch and dinner and capacity for the Commission, staff and expected members of the public traveling from other communities.
- Efficient access for public participation.
- Relationship of community to Commission topics of discussion.
- Travel time required.
- Cost to the Department of Game, Fish and Parks.

**SOUTH DAKOTA GAME, FISH & PARKS**

523 East Capital  
Pierre, SD 57501  
Chris.Petersen@state.sd.us  
(605)773-3396



**REQUEST FOR LISTS OF LICENSE HOLDERS**

Type of List Requested All Pheasant Preserves/Owners/Operators

Number of Licenses in list \_\_\_\_\_

Name of Person, Entity, or Organization requesting list:

South Dakota Landowner Outfitter Alliance

Address of Person, Entity, or Organization:

c/o Doug Abraham  
May Adam Law Firm  
503 S. Pierre St  
Pierre, SD 57501

daa@nagadam.net  
884-8803

Purpose for which list will be used:

Marketing/Membership

The sale of lists by the Department of Game, Fish & Parks is authorized by SDCL 1-17-1 and ARSD 41:06:01:04, 05 and 06. A fee of \$100 per thousand names will be assessed for the sale of this list, or a minimum of \$100 whichever is greater.

Names will be provided on self-adhesive mailing labels unless otherwise specified. Unless requested and approved as part of this request, the license list will not include anyone under eighteen years of age. Names are for one-time use only and are to be used only by the person, entity or organization approved per this request.

[Signature]  
Authorized Signature of Purchaser

8/26/19  
Date

\_\_\_\_\_  
Date of Commission Action

### Resolution 19-21

Whereas, The Department of South Dakota Game, Fish & Parks (Department) relies on hunters to help fund the management and use of the State's natural resources and associated habitats.

Whereas, there has been a steady decline in hunting participation both at a national and state level.

Whereas, the resulting decline in participation has a direct negative impact on financial resources available to manage natural resources and associated habitats.

Whereas, the Commission and Department have recognized the necessity to implement new habitat funding mechanisms.

Whereas, the Commission and Department implemented the Hunt for Habitat raffle in 2019 as a new approach to generate additional financial resources to support habitat initiatives.

Now, Therefore, Be it Resolved, funds generated by the Hunt for Habitat raffle will be used to support habitat development and enhancements on public lands, in particular Game Production Areas and School and Public Lands.

Be it further resolved, the Commission and Department will utilize the Hunt for Habitat revenue to support the following identified needs and new habitat efforts.

- A. Improve and establish habitat on Game Production Areas across the state identified through a statewide assessment. Implementation of one-time identified projects will occur over the next 4-5 years.
  - a. Acquisition of necessary equipment such as planters, transportation, prescribed fire, and weed control implements.
  - b. Hire or contract to complete habitat management activities.
  - c. Establishment of new grassland plantings – 22,500 acres.
  - d. New perennial pollinator and food plots – 1,700 acres.
  - e. Enhancing existing grassland habitat – 40,000 acres.
  - f. New woody cover and tree plantings – 1,000 acres.
  - g. Grazing infrastructure – cross fencing and water sources.
- B. Improve and establish habitat on the 700,000+ acres of School and Public Lands across the state.
  - a. Riparian management
  - b. Grazing infrastructure – cross fencing and water sources.
  - c. Enhancing existing grassland habitat
  - d. New woody cover and tree plantings

### Resolution 19-22

Whereas, The Department of South Dakota Game, Fish & Parks (Department) relies on a wide variety of outdoor enthusiasts and users to fund the management and use of outdoor recreational resources.

Whereas, nationally, there has been a steady decline in hunting, trapping and angling participation since the 1980's.

Whereas, the resulting decline in participation has a direct correlation to the sustainability of our strong outdoor heritage in South Dakota.

Whereas, the resulting decline in participation has a direct negative impact on financial resources available to manage outdoor recreational resources.

Whereas, the Commission understands and recognizes the necessity to recruit, retain and reactivate participants in hunting, angling, trapping and outdoor recreating.

Whereas, the Department shall continue to prioritize their focus on recruitment, retention, and reactivation of resource users and all outdoor enthusiasts.

Now, Therefore, Be it Resolved, prior to amendment or adoption of regulations, the Commission shall consider the impact the regulation would have on recruitment, retention and reactivation of hunting, angling, trapping and outdoor recreating participants.

Be it further resolved, the Commission shall consider, at a minimum, the following criteria when determining whether to adopt or amend a regulation:

- (1) whether the regulation/fee inhibits a user's ability to participate,
- (2) does the regulation increase the opportunity for new and existing users,
- (3) how does the regulation impact the next generation of hunters, anglers, trappers and outdoor recreationists,
- (4) does the regulation enhance the quality of life for current and future generations by getting families outdoors.



## **AIS Response Plan Presentation**

### **1. Action taken upon discovery**

- a. Field response
  - i. Fisheries crews
  - ii. Law Enforcement
- b. Collaborating with Governor's office and other agencies

### **2. Action taken before Labor Day to reach boaters during remaining season**

- a. Field response
- b. Communications & Collaboration efforts

### **3. Action to be taken in the next 12-18 months**

- a. Field Response
  - i. Fisheries Crews
  - ii. Law Enforcement
- b. Communications & Collaboration efforts

**Comes, Rachel**

---

**From:** info@gfp.sd.us  
**Sent:** Wednesday, August 14, 2019 8:21 AM  
**To:** Sethvanthof@yahoo.com  
**Cc:** Comes, Rachel  
**Subject:** Petition for Rule Change Form

**Categories:** Commission

## South Dakota - Game, Fish, and Parks

### Petition for Rule Change

A new form was just submitted from the <http://gfp.sd.gov/> website with the following information:

**ID:** 76  
**Petitioner Name:** Seth Vant Hof  
**Address:** 405 E 10th st  
Dell Rapids, SD 57022  
**Email:** [Sethvanthof@yahoo.com](mailto:Sethvanthof@yahoo.com)  
**Phone:**  
**Rule Identification:** Muzzleloader Antelope

**Describe Change:** Adding a muzzleloader antelope season that will be directly under the application for prairie antelope and use the same bonus points. Hence one would decide what season they were going to apply for so they would only be able to apply for one or the other. The season would be one week before the opening of the current rifle season. A percentage of the rifle permits would go to the muzzleloader season in order to keep population objectives while still trying to keep the draw odds for rifle similar to where they are currently by using the same draw field and bonus points.

**Reason for Change:** I feel the public land pressure on many of the antelope hunts are very high and this would spread out the pressure. Also, since the success rates would be lower, we could allocate a larger amount of tags for the muzzleloader season than would be taken away from the rifle season so we would be putting more hunters in the field each year.

**Comes, Rachel**

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**From:** info@gfp.sd.us  
**Sent:** Wednesday, August 28, 2019 1:43 PM  
**To:** Treybo8@hotmail.com  
**Cc:** Comes, Rachel  
**Subject:** Petition for Rule Change Form

**Categories:** Commission

## South Dakota - Game, Fish, and Parks

# Petition for Rule Change

A new form was just submitted from the <http://gfp.sd.gov/> website with the following information:

**ID:** 77  
**Petitioner Name:** Bobby Mills  
**Address:** 150 Mayhaw Ln  
Boston, GA 31626  
**Email:** [Treybo8@hotmail.com](mailto:Treybo8@hotmail.com)  
**Phone:** 229-672-0228  
**Rule Identification:** 41:09:13:01:01

**Describe Change:** Wanting to change the 3 allowed days from Friday, Saturday, Sunday to Monday, Wednesday, Friday.

**Reason for Change:** I think it would be in the best interest for the Grasslands and for the sake of the native game birds to not have 3 consecutive days of pressure from dog trainers and sport enthusiasts. Hens have small young chicks in early August and disturbing them 3 consecutive days in a row could and will bust up the covies. That in return would make them more susceptible to predators. It makes more sense to spread the 3 days out over a week period to allow some relief for the birds if you will.



Nancy Hilding  
 President  
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Nancy Hilding  
 6300 West Elm  
 Black Hawk, SD 57718,  
 August 30th, 2019

Dear Game, Fish and Parks Commission  
 Joe Foss Building  
 523 East Capitol  
 Pierre, SD 57501  
 C/o Jon Kotilnek <Jon.Kotilnek@state.sd.us>

Dear Commissioners,

**PETITION FOR RULEMAKING Submitted pursuant to SDCL 1-26-13.**

Nancy Hilding and Prairie Hills Audubon Society of Western SD submit this petition. Nancy Hilding is a resident of Meade County, SD. Prairie Hills Audubon Society is a non-profit corporation registered in SD and as such is a person by SD law.

We submit the following rule for your consideration

**1. TRAPPER ID**

*All traps and snares set for wildlife out-of-doors that are on public land or public road right-of-ways must have a trapper ID displayed on traps or snares. This shall be permanently marked with a metal tag attached, with the license-holder's Hunter ID number. SD Game, Fish and Parks shall keep an individuals ID numbers/codes private from an open records search, as provided for in SDCL1-27-1.5 (16).*

**STATEMENT OF REASONS**

**1. TRAPPER ID.** With no identification on the traps, it becomes difficult for SD Game, Fish and Parks to enforce its' trapping law or rules. SD Game, Fish and Parks has a fiduciary responsibility to wildlife or domestic animals, that will be killed or harmed via trapping, to insure that it's rules to insure humane trapping are enforced.

Much trapping is done for commercial purpose: selling pelts, collecting bounties or protection