

**NOTICE OF PUBLIC HEARING
DEPARTMENT OF GAME, FISH AND PARKS**

A Public Hearing will be held at the Milbank Community Center, 1001 East 4th Avenue, Milbank, South Dakota, on August 2, 2012, at 2:00 o'clock P.M. (CDT), to allow the public an opportunity to provide additional comment in connection with the proposed amendment of the following rules:

ARSD 41:08:02 – Trapping Prohibitions.

Effect: The proposed amendments would clarify the dimensions of colony traps used for muskrat trapping as round and square traps are now being used and current rule only addresses round traps; and require on public lands and public road rights-of-ways statewide, that body grip traps with an opening greater than 36 sq. inches (larger than 160 Conibears) when used in conjunction with any bait, lure, or scent be recessed a minimum of seven inches in cubbies, baited box traps, or bucket traps.

Reason: The recommended changes will clarify the dimensions for round and square muskrat traps. The recommended change regarding body grip trap restrictions is to address growing concerns from upland bird hunters who utilize hunting dogs on public lands and public road right-of-ways. Over the last several years, there has been a significant increase in the number of baited box traps or bucket traps used on public lands and public road right-of-ways. Although these trap sets are very effective at taking raccoons, opossum, and skunk, GFP has had two reported cases this past year of dogs being unintentionally killed. By adopting these recommended changes, the possibility of unintentionally killing a dog in these types of sets should be significantly reduced.

The above rule amendments were originally proposed at the May 2012 GFP Commission meeting. The Commission held a public hearing on the amendments on June 7, 2012, and thereafter adopted the amendments. The amended rules were presented to the Interim Rules Review Committee for its review and approval on July 10, 2012, and the

Committee reverted the amended rules to the GFP Commission to obtain additional public comment and address perceived ambiguities in the language of the amended rules.

The above rule proposals may be modified or amended following receipt of public comment at the hearing to include or exclude matters that are described in this Notice of Hearing. The hearing may be continued from time to time until its business has been completed and may be rescheduled.

Interested persons will be given reasonable opportunity to submit data, opinions, arguments and their views, either orally or in writing (or both) at the hearing. Persons unable to attend the hearing may mail data, opinions, arguments, and their views to the office of the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501, or transmit by email to Wildinfo@state.sd.us. All persons who desire to submit written data, opinions, arguments, and their views by mail or email are encouraged to mail or transmit the same in sufficient time so that it is received by and in the office of the Secretary of the Department of Game, Fish and Parks on or before 12:00 o'clock P.M. three (3) days prior to the date of hearing. Interested persons will be given reasonable opportunity to submit data, opinions, arguments and their views, either orally or in writing (or both) to the Commission for their consideration. All written and email comments must include the name and mailing address of the person submitting the comments.

Copies of the proposed rules may be requested from the office of the Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Persons with disabilities may contact the undersigned for assistance.

Dated this 17th day of July, 2012.

(SEAL)

s/b Jeff Vonk
Jeffrey R. Vonk, Department Secretary

This Notice of Public Hearing is published at the approximate cost of \$_____.