

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

A Public Hearing will be held at the Best Western Ramkota Conference Center, 920 West Sioux Avenue, Pierre, South Dakota, on Monday, July 9, 2012, at 10:00 o'clock A.M. (CDT), to consider adoption, amendment and repeal of Rules pertaining to:

1. Amend ARSD 41:03:01 – Uses of Parks and Public Lands.

Effect: The proposed amendment would establish an exemption to the rule which prohibits unleashed dogs in state parks in order to allow the Department to establish “dog training areas” in state parks, state recreation areas, state nature areas and state lakeside use areas.

Reason: The Department plans to develop a dog training area on recently acquired property which has been incorporated into the Big Sioux Recreation Area west of Brandon. An exemption to the state park pet prohibition is needed to allow dogs off leash year round for training purposes. The rule modification will require that handlers keep dogs under reasonable control to avoid conflict with other dogs in the designated dog training area. The area will be fenced and signed as a “Dog Training Area” to help prevent dogs from leaving the designated area.

2. Amend ARSD 41:03:03 – Park Licenses and ARSD 41:03:04 – Camping Permits and Rules.

Effect: The proposed amendment would incorporate Shep’s Canyon on the west shore of Angostura Reservoir in Fall River County into the existing Angostura Recreation Area and require users of the area to pay camping fees and possess a valid park entrance license.

Reason: A campground complete with campsite electricity, modern comfort station with showers, garbage facilities, and security lighting is being developed at Shep’s Canyon on the west shore of Angostura Reservoir in Fall River County. Prior to this development,

public facilities at Shep's Canyon consisted of a boat ramp, parking lot, and vault toilet. With these new recreational offerings and amenities, the area takes on the characteristics of a state recreation area as opposed to a lakeside use area. To help offset the development costs and the ongoing operating and maintenance costs for the new improvements, the Department is proposing to incorporate Shep's Canyon into the existing Angostura Recreation Area, thereby requiring that users of the area pay camping fees and possess valid park entrance licenses.

3. Amend ARSD 41:06:04 – Hunting Requirements and Prohibited Methods.

Effect: The proposed amendments would further define “bait station” and place additional restrictions on the times when bait stations are prohibited for attracting big game for the purpose of hunting.

Reason: The current rule pertaining to bait stations allows for hunters to bait big game with corn piles, apple piles, and other bait stations provided all of the materials are cleaned up prior to hunting. There is no waiting period involved once the bait station is removed. Bait stations tend to alter the natural movement patterns of big game animals, often causing them to go nocturnal. They can also cause a delay in the dispersal from wintering grounds, concentrate herds on the property of those maintaining a bait station, and create refuges that can hamper population control efforts. Bait stations are not necessary to sustain healthy big game populations and can create vulnerability for opportunistic poaching of big game animals.

4. Amend ARSD 41:06:21 – East River Deer Hunting Season.

Effect: The proposed amendments would adjust the number of licenses/tags available to include offering 170 more one-tag licenses, 1,740 less two-tag licenses, and 4,350 less three-tag licenses (overall decrease of 16,360 tags) than were authorized in 2011; and would provide that only unfilled “antlerless deer” and “antlerless whitetail deer”

tags are valid during the antlerless deer season extension beginning on the Saturday after Christmas.

Reason: Provide hunting opportunity consistent with wildlife management objectives.

5. Amend ARSD 41:06:23 – Antelope Hunting Season.

Effect: The proposed amendments would adjust the number of licenses/tags available to include offering resident hunters 165 less one-tag licenses (165 tags) and 1,015 less two-tag licenses (2,030 tags) than were authorized in 2011; and would open antelope hunting season to residents only.

Reason: Provide hunting opportunity consistent with wildlife management objectives.

6. Amend ARSD 41:06:26 – Black Hills Elk Hunting Season

Effect: The proposal would create a rule within the Black Hills Elk Hunting Season that would allow the winner of the elk tag issued in conjunction with the annual Elk License Raffle to hunt not only in Custer State Park but also in any unit where “any elk” licenses are issued during the Black Hills Elk season.

Reason: Under current rule, use of the elk tag issued in conjunction with the Elk License Raffle has been restricted to Custer State Park. However, with recent declines of elk numbers and associated licenses, the Department is recommending the continuation of the Elk License Raffle and expanding the hunting areas available to the winner of the Elk License Raffle to hunt not only within Custer State Park but also in any unit where “any elk” licenses are issued for that given year during the Black Hills Elk season.

7. Amend ARSD 41:06:36 – National Wildlife Refuge Deer Hunting Season.

Effect: The proposed amendments would replace the 150 “any deer + any antlerless deer” licenses and the 50 two-tag “any antlerless deer” licenses issued in 2011

with 80 “any deer” licenses and 40 “any antlerless deer” licenses for resident hunters hunting at Sand Lake National Wildlife Refuge; replace the 15 “any deer + any antlerless deer” licenses and the 5 two-tag “any antlerless deer” licenses issued in 2011 with 8 “any deer” licenses and 4 “any antlerless deer” licenses for nonresident hunters hunting at Sand Lake National Wildlife Refuge; offer resident hunters 10 more “antlerless whitetail deer + antlerless whitetail deer” licenses for Lacreek National Wildlife Refuge than 2011; offer resident hunters 15 less “any deer” licenses for Waubay National Wildlife Refuge than 2011; and issue no licenses for the 4th unit of the Sand Lake National Wildlife Refuge Deer Hunting season.

Reason: Provide hunting opportunity consistent with wildlife management objectives. Sand Lake National Wildlife Refuge continues to see a decline in available deer habitat due to high water levels, thus the recommended reduction in licenses and change from double to single tag licenses. The 4th unit at Sand Lake National Wildlife Refuge is the least desired by hunters and refuge staff recommends closing this season with the intent to allow an undisturbed time for deer and an increase in hunter opportunity for the 5th deer unit.

8. Amend ARSD 41:06:49 – Youth Waterfowl Hunting Season.

Effect: The proposed amendment would adjust the season starting date from the Saturday prior to the last Saturday of September to 12 days after Labor Day.

Reason: The recommended change would assure the youth waterfowl season would start in mid-September and thus allow for greater opportunities for youth waterfowl hunters.

9. Amend ARSD 41:06:50 – Early Fall Canada Goose Hunting Season and ARSD 41:06:16 – Waterfowl Hunting Seasons.

Effect: Subject to the approval of the U.S. Fish and Wildlife Service, the proposed amendments would increase the daily bag limit from 8 to 10 Canada geese and the possession limit from 16 to 20 Canada geese (or any higher daily bag and possession limits that may be approved by the U.S. Fish and Wildlife Service). Resident and nonresident requirements and restrictions are subject to possible revision pending daily limit changes.

Reason: Provide hunting opportunity consistent with wildlife management objectives.

10. Amend ARSD 41:09:13 – Dog Training.

Effect: The proposed amendments would eliminate dog training daily bag and possession limit requirements that are currently imposed during hunting seasons and amend additional rules to differentiate between captive game birds that are taken by hunters and those taken during dog training, field trials, and similar events/contests.

Reason: The proposed changes will create allowances for those game bird challenges that take place during the confines of the regular pheasant season. These hunting contests do not utilize wild pheasants and event organizers have pointed out that current rule restrictions impede their ability to take more than three captive pheasants once the regular pheasant hunting season has begun. The changes will allow for accountability to be retained, yet provide additional flexibility to organizers in regards to event dates.

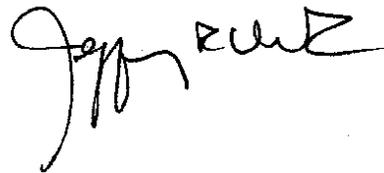
The above rule proposals may be modified or amended following receipt of public comment at the hearing to include or exclude matters that are described in this Notice of Hearing. The hearing may be continued from time to time until its business has been completed and may be rescheduled.

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. Handicapped persons may contact the undersigned for assistance.

Dated this 11th day of June, 2012.



(SEAL)

Jeffrey R. Vonk, Department Secretary

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