

Minutes of the Game, Fish, and Parks Commission
July 8-9, 2014

Chairman John Cooper called the meeting to order at 1 p.m. Central Time at the Holiday Inn Express Conference room in Fort Pierre, South Dakota. Commissioners John Cooper, Cathy Peterson, Jim Spies, Barry Jensen, Scott Phillips, Paul Dennert, Gary Jensen, and Duane Sather were present along with Secretary Jeff Vonk. Public, staff, and media numbered about sixty people.

DIVISION OF ADMINISTRATION

Approve Minutes

Chairman Cooper called for approval of the June 4 Governance meeting and the June 5-6, 2014, Minutes of the Game, Fish, and Parks Commission.

Motion by Peterson with second by Spies TO APPROVE THE JUNE 4 AND JUNE 5-6, 2014, MINUTES AS PRESENTED. Motion carried unanimously.

Additional Salary Days

Chairman Cooper called for any additional Commissioner salary days and Phillips requested one and Gary Jensen requested two additional days.

Motion by Dennert with second by Spies TO APPROVE THE ADDITIONAL SALARY DAYS REQUESTED BY PHILLIPS AND GARY JENSEN. Motion carried unanimously.

License List Requests

Director Chris Petersen presented three license list requests for Commission consideration:

Lee's Meats & Sausage, Inc. requested a list of successful license holders (3,000 East and 1,000 West River) to mail a Wild Game Processing Flyer. This is a full fee request.

Motion by Gary Jensen with second by Sather TO APPROVE THE LICENSE LIST REQUEST FROM LEE'S MEATS & SAUSAGE, INC. AS PRESENTED. Motion carried unanimously.

Delta Waterfowl Foundation requested a list of all resident and nonresident waterfowl license holders to mail information soliciting membership. This is a reduced fee request.

Motion by Barry Jensen with second by Phillips TO APPROVE THE LICENSE LIST REQUEST FROM DELTA WATERFOWL FOUNDATION AS PRESENTED. Motion carried unanimously.

Dakota Plains Taxidermy requested a list of all successful applicants of an "any" elk license for 2014 to mail a brochure to promote the business. This is a full fee request.

Motion by Spies with second by Dennert TO APPROVE THE LICENSE LIST REQUEST FROM DAKOTA PLAINS TAXIDERMY AS PRESENTED. Motion carried unanimously.

License Sales Report

Director Petersen presented the June 27 License Sales Report indicating fishing license sales remain strong showing an overall increase in license sales of two percent. Small game and waterfowl sales will begin growing this fall.

OPEN FORUM

Sal Roseland of Seneca, SD, provided the Commission a letter of petition requesting the daily bag limit of pheasant harvest on private shooting preserves be removed in accordance with SDCL 1-26-13. Roseland requested the Commission approve the petition and begin the public comment period.

Jim Daley of Deuel County supported the petition Sal Roseland presented.

Discussion began with Chairman Cooper asking if the Shooting Preserve Association was aware of this petition and Daly indicated the organization is basically dormant and inactive as he served on their board.

Roseland indicated he visited with 10-15 operators who indicated their support of this requested rule change and he had 10-11 hunting groups request more than the allowed 20 cocks above the daily limit when hunting on his preserve.

Additional discussion included the cost of additional birds, preserve harvest information, sportsmen wanting more birds, and that allowing unlimited cocks on shooting preserve operations would be similar to other states.

Chairman Cooper indicated the Commission has received the petition and has thirty days to take action on the petition. Director Leif indicated the thirtieth day would be August 7, the first day of the next Commission meeting. No action was taken at this time.

PUBLIC HEARING - FINALIZATIONS

The Public Hearing began at 2:07 p.m. and concluded at 2:15 p.m. minutes will follow the minutes of this regular meeting.

Fall Turkey Hunting Season 41:06:14

Chad Lehman provided a PowerPoint Presentation giving the population objectives, modeling process, and results for the different areas of the Black Hills Fall Turkey Hunting Season that included a list of reasons supporting the proposed changes.

Chad Switzer presented the Fall Wild Turkey Hunting Season proposed changes following the PowerPoint Presentation indicating the South Dakota Chapter of the National Wild Turkey Federation requested the Fall Turkey Hunting Season be closed for 2014.

Commission discussion began with the total number of tags a hunter was allowed to purchase in the requirement and restrictions portion of the finalization sheet and should this be reduced.

Motion by Barry Jensen with second by Gary Jensen TO AMEND THE PROPOSED CHANGE BY LOWERING THE TOTAL OF FALL TURKEY LICENSES A PERSON MAY PURCHASE FROM FIVE (5) TO TWO (2). Discussion ensued as to the timing for this change due to drawing deadlines and season start time.

GFP Attorney Richard Neill indicated this change was not included in the Public Hearing Notice and would require continuation of the public hearing to allow for public testimony prior to finalization. Director Leif indicated Finalization would be at the August meeting and administratively would be achievable. Motion carried unanimously.

Motion by Gary Jensen with second by Peterson TO CONTINUE THE PUBLIC HEARING ON FALL WILD TURKEY HUNTING SEASON DUE TO AMENDED PROPOSAL. Motion carried unanimously.

Antelope Hunting Season 41:06:23

Andy Lindbloom gave a PowerPoint Presentation on the 2014 Revised Pronghorn Management Plan that included aerial survey biennial rotation information, the process used to define management units and population objectives, a new statewide objective, and an updated Harvest Strategies Table. The information in this Presentation serves as the WMI Report and the Antelope management action item on the Agenda. Switzer handed out a printed copy of the Management Plan and asked Commissioners to review the plan in the coming month as this would be an action item at the August meeting.

Switzer presented the proposed changes to the Antelope Hunting Season with a recommended change as preference points are now covered in a separate rule.

Repeal Unit PPA-ZZ1.

Motion by Peterson with second by Spies TO AMEND PROPOSAL TO REPEAL UNIT PPA-ZZ1 AS RECOMMENDED. Motion carried unanimously.

1. Offer resident hunters 115 less one-tag licenses (115 tags) and 405 less two-tag licenses (810 tags) than 2013.
2. Offer nonresident hunters 61 more one-tag licenses (61 tags) than 2013.
3. Unit 60A (Tripp) will be issued zero firearm licenses. Therefore, Unit 60A will also be closed to archery antelope hunting.
4. Repeal Unit PPA-ZZ1.

Motion by Barry Jensen with second by Sather TO FINALIZE CHANGES TO ANTELOPE HUNTING SEASON 41:06:23 AS AMENDED. Motion carried unanimously.

Secretary Vonk presented the Midwest Association of Fish and Wildlife Agencies 2014 Wildlife Biologist of the Year award to Senior Game Biologist Andy Lindbloom.

Early Fall Canada Goose and Waterfowl Hunting Season 41:06:50 and 41:06:16

Chad Switzer presented the proposed changes with no recommended changes to proposal. No public testimony was received at the public hearing; however, Commissioner Phillips indicated he received a call from the Rapid City Airport Wildlife

Hazard (correction from August Commission meeting) Manager in support of the changes.

Amend 41:06:16:07 to modify the boundaries of Units 1 and 2 by: 1) adding all of Custer, Fall River, and Pennington counties into Unit 2, and 2) adding that portion of Perkins County west of S.D. Highway 75 and south of S.D. Highway 20 to Unit 1 (area open to Early Fall Canada Goose Hunting Season).

Motion by Phillips with second by Sather TO FINALIZE CHANGES TO EARLY FALL CANADA GOOSE AND WATERFOWL HUNTING SEASON 41:06:50 AND 41:06:16 AS PROPOSED. Motion carried unanimously.

Abandoned game at wildlife processing facilities 41:06:03

Emmett Keyser presented the proposed new rule defining the terms and process for a wildlife processing facility to deem game left at their facility to be “abandoned” with recommended changes.

41:06:03:13. Process of abandonment for game left at a wildlife processing facility. A wildlife processing facility and a person who deposits lawfully taken game with the facility for processing may agree upon a period of time following which the facility may consider the game, except a migratory bird, to be abandoned by the person. With the exception of a migratory bird, the facility may distribute abandoned game to a non-profit organization or to any charitable organization that distributes food or other services to the needy. At no time shall any abandoned game be considered the property of the wildlife processing facility.

Motion by Dennert with second by Gary Jensen TO AMEND THE PROPOSED NEW RULE FOR WILDLIFE PROCESSING FACILITIES IN CHAPTER 41:06:03 POSSESSION, PROCESSING, AND TRANSPORTATION OF GAME AS RECOMMENDED. Motion carried unanimously.

Motion by Spies with second by Peterson TO FINALIZE THE NEW RULE UNDER POSSESSION, PROCESSING, AND TRANSPORTATION OF GAME 41:06:03 AS AMENDED. Motion carried unanimously.

License Forms and Fees 41:06:02

Chief Scott Simpson presented the proposed changes to clarify the process for replacing lost or destroyed licenses and establish a fee consistent for the Department and designated license agents providing this service. Simpson indicated there were no recommended changes to proposal.

Amend Administrative Rule: 41:06:02:01:03. Replacement of lost or destroyed license, permit, or game tag.

1. The current rule establishes the process and fee for replacing a lost or destroyed license. The proposed change would include replacement of a license where:
 - a. “through licensee’s oversight the license is not in the licensee’s possession” (left at home)
 - b. “a licensee is requesting a replacement license for a license that has been issued, but not received” (in the mail)
2. The current rule would be amended to require the licensee to return the original license (“left at home” or “in the mail”) to the department within 10 days
3. The Administrative Fee for replacing a license would be set at \$20 for all license types

4. The proposed change would require the department to charge the license agent's fee established by SDCL 41-6-66.1

Motion by Spies with second by Barry Jensen TO FINALIZE CHANGES TO LICENSE FORMS AND FEES 41:06:02 AS PROPOSED. Motion carried unanimously.

Restrictions on use of firearms and bow in parks

Uses of Parks and Public Lands 41:03:01

Bob Schneider presented the proposed change to Uses of Parks and Public Lands with no recommended changes indicating the changes were a response to HB 1130 which was passed during the 2014 legislative session. The statute change allows for the use of a crossbow as a legal weapon during a firearm hunting season.

Amend 41:03:01:16 and 41:03:01:16.02 to clarify the restriction of firearms, crossbows, and bows in state parks, state recreation areas, state nature areas, state lakeside use areas, lake and fishing access areas and game production areas.

Motion by Sather with second by Dennert TO FINALIZE CHANGES TO USES OF PARKS AND PUBLIC LANDS 41:03:01 AS PROPOSED. Motion carried unanimously.

Licensing agent defined 41:02:01:11

Schneider presented the proposed change to modify the definition of a licensing agent to include the selling of park entrance licenses. There were no recommended changes to proposal.

Modify definition of a licensing agent to allow license agents to sell park entrance licenses.

Motion by Spies with second by Barry Jensen TO FINALIZE CHANGES TO LICENSING AGENT DEFINED 41:02:01:11 AS PROPOSED. Motion carried unanimously.

PROPOSALS

Goose Hunting Season

Chief Tom Kirschenmann presented changes to the Goose Hunting Season to increase the daily bag limit of light geese to 50 and change Unit 2 season dates. Kirschenmann indicated the U.S. Fish and Wildlife Service approved the daily bag changes last fall and that the U.S. Fish and Wildlife Service bird counts will be available before finalization of proposed changes at the August meeting.

1. Increase the daily bag limit for light geese from 20 to 50.
2. Change Unit 2 so the season is open for 105 days preceding the Sunday closest to February 15th.

Motion by Phillips with second by Gary Jensen TO PROPOSE CHANGES TO GOOSE HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Duck Hunting Season

Chief Kirschenmann presented the season dates, open areas, daily and possession limits, and recommended changes to the duck hunting season. Changes include decreasing canvasback daily limit and allow for the bonus blue-winged teal as approved by the U.S. Fish and Wildlife Service.

1. Decrease the canvas back daily limit from 2 to 1.
2. Allow 2 bonus blue-winged teal for the first 16 days of the duck season.

Motion by Spies with second by Barry Jensen TO PROPOSE CHANGES TO THE DUCK HUNTING SEASON AS PRESENTED. Motion carried unanimously.

DIVISION OF PARKS AND RECREATION

City of Mobridge Waterfront lease amendment

Concession Manager Sean Blanchette presented history and background on the department's lease agreement with the City of Mobridge for city riverfront Title VI land. A PowerPoint Presentation showed the rifle range property on the leased land and photos of improvements made in 2013. Currently, the City of Mobridge provides insurance coverage and law enforcement for the department owned range while the Parks Division maintains the area. The First Amendment to the lease removes the shooting-rifle range from the city's lease and returns it to the state. Discussion included the partnerships involved with the rifle range, maintenance, law enforcement, and insurance. The City will continue to provide law enforcement at the range through a joint powers agreement with the department.

Motion by Peterson with second by Sather TO APPROVE THE FIRST AMENDMENT TO LEASE FOR PARKS AND RECREATION PURPOSES CITY OF MOBRIDGE ON LAKE OAHE AS PRESENTED (Appendix A). Motion carried unanimously.

Custer State Park and Good Earth Visitors Center bond resolution

Director Hofer provided the Custer State Park Visitor Center update prior to Chris Petersen presenting the Special Resolution No.14-09 to the Commission for consideration.

Director Petersen indicated the approval of the Special Resolution would allow GFP to sell up to \$3 million in bonds as part of a larger bonding package with SDSU. The combined bond issue will result in a lower interest rate. The 2014 Legislature approved bonding authority in HB 1013 for the Custer State Park and Good Earth Visitors Centers. The Commission approval is required from the South Dakota Bonding Authority to include these projects in the bonding package.

Motion by Barry Jensen with second by Sather TO APPROVE SPECIAL RESOLUTION NO. 14-09 AS PRESENTED (Appendix B). Motion carried unanimously.

Custer State Park Visitor Center Update

Director Hofer shared that the State Engineer's office suggested using a CMR alternative for the Custer State Park Visitor Center project to accelerate the construction

schedule and better control costs. The State's Engineer's office has used this process several times. A CMR is a "Contract Manager at Risk." The CMR works with the design consultant to develop a guaranteed maximum price before the construction contracts are advertised. The Building Committee met to review the four Request for Proposals received and J. Scull Construction of Rapid City was selected as the CMR for the Custer State Park Visitor Center project.

Hofer indicated the schematic design concepts and displays for the Good Earth Visitor Center are complete and that the State Engineer's office has contracted with HDR to roll back the top eighteen inches of soil within the footprint of the construction project area to identify any subsurface archeological resources that might be present before construction may begin. This needs to be completed before the Request for Proposal can be advertised and a construction contractor is selected. Construction of the visitor center could begin in 2015 and trail development is underway this summer.

Lewis and Clark Marina Request for Proposal

Sean Blanchette indicated the prospectus for the Lewis and Clark Marina was issued on March 5th. An on-site visit was conducted on June 11 for prospective bidders. The deadline to submit proposals was June 30th and two proposals were received on June 30th. One offer did not agree to the required purchase price and the other did not contain the financial information required in the prospectus. The bids will be reviewed and a recommendation may be forthcoming at the August meeting.

Southeast SD Park Flooding Issues

Jeff VanMeeteren presented a PowerPoint Presentation of photos of damage from the rain storm on June 16 where 10-13 inches of rain fell in southeast South Dakota. Beaver Creek Nature Area, Big Sioux Recreation Area, Newton Hills, Lake Alvin, Lake Lakota, and Sergeant Creek were park areas that sustained damage along with Nine-Mile Game Production Area. Flood waters receded within hours and clean up in the parks was completed quickly. The worst damage was at Beaver Creek Nature Area where a bridge was washed out and paved roads sustained significant damage.

June Revenue and Visitation Report

Director Doug Hofer presented the June Revenue and Visitation Report indicating that revenue is up about 10-11% year-to-date. June being a cool month contributed to year-to-date visitation being down slightly; however, the Fourth of July weekend had the parks full of campers and other park users. Year-to-date camping unit numbers are up 7% from last year.

Chairman Cooper called for a recess at 5:01 p.m. indicating the Executive Session is canceled and the meeting will resume at 8 a.m. the next morning.

The meeting resumed at 8 a.m. Tuesday, July 9th at the Fort Pierre Holiday Inn Express with Commissioners Cooper, Gary Jensen, Barry Jensen, Spies, Sather, Phillips, and Dennert present. Commissioner Peterson was absent. Secretary Vonk was present along with approximately twenty public, staff, and media.

Executive Session was canceled.

DIVISION OF WILDLIFE

Antelope management plan

This was covered in the PowerPoint Presentation before the Antelope Hunting Season Finalization.

Depredation hunt resolutions

Keith Fisk presented background about the need for depredation hunts which are used outside the regular hunting season. Fisk indicated only one depredation hunt was held during the 2013-2014 winter and that was for elk. Unsuccessful elk licensed hunters were contacted and several elk were harvested and the remaining elk were successfully disbursed.

Fisk recommended approval of Resolution 14-07 to allow the Department Secretary to permit depredation pool hunts for big game other than elk and mountain lions for the 2014-2015 winter.

Motion by Sather with second by Gary Jensen TO APPROVE RESOLUTION 14-07 AS PRESENTED (Appendix C). Motion carried unanimously.

Keith Fisk recommended approval of Resolution 14-08 allowing the Department Secretary to permit elk depredation hunts for elk as permitted by rule for the 2014-2015 winter.

Motion by Spies with second by Dennert TO APPROVE RESOLUTION 14-08 AS PRESENTED (Appendix D). Motion carried unanimously.

Elk raffle license for 2015

Chief Kirschenmann indicated the Rocky Mountain Elk Foundation (RMEF) is a big partner on GFP research projects. The RMEF was the only applicant for the 2015 elk raffle license which is valid in any Black Hills Unit that elk licenses are available. Kirschenmann recommended Commission approval of the RMEF application allowing them to begin the raffle process.

Motion by Spies with second by Phillips TO APPROVE THE ROCKY MOUNTAIN ELK FOUNDATION APPLICATION FOR THE 2014-2015 SPECIAL ELK TAG. Motion carried unanimously.

2014 Elk license raffle report from Rocky Mountain Elk Foundation

Tom Slowey Regional Director for the Rocky Mountain Elk Foundation (RMEF) provided background on fundraising sales and proceeds for the past five years. The proceeds from the 2014 sales were \$26,880 and a meeting is scheduled next week to determine how the funds will be used on elk projects.

Land acquisition update

Paul Coughlin shared with the Commission the appraisal process continues on the Homestake Mine Hydro 2 area and that the Department intends to use funds available from the cleanup of Whitewood Creek and Federal Aid dollars for this purchase. Federal rules require compliance for endangered species and cultural resources. Coughlin is also checking to see if Hydro 2 is listed in the Registry of Historical Places.

Coughlin shared about a process called “Land Banking” in the Federal framework that will allow the Department to “bank” land acquisitions purchased with license dollars to be used for matching funds on projects using Federal grants.

WMI big game action plan update

See comments under antelope hunting season finalization.

Pheasant lead study results

Travis Runia gave a PowerPoint Presentation providing the research locations, methodology, and results by study site, preserve lands, and other lands. Information included a pen trial of hen pheasants and lead ingestion.

Statewide angler survey results

Cindy Longmire gave a PowerPoint Presentation and handout of information on the Statewide Angler Survey. Information included background, methods used, response rates, harvest rates by fish species, angler use days, and satisfaction information.

Deer license allocation-alternatives for the future

Chief Kirschenmann began the discussion indicating he led an internal work group that looked at the current deer license allocation system including the landowner allocations and possible future allocations of the eight different deer seasons. The work group was tasked to look at alternatives to increase the number of applicants that could receive their preferred buck license.

Director Leif indicated there are approximately 66,000 individual applicants for approximately 44,000 buck licenses not including the unlimited archery licenses. Leif provided detailed information on the three different landowner preferences/licenses and the criteria of each and included how they are used in the application or drawing process.

Kirschenmann started the discussion on future alternatives by sharing that the SD Wildlife Federation and several individuals have submitted ideas and suggestions for alternatives in the past few months. Kirschenmann shared the top four alternatives the internal working group identified were: 1) no change; 2) combine the firearm seasons; 3) choose a preferred season; and 4) first draw preference or choice.

Kirschenmann expounded on the “first draw preference or choice” by talking about the structure of the draw and the upsides and downsides of the structure. The archery season and preference points were included in the discussion of the “first draw preference or choice.”

Director Leif asked for Commission direction as to: should the Division of Wildlife pursue or continue looking at alternatives? Discussion included hunter and public involvement, educating the public and sportsmen about the alternatives, survey license applicants, timeframe needed before the next deer season recommendations, and landowner involvement. The Commission consensus was to move forward with the process.

Licensing system upgrade update

Chief Scott Simpson indicated the license system upgrade did roll out and there have been some administrative issues which is not a surprise; however, for the most part the system shows a seamless transition for most applicants.

Bighorn sheep update

Chad Lehman indicated Bighorn sheep will be transplanted from Alberta, Canada, and released in the Deadwood area. An open house is scheduled for July 29 to visit with folks in the Deadwood area. Staff has made a great effort to contact all landowners with domestic sheep or goats to visit about the release and concerns about disease. Lehman handed out a copy of the letter provided to landowners and interested parties about the transplant.

Staff continues to monitor the seventeen sheep released in the Hells Canyon area earlier this year and all ewes have lambled and still have their lambs.

Kirschenmann indicate the Bighorn sheep coordination team has a meeting scheduled in August.

Wildlife Division staff awards

Wildlife Director Tony Leif introduced the staff that worked on the Wildlife Action Plan which included Eileen Stukel, Dave Ode, Silka Kempema, Casey Heimerl, Chelsey Prasbrig, Chelsea Krause, Heather Berg, and David Freidel and presented them with the Division of Wildlife Excellence in Teamwork Award. This award is presented to a group of employees who coordinated efforts to accomplish a project or objective that was of substantial value in meeting the mission of the Wildlife Division. The employee group demonstrated the ability to work collectively to overcome obstacles that were insurmountable by individual efforts.

Director Leif presented the Exemplary Public Service Award to John Lott for his significant contribution to communities both through his employment with the Wildlife Division and for accomplishments that originate from his personal time.

Miscellaneous updates

Commissioner Phillips shared that he and Commissioner Gary Jensen participated in a grazing workshop with the U.S. Forest Service on June 26th. The Forest Service wanted to show GFP staff how to use the Ocular Method to determine the level of grazing on a pasture. Phillips indicated this was a good step to continue a cooperative effort to understand grazing and forage utilization in the Black Hills.

Regional Supervisor Mike Kintigh indicated he would take the Forest Service Staff to some GFP property and use the Ocular Methods of measuring forage utilization. Determining the amount of forage available in the Black Hills and the proportion

available for cattle grazing and wildlife is important information when developing the Elk Management Plan.

Motion by Sather with second by Phillips to adjourn the meeting. Motion carried and meeting adjourned at 11:45 AM.

Respectfully submitted,

Jeffrey R. Vonk, Department Secretary

Appendix A

**FIRST AMENDMENT TO LEASE
FOR PARK AND RECREATION PURPOSES
CITY OF MOBRIDGE
ON LAKE OAHE**

THIS FIRST AMENDMENT TO LEASE is entered in to on _____, 2014 by and between the South Dakota Department of Game, Fish and Parks (“State”) and the City of Mobridge (“City”).

WHEREAS, the State and City entered a lease on May 10, 2003 for the City’s management of the Mobridge waterfront property for parks and recreation purposes containing 210.19 acres, more or less; and

WHEREAS, the lease property includes a rifle range for which City has law enforcement and insurance coverage responsibilities and for which State has maintenance responsibilities; and,

WHEREAS, the City desires and State is agreeable to relinquish the rifle range from City’s responsibilities under said lease and provide for joint responsibilities under a separate agreement.

NOW THEREFORE, the LEASE FOR PARK AND RECREATION PURPOSES CITY OF MOBRIDGE ON LAKE OAHE is hereby amended as follows:

1. Section 28 RIFLE-SHOOTING RANGE is hereby deleted in its entirety.
2. Exhibit A-2 is hereby removed from the Lease.
3. Except as modified by this FIRST AMENDMENT, all terms and conditions set forth in the LEASE FOR PARK AND RECREATION PURPOSES CITY OF MOBRIDGE ON LAKE OAHE dated May 10, 2003 shall remain in full force and effect.

END OF AGREEMENT TEXT

IN WITNESS WHEREOF, the parties hereto have hereunder subscribed their names this
_____ day of _____, 2014.

SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS

Douglas Hofer, Director
Division of Parks and Recreation
(STATE)

CITY OF MOBRIDGE

Jamie Dietterle, Mayor
City of Mobridge
(CITY)

Appendix B
SPECIAL RESOLUTION NO. 14-09

AUTHORIZING THE EXECUTION OF A TWELFTH LEASE SUPPLEMENT TO THE LEASE DATED FEBRUARY 1, 1984, WITH THE SOUTH DAKOTA BUILDING AUTHORITY TO INCLUDE A VISITOR CENTER AND RELATED IMPROVEMENTS AT GOOD EARTH STATE PARK AND AT CUSTER STATE PARK.

The South Dakota Building Authority has requested that the Department of Game, Fish, and Parks execute a Twelfth Lease Supplement to the Lease dated February 1, 1984, to provide for the construction of (i) a visitor center and associated interpretive displays at Good Earth State Park at Blood Run and (ii) a visitor center at Custer State Park, in both cases including provision for related engineering and bonding services, site preparation, and the construction of improvements, as generally contemplated in House Bill No. 1013, enacted during the 2014 Session of the South Dakota Legislature. The request by the South Dakota Building Authority is based upon the expectation of the Authority's issuing Revenue Bonds in a principal amount not to exceed \$3,000,000 which will relate to the Lease Supplement for these projects.

The form of the proposed Lease Supplement is attached hereto and provision is made for the determination of rents under the formula heretofore established by the Authority and heretofore accepted by the Department. The Authority anticipates sale of the Revenue Bonds and, therefore, requests the execution of the Twelfth Lease Supplement.

THEREFORE, Be It and It Is Hereby Resolved by the Game, Fish, and Parks Commission of the State of South Dakota as follows:

That the Commission Chair and Department Secretary be and they are hereby authorized to execute, acknowledge and deliver in the name and on behalf of the Department the Twelfth Lease Supplement between the Department and the South Dakota Building Authority to include a visitor center and related improvements at Good Earth State Park and at Custer State Park by executing the Twelfth Lease Supplement.

All prior resolutions and other acts or proceedings of this Commission which are in any way inconsistent with the terms of this Resolution are hereby amended to the extent necessary to give full force and effect to this Resolution.

Adopted and approved this 8th day of July, 2014.

GAME, FISH, AND PARKS COMMISSION

BY _____
Chair

ATTEST:

Secretary, Department of Game, Fish, and Parks

Appendix C

RESOLUTION 14-07

**BIG GAME OTHER THAN ELK AND MOUNTAIN LION
DEPREDATION HUNTER POOL**

WHEREAS, the Game, Fish, and Parks Commission has promulgated rules to provide for a big game depredation pool of hunters designed to assist in reducing wildlife damage to property by big game species other than elk and mountain lion, and;

WHEREAS, applications for depredation pool permits have been received and a random drawing held to establish the lists of depredation pool hunters for each county, and;

WHEREAS, it is anticipated that high populations of game animals coupled with severe winter weather conditions may cause property damage, which in some instances cannot be resolved by any other method except by reducing the number of game animals in a specific geographic area;

NOW, THEREFORE LET IT BE RESOLVED THAT, the Game, Fish, and Parks Commission authorizes the Secretary of the Department of Game, Fish, and Parks or his designee to issue no more than the maximum number (600 permits plus an additional 200 landowner/operator permits) of depredation pool permits to depredation pool hunters to respond to property damage caused by game animals.

BE IT FURTHER RESOLVED, that in issuance of the depredation pool permits, the Secretary of the Department of Game, Fish, and Parks or his designee is authorized to establish when and where each permit is valid and the number, species and sex of the game animals other than elk and mountain lion permitted to be taken by the holder of each depredation pool permit.

Appendix D

RESOLUTION 14-08

ELK DEPREDATION HUNTS

WHEREAS, the Game, Fish, and Parks Commission has promulgated rules to provide for elk depredation hunts designed to assist in reducing wildlife damage to property, and;

WHEREAS, applications for elk permits have been received and a list of elk applicants is available in Game, Fish, and Parks license application records, and;

WHEREAS, it is anticipated that high populations of elk have caused property damage, which in some instances cannot be resolved by any other method except by reducing the number of animals in a specific geographic area;

NOW, THEREFORE LET IT BE RESOLVED THAT, the Game, Fish, and Parks Commission authorizes the Secretary of the Department of Game, Fish, and Parks or his designee to issue up to 50 elk depredation permits (as approved in rule) to respond to property damage.

BE IT FURTHER RESOLVED, that in issuance of the elk depredation permits, the Secretary of the Department of Game, Fish, and Parks or his designee is authorized to establish when and where each permit is valid and the number, species and sex of the game animals permitted to be taken by the holder of each elk depredation permit.

Public Hearing Minutes of the Game, Fish, and Parks Commission
July 8, 2014

Public Hearing Officer Scott Simpson began the Public Hearing at 2:07 PM at the Holiday Inn Express in Fort Pierre, South Dakota. Comments received prior to July 3 were provided to the Commission and written comments received since were read to the Commissioners. All written and oral testimony received is reflected in these minutes.

Fall Turkey Hunting Season

John Cooper shared that he received two calls about the unlimited tags in Gregory County from local folks with concerns that hunters who did not get tags would go to Gregory County for a turkey.

The SD National Wild Turkey Federation Director Mike McKerman sent a letter requesting the closure of the 2014 season and provided additional suggestions for consideration.

John Halverson of Rapid City, SD, emailed: "Please suspend all Fall Turkey Eason until such time as the population has recovered. Since hens are legal game in this season, all tags have the greater potential of further depleting the resource."

Bud Shearer of Sioux Falls, SD, emailed: "There is no need to change the start date for Fall Turkey. Once the total Black Hills tags drop below 1,000 STOP all nonresident sells! The start date for Fall Turkey should remain Oct.1."

Charles Rokusek of Sioux Falls, SD, emailed: "I see that there has been a proposal to change the start of the fall turkey season from Oct. 1 to Nov. 1. I see a problem with that proposal. where we hunt, we have no problem getting permission to hunt fall turkeys in early October but the closer we get to November and the rut, the number of archery deer hunters increase on the area we hunt and we would be interfering with their archery hunting if we are out pursuing turkeys and they are trying to archery deer hunt. Therefore, I am asking that you remove that date of Nov. 1 and move it back to Oct. 1. I believe this would be better for everyone involved."

DeAllyn Christensen of Florence, SD, emailed: "I would like to see rifle closed for a season or two, just to get numbers back again. I would do the same for pheasants also. The numbers are very scarce and the spring weather isn't helping any either."

Antelope Hunting Season

No oral testimony was received.

Larry C. Stomprud of Mudd Butte, SD, emailed: "...My recommendation for this year: Reinstate an allocation of 8% non-resident licenses. A plus for you would be increased revenue. If the biologists think an additional 8% is too many, then reduce the resident licenses by a similar amount...."

Willie Dvorak of Mellette, SD, emailed: "...A workable option is to offer the drawing to all. Cap the nonresidents in the drawing to no more than 20%. This is good for landowners, guides, nonresidents, residents, enforcement and the State and Wildlife budgets. This is win-win-win for all involved..."

Steve Bulle of Keystone, SD, emailed: "I would respectfully request that you reject the failed management practices of the past that have caused the precipitous

decline in numbers of most of South Dakota's big game populations. Please take bold steps to eliminate, or at least severely reduce, the proposed issuance of 2,766 tags to hunt an antelope population that is, like the other big game populations in South Dakota, in serious trouble. Please give the antelope population an honest chance to recover to reasonable levels.”

Vytas Butikas of Western Springs, IL, emailed: “As a non-resident hunter I am encouraging you to allow us to re-enter the pool of potential recipients for antelope tags as we believe that our participation in the season will be beneficial to South Dakota for several reasons.

- Non-resident fees are higher and will increase funds to your department.
- Non-residents will bring additional revenue to State businesses and increase tax base.
- Non-residents will spread the word of the many opportunities for excellent hunting in South Dakota to other Non-resident hunters.

As an avid hunter I would truly relish the chance to once again hunt in your great state and continue to explore all that South Dakota has to offer.”

John Halverson of Rapid City, SD, emailed: “As much as I love hunting antelope, please be very conservative on issuing tags and setting limits until such time as the population is closer to full recovery.”

John Simpson of Pierre, SD, emailed: “I oppose issuing non-res. Rifle antelope tags this year regardless of what certain guides/outfitter’s claim, our state’s herd#’4 are not sufficiently high enough to justify non-res tags. Current total license allocations barely allow residents to obtain their preferred tags. The proposed”% shuffle” simply isn’t fair to residents. I strongly suspect the idea for non-res tags originated from guides/outfitters who generally are more interested in revenue than the well-being of the resource.”

David Becha of Pierre, SD, emailed: “So if I am reading this correctly there are a total of 2,705 resident and 61 nonresident tags issued. If one half of the tags per unit are allocated for landowner/operator preference. That would leave 1,383 tags for the non landowners. If the landowners take there portion of the tags. A little out of proportion I would say. Or is there another underlying reason for this? Correct me if I am wrong.”

Dale Burnette of Selby, SD, emailed: “The antelope numbers in Walworth and Potter counties are very low.”

Early Fall Canada Goose Hunting Season

No oral or written testimony was received.

Abandoned game at wildlife processing facilities

No oral testimony was received.

Mark Jarnecke of Newell, SD, Tri-County Lockers, Inc. mailed a comment: “We at Tri-County Lockers in Newell feel this is a good opportunity to dispose of wildlife not picked up. Minimum of 4-6 months recommended.”

John Halverson of Rapid City, SD, emailed: “I would like to see it legal for an unrelated resident to pick up the game if it has been considered abandoned after a

stipulated period of time. Especially, if the game processing fees have been paid up front. That way it could not be construed as someone purchasing wild game.”

Replacement of lost or destroyed licenses

No oral or written testimony was received.

Restrictions on use of firearms and bows in parks

No oral or written testimony was received.

Definition of licensing agents

No oral or written testimony was received.

The public hearing concluded at 2:15 PM.

Respectfully submitted,

Jeffrey R. Vonk, Department Secretary