

Minutes of the Game, Fish, and Parks Commission
March 6-7, 2014

Vice Chairman John Cooper called the meeting to order at 1:01 PM at the Holiday Inn Express Convention Room in Fort Pierre, South Dakota, and welcomed new Commissioners H. Paul Dennert and W. Scott Phillips. Commissioners John Cooper, Jim Spies, Cathy Peterson, Barry Jensen, Gary Jensen, Duane Sather, H. Paul Dennert, and W. Scott Phillips were present. Secretary Jeff Vonk was present along with approximately sixty public, staff, and media.

Election of Officers

Vice Chairman Cooper called for election of 2014 officers for the Game, Fish, and Parks Commission and nominated Cathy Peterson for Vice Chairman. Gary Jensen seconded the motion and nominations closed. Cathy Peterson was elected as Vice Chairman by unanimous vote.

Cooper opened the floor for nominations for Commission Chairman and Gary Jensen nominated John Cooper for Chairman and Sather second the motion. Nominations closed and unanimous vote elected John Cooper as Chairman.

DIVISION OF ADMINISTRATION

Approval of Minutes

Newly elected Chairman John Cooper requested additions or corrections to the January 9-10, 2014, Commission meeting minutes or a motion for approval.

Motion by Peterson with second by Spies TO APPROVE THE JANUARY 9-10, 2014, COMMISSION MINUTES AS PRESENTED. Motion carried unanimously.

Chairman Cooper requested additions or corrections to the February 3, 2014, Teleconference minutes or a motion for approval.

Motion by Spies with second by Sather TO APPROVE THE MINUTES OF THE FEBRUARY 3, 2014, TELECONFERENCE AS PRESENTED. Motion carried unanimously.

Additional Commissioner Salary Days

Cooper requested two additional salary days for teaching classes at USD in Sioux Falls. Gary Jensen requested two days, one for the Appropriations Committee meeting and one for the Elk Stakeholder Group meeting. Dennert and Phillips each requested a day for the Senate Ag Committee Confirmation Hearing for their appointment to the Game, Fish, and Parks Commission.

Motion by Spies with second by Peterson TO APPROVE THE ADDITIONAL SALARY DAYS AS REQUESTED. Motion carried unanimously.

License List Requests

Director Chris Petersen provided background information on the fee structure of license list requests that come before the Commission for consideration and action. He then presented the following requests:

The Pierre Area Chamber of Commerce and Convention and Visitor Bureau requested a list of 4,000 hunting and 4,000 fishing license holders from Minnesota, Nebraska, Iowa, North Dakota, and Canada. The list will be used for a direct mailing to promote hunting and fishing in the Pierre area. This is a no fee request.

Motion by Barry Jensen with second by Peterson TO APPROVE THE LICENSE LIST REQUEST FROM THE PIERRE CHAMBER OF COMMERCE AS PRESENTED. Motion carried unanimously.

Pheasants Forever requested a complete list of resident and nonresident small game license holders and nonresident preserve license holders to be used in a direct mailing for upland wildlife habitat conservation education and Pheasants Forever membership recruitment. This request is a reduced fee request.

Motion by Spies with second by Gary Jensen TO APPROVE THE LICENSE LIST REQUEST FROM THE PHEASANTS FOREVER AS PRESENTED. Motion carried unanimously.

Regional Director, Tom Slowey, of the Rocky Mountain Elk Foundation requested a list of the 2013 elk applicants and to waive the fee. The list will be used for a direct mailing to promote sales for the 2014 Custer State Park elk tag and the proceeds benefit the Department.

Motion by Barry Jensen with second by Gary Jensen TO APPROVE THE LICENSE LIST REQUEST FROM ROCKY MOUNTAIN ELK FOUNDATION AS PRESENTED. Motion carried unanimously.

Tim Chandler of the Glacial Lakes Hunting Lodge requested a list of 1,000 nonresident 5-day preserve license holders to mail information advertising the service the lodge offers. This is a full fee request.

Motion by Spies with second by Peterson TO APPROVE THE LICENSE LIST REQUEST FROM TIM CHANDLER AS PRESENTED. Motion carried unanimously.

Dan Hogfoss of Goosehog Outdoors requested a list of nonresident snow goose license holders to promote his guide services. This is a full fee request.

Motion by Spies with second by Barry Jensen TO APPROVE THE LICENSE LIST REQUEST FROM DAN HOGFOSS AS PRESENTED. Motion carried unanimously.

Rock Communications Representative Kellie Hala requested a list of 5,000 fishing license holders from each area of Rapid City and Sioux Falls on behalf of Scheels Sports. This is a full fee request.

Motion by Spies with second by Gary Jensen TO APPROVE THE LICENSE REQUEST FROM ROCK CUMMUNICATIONS AS PRESENTED. Motion carried unanimously.

License Sales Report

Director Petersen provided the License Sales Report ending on February 27th indicating nonresident fishing license sales continue to increase and hunting license sales will pick up closer to the fall hunting seasons.

Legislation Update

Director Peterson shared the Legislature will be considering the Appropriations Bill for Fiscal Year 2015 in the coming week. The Department will continue to monitor activities and their effect on the GFP budget especially the salary package and the health insurance increase adjustment.

Secretary Jeff Vonk welcomed Paul Dennert and Scott Phillips to the Commission and indicated the new and returning Commissioners were unanimously approved by the Senate Ag and Natural Resources Committee. Vonk expressed his appreciation that Cooper and Gary Jensen participated in the budget hearing of the Appropriations Committee on February 25.

Secretary Vonk stated the three Department sponsored bills passed through both Houses and are on the Governor's desk for his consideration. HB 1076 expanded party fishing to include shore and ice fishing groups and was signed by the Governor. HB1130 authorizes the use of crossbows for hunting big game during rifle season is on the Governor's desk for consideration as is HB 1185. HB 1185 will remove nonresident waterfowl license caps from statute and grant the authority to set license quotas to the GFP Commission. A commitment has been made to form a working group to develop recommendations for Commission consideration later this year as a result of HB 1185.

SB104 is on the Governor's desk for consideration to authorize the hunting of coyotes using night vision equipment under certain conditions. SB 169 regarding non-meandered waters was tabled by the sponsor and Vonk thanked the GFP Legislative team for their efforts this year.

Chairman Cooper recognized and welcomed the Legislators in the audience which included Rep. Betty Olson and Rep. Charlie Hoffmann.

Open Forum

Representative Charlie Hoffmann provided his background with GFP and Legislature. He supported the action on the waterfowl bill which expanded the authority and is confident the Commission will hear the many sides of the issue. He has enjoyed working the GFP staff and believes a trust has been built. He indicated wildlife habitat and sportsmen are important to South Dakota.

Bob Tinker, a local operator talked about wanting a resident- only grouse season similar to the resident-only pheasant season. He would like the Commission and staff to consider allowing local sportsmen to hunt grouse on the Fort Pierre grasslands the weekend prior to the full season opening date.

Steve Nelson express his concern about the Pierre elevator and requested the Department ask them to cover their outside stored grain so geese will fly to surrounding

areas for hunters. Nelson also spoke in support to the two-day resident-only grouse season similar to the resident-only pheasant season.

Cooper asked for clarification from Tinker that his request is for a resident-only grouse season to be similar to the resident two-day pheasant season and if the season be specific to the Fort Pierre grasslands. Tinker advised this would work.

Cooper called for a recess at 1:48 PM and meeting resumed at 1:58 PM.

Public Hearing

The Public Hearing began at 2 PM with Scott Simpson serving as the Public Hearing Officer. The Public Hearing concluded at 2:12 PM and minutes follow the regular minutes.

FINALIZATIONS

Sale/purchase of cottontail rabbits and squirrels 41:06:03

Andy Alban presented the proposed new rule to allow for the sale of rabbit and squirrel skins and provided background that this change came as a petition from the public last month.

Sale of rabbit and squirrel skins. The skins of cottontail rabbit, fox squirrel, grey squirrel, and red squirrel that have been lawfully taken by a licensed hunter may be offered for sale, sold, or purchased.

Motion by Barry Jensen with second by Gary Jensen TO FINALIZE THE NEW RULE ALLOWING FOR THE SALE OF RABBIT AND SQUIRREL SKINS 41:06:03 AS PROPOSED. Motion carried unanimously.

Public Lands 41:03:01

Andy Alban presented the proposed change to prohibit bait stations on Department owned or managed lands. The Department has no recommended changes to proposal.

Prohibit bait stations (as defined in ARSD 41:06:04:03) on lands owned by the department and on properties managed and classified by the department as Game Production Areas, State Parks, State Recreation Areas, State Lakeside Use Areas, State Nature Areas, and State Water Access Areas.

Motion by Peterson with second by Spies TO FINALIZE CHANGES TO PUBLIC LANDS 41:03:01 AS PROPOSED. Motion carried unanimously.

Public Water Zoning 41:04:02

Tom Kirschenmann presented the proposed change amending the safety zone dates for boating on Reid Lake in Clark County. This change will provide additional fishing opportunity until October 20 and close for the fall waterfowl season. There are no recommended changes to proposal.

Bob Schneider presented the proposed changes to in Hughes County public water safety zones at Spring Creek Marina indicating the changes will adjust the “no

swimming zone” to a “no wake zone” within the marina and prohibit swimming within 20 feet of the breakwater protecting the marina. The change will prohibit swimming, including spearfishing, near the boat docks for the safety of all persons -boaters, swimmers, and fishermen- recreating in the waters in the marina area. The Department recommends no changes to proposal.

Schneider presented changes to the swimming and no wake zones at Shadehill Reservoir in Perkins County with no recommended changes to proposal.

1. Amend the dates that boating is prohibited on Reid Lake (Clark County).
2. Amend the existing “no wake zone” and “no swimming zone” at Spring Creek Recreation Area (Hughes County).
3. Amend the boundaries of the existing “public swimming zone” and “no wake zone” on Shadehill Reservoir (Perkins County).

Motion by Sather with second by Gary Jensen TO FINALIZE CHANGES TO PUBLIC WATER ZONING 41:04:02 AS PROPOSED. Motion carried unanimously.

Motorboats and Watercraft 41:04:05

Andy Alban presented the proposed changes and a recommended change to include referencing capacity plates for the number of persons, weight, and horsepower affixed to the boat by the manufacturer.

Motion by Gary Jensen with second by Spies TO AMEND THE PROPOSED CHANGES TO INCLUDE THE REFERENCE TO CAPACITY PLATES AS RECOMMENDED. Motion carried unanimously.

1. Amend 41:04:05:06 to incorporate the federal navigation rules of the road by reference.
2. Repeal 41:04:05:10 thru 12 due to the incorporation of federal navigation rules by reference.
3. Create a new rule, 41:04:05:19, to address the overloading of boats.

Motion by Barry Jensen with second by Gary Jensen TO FINALIZE MOTORBOATS AND WATERCRAFT 41:04:05 AS AMENDED. Motion carried unanimously.

Refuges 41:05:02

Scott Lindgren shared there are 19 refuges in northeast South Dakota and the status of each refuge was reviewed and following two public meetings five were recommended for changes and Commission proposed those changes in January. Lindgren met with the Marshall County Sportsman’s Club during the review process and since the January Commission meeting.

Tom Kirschenmann presented the proposed changes to five refuges all located in northeast South Dakota. The Department has no recommended changes to proposal following review of the public comments received.

Chairman Cooper indicated action on refuge proposals would be taken individually for each of the five proposed changes.

Reid Lake:

1. Reclassify Reid Lake State Game Refuge to Reid Lake Waterfowl Refuge.

Motion by Gary Jensen with second by Peterson TO FINALIZE THE CHANGE TO RECLASSIFY REID LAKE TO A WATERFOWL REFUGE. Roll call vote: Dennert-yes; Barry Jensen-yes; Gary Jensen-yes; Peterson-yes; Phillips-no; Sather-yes; Spies -no; Cooper-yes. Motion carried with 6 yes and 2 no votes.

White Lake:

2. Reclassify White Lake State Game Refuge to White Lake Waterfowl Refuge and modify boundary description.

Kirschenmann indicated the adjacent landowners were contacted regarding this change and agreed with changes and this would provide additional hunting opportunity for the general public. The public comments were discussed and Cooper called for a motion to reclassify White Lake Refuge. No motion was brought forward; therefore, the proposed change was not adopted.

Stink Lake:

3. Remove the Stink Lake State Waterfowl Refuge.

Lindgren indicated there were 31 people at the public meeting and making this change would open the area to all sportsmen. The refuge is located on East Stink Lake in Marshall County.

Motion by Sather with second by Barry Jensen TO FINALIZE THE REMOVAL OF STINK LAKE STATE WATERFOWL REFUGE IN MARSHALL COUNTY AS PROPOSED. Roll call vote: Dennert-yes; Barry Jensen-yes; Gary Jensen-yes; Phillips-yes; Peterson-yes; Sather-yes; Spies-no; Cooper-no. Motion carried with 6 yes and 2 no votes.

Dry Lake:

4. Remove the Dry Lake State Waterfowl Refuge.

Kirschenmann indicated there were no comments received about the change to remove the refuge status of Dry Lake.

Motion by Barry Jensen with second by Peterson TO FINALIZE THE PROPOSED CHANGE TO REMOVE THE DRY LAKE STATE WATERFOWL REFUGE. Roll call vote: Dennert-yes; Barry Jensen-yes; Gary Jensen-yes; Peterson-yes; Phillips-yes; Sather-yes; Spies-no; Cooper-yes. Motion carried with 7 yes votes and 1 no vote.

Bullhead Lake:

5. Remove the Bullhead Lake State Waterfowl Refuge.

Lindgren indicated there were no negative comments from the public at the public meeting about Bullhead Lake Waterfowl Refuge in Roberts County, which was different than the public hearing comments presented today. The change would provide additional hunting opportunity for other game and the three adjacent landowners were contacted about the change.

Cooper called for a motion for Bullhead Lake Refuge and no motion was brought forward; therefore, the proposed change was not adopted.

Secretary Vonk indicated that sportsmen's dollars are used to purchase tracts of land to be managed by the Department for wildlife and recreational opportunities. Sometimes refuge designations run counter to using these GFP managed lands and such was the case in these five proposed changes. He advised that the local GFP staff would continue to monitor the refuges and adjoining GFP lands for hunter use and opportunities.

Petition for Rule Change

Earlier start of archery deer hunting season

Wildlife Director Tony Leif presented a letter from the South Dakota Bowhunters, Inc., which contained criteria required in SDCL 1:26 as a petition for rule change, requesting an earlier start date of the archery deer season. Director Leif also provided a letter from Curtis Klein of Aberdeen requesting an earlier archery deer season.

Director Leif indicated the Commission must take action in response to the change requested in the petition. The Commission may 1) propose the rule change as requested and allow for public testimony; or 2) reject the rule change requested by the South Dakota Bowhunters with a statement of reasons for denial. Discussion ensued.

Motion by Barry Jensen with second by Gary Jensen TO PROPOSE MOVING THE ARCHERY DEER HUNTING SEASON DATES TO BEGIN THE SECOND SATURDAY IN SEPTEMBER AND END ON DECEMBER 31ST IN RESPONSE TO THE SOUTH DAKOTA BOWHUNTERS, INC. PETITION FOR RULE CHANGE. Roll call vote: Dennert-yes; Barry Jensen-yes; Gary Jensen-yes; Peterson-no; Phillips-yes; Sather-no; Spies-yes; Cooper-yes. Motion carried with 6 yes and 2 no votes.

Chairman Cooper called for a recess at 3:42 PM and meeting resumed at 3:52 with all Commissioners present.

PROPOSALS

2014 Hunting Season Dates

Chief Tom Kirschenmann presented the hunting season start dates for 2014-2015 for Commission consideration. The Department has no recommended changes; however, the action just taken on the archery deer season dates is not reflected. Kirschenmann provide a sheet with the future start dates for antelope, deer, turkey, and small game; specifically pointing out the west river deer and grouse season start dates.

CSP Bison Hunting Season

Bob Schneider presented the season dates, licenses, requirement, and restrictions for the Custer State Park Trophy Bull and Non-Trophy Bison Harvest licenses. Schneider provided supportive information about the distribution of licenses for the past four years. There are no recommended changes.

CSP Elk Hunting Seasons

Director Leif requested the PowerPoint Presentation for the elk population status and management objectives be presented prior to elk season recommendations. Chairman Cooper granted the request. (See the information item as listed on the agenda.)

Chief Kirschenmann presented the dates, licenses, requirements, restrictions, and supportive information for all Custer State Park elk seasons indicating the management goal is 650 elk. Plans are underway to move elk out of Wind Cave in the next few weeks and monitor recruitment in the area. The recommended changes for adjustment of licenses will open the rule to allow the movement of the elk before finalizing the number of licenses at the April Commission meeting.

Adjust the number of licenses available from 4 "any elk" to 3 "any elk" licenses.

Motion by Gary Jensen with second by Sather TO PROPOSE ADJUSTMENT OF LICENSES TO THE CUSTER STATE PARK ANY ELK HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Adjust the number of license available from 3 "any elk " to 2 "any elk" licenses.

Motion by Spies with second by Peterson TO PROPOSE THE ADJUSTMENT OF LICENSES FOR THE CUSTER STATE PARK EARLY ARCHERY ELK HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Archery Elk Hunting Season

Chad Switzer presented the season dates, open area, licenses, requirements, restrictions, and supportive information for the season. Recommended changes included adjusting the number of licenses and to modify the Unit 7 boundary. Switzer indicated the boundary adjustment is to move a portion to the prairie season in Unit 9.

1. Adjust the number of licenses available from 92 "any elk" and 15 "antlerless elk" licenses (total of 107 licenses) to 92 "any elk" and 40 "antlerless elk" licenses (total of 132 licenses).
2. Modify Unit 7 boundary as indicated on map.

Motion by Gary Jensen with second by Sather TO PROPOSE CHANGES TO THE ARCHERY ELK HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Black Hills Elk Hunting Season

Switzer presented the season dates, open areas, licenses, requirements, restrictions, maps, and harvest data for the Black Hills Elk Hunting Season along with recommended changes. Changes are to increase the number of licenses and modify the boundary of Unit 7 moving it to the prairie season.

Motion by Peterson with second by Gary Jensen TO PROPOSE CHANGES TO THE BLACK HILLS ELK HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Prairie Elk Hunting Season

Switzer presented the season dates, open area, licenses, requirements, restrictions, and harvest information for the Prairie Elk Hunting Season. Recommendations include adjusting the number of licenses, modify Unit 9 to include the area removed from the Archery and Black Hills Elk Hunting Seasons, and adjust the season dates for Unit 9.

1. Adjust the number of licenses available from 45 “any elk” and 51 “antlerless elk” licenses (total of 96 licenses) to 57 “any elk” and 36 “antlerless elk” licenses (total of 93 licenses).
2. Modify Unit 9 boundary as indicated on map.
3. Adjust the season dates for Unit 9 from September 15 – October 31 and December 1-15 to September 15 – October 31 and December 1-31.

Motion by Sather with second by Spies TO PROPOSE CHANGES TO THE PRAIRIE ELK HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Mountain Goat Hunting Season

Switzer provided some background information about the mountain goat herd indicating the herd was supplemented in September with 21 goats from Utah released into the Needles herd with sixteen of them collared. There were no recommended changes to the season.

Grouse Hunting Season

Chief Kirschenmann presented the season dates, open area, daily limit, possession limit, requirements, restrictions, and harvest information about the current season structure. There were no recommended changes. Discussion ensued about the season, the population, and hunting on the Fort Pierre Grasslands brought forth at the Open Forum portion of the meeting. Kirschenmann indicated the staff would review and report back prior to the 2015 season setting process.

Pheasant Hunting Seasons

Kirschenmann presented the pheasant season dates, areas, daily limit, possession limit, requirements, and restrictions. Harvest information and population update will be presented in April or May and there are no recommended changes to the Pheasant Hunting Seasons for 2014. Discussion included the tradition of the start date and the daily bag limit.

Partridge Hunting Season

Kirschenmann presented the partridge season dates, open area, daily limit, possession limit, requirements, and restrictions with no recommended changes to the season.

Quail Hunting Season

Kirschenmann presented the quail season dates, open area, daily limit, possession limit, requirements, and restrictions with no recommended changes to the season.

Cottontail Hunting Season

Kirschenmann presented the cottontail season dates, open area, daily limit, possession limit, requirements, and restrictions with no recommended changes to the season.

Squirrel Hunting Season

Kirschenmann presented the squirrel season dates, open area, daily limit, possession limit, requirements, and restrictions with no recommended changes to the season.

Crow Season Hunting Season

Kirschenmann presented the crow season dates, open area, daily limit, possession limit, requirements, and restrictions with no recommended changes to the season.

Crane Season Hunting Season

Kirschenmann presented the sandhill crane season dates, open area, daily limit, possession limit, requirements, and restriction. The recommended change is to increase the possession limit as approved by the US Fish and Wildlife Service.

Increase the possession limit for sandhill cranes from two times (2x) the daily limit to three times (3x) the daily limit as approved by the U.S. Fish and Wildlife Service.

Motion by Barry Jensen with second by Sather TO PROPOSE CHANGES TO INCREASE THE POSSESSION LIMIT FOR SANDHILL CRANE AS PRESENTED. Motion carried unanimously.

Snipe Season Hunting Season

Kirschenmann presented the snipe season dates, open area, daily limit, possession limit, requirements, and restrictions with no recommended changes to the season.

Dove Season Hunting Season

Kirschenmann presented the mourning dove season dates, open area, daily limit, possession limit, requirements, and restrictions requesting a change to the possession limit as approved by the U.S. Fish and Wildlife Service.

Increase the possession limit for mourning doves from two times (2x) the daily limit to three times (3x) the daily limit as approved by the U.S. Fish and Wildlife Service.

Motion by Gary Jensen with second by Spies TO PROPOSE CHANGES TO THE DOVE SEASON AS RECOMMENDED. Motion carried unanimously.

Chairman Cooper called a recess at 5:33 PM indicating the meeting would resume at 8 AM the next morning at the same location.

Meeting resumed at 8:01 AM on Friday, March 7, 2014, with all commissioners present. Secretary Vonk was present with approximately fifty public, staff, and media.

DIVISION OF WILDLIFE

Bighorn Sheep Action Plan

Chief Tom Kirschenmann provided background and requested the Commission formally adopt The Bighorn Sheep Action Plan. Formal Commission action on management plans was a recommendation from the Wildlife Management Institute Review in 2013. Kirschenmann stated the Bighorn Sheep Working Group met twice and the Department's focus is on herds in the Black Hills and the plan does not include a prairie herd. The Department made a commitment to meet annually with The Midwest Chapter of the Wild Sheep Foundation. The second auction tag will be sold on March 22 in Minneapolis and Kirschenmann will be providing an update after the convention.

Chief Kirschenmann indicated biologists have visited with the local domestic sheep operators and shared the concerns about disease affecting the bighorn sheep and the benefits of fencing. Discussions continue in identifying domestic sheep owners and to educate them about the disease concerns for bighorn sheep. A third meeting of the working group is planned in the next couple of months for an update on current activities. Kirschenmann indicated the concept of placing sheep on private land has been brought up within the working group.

Motion by Peterson with second by Spies TO ADOPT THE BIGHORN SHEEP ACTION PLAN. Motion carried unanimously.

Private Shoot Preserve Permit Stipulation Agreement Consent Order

Andy Alban presented Consent Order 14-02 prohibiting Jim Steckley from applying for or possessing a permit to operate a private shooting preserve for five years. Alban provided background information on the investigation and that Steckley recently entered a guilty plea for Lacy Act Violations and assault in 2012 to a Federal Agent. Steckley also entered into a Consent Decree with the South Dakota Department of Game, Fish, and Parks which requires Commission approval.

Motion by Gary Jensen with second by Spies TO APPROVE THE STIPULATION AND CONSENT TO THE ISSUANCE OF CONSENT DECREE AND TO AUTHORIZE CHAIRMAN COOPER TO SIGN THE CONSENT ORDER 14-02 AS PRESENTED (Appendix A and B). Motion carried unanimously.

Land acquisition updates

Paul Coughlin provided information about the process the Department follows when acquiring property. Coughlin then presented information on a property in Moody County under consideration as well as a property in Clark County to acquire an inholding within the Lynbye GPA. The public notice will be published and meetings with the neighbors and County Commissioners will now be scheduled with possible Commission action at the May meeting.

WMI Big Game Action plan update

Director Leif provided background as to "how we got here" in reference to the Big Game Action plan with seven items on the report for today.

Scott Simpson introduced Emily Kiel as the newly hired Communications Manager. Simpson then reported on the plans for the use of email lists and advancements in communication platforms.

Director Leif reported on the increase understanding of leadership priorities, policies, goals, and objects and to better define roles in participatory management.

Dr. Longmire reported on methods and feasibility of increasing response rates for harvest surveys.

Chief Kirschenmann reported on the elk stakeholders group.

Elk population status and management objectives

Andy Lindbloom provided history of elk in South Dakota using a Power Point Presentation prior to Finalizations as requested by Director Leif. The presentation included population numbers, harvest data, age of harvested bull elks, fall herd composition surveys; elk age ratios, sex ratios, aerial surveys, and sightability models. Lindbloom provide preliminary research data for Custer State Park and Unit 2 on cow and calf survival rates. Population growth shows a growing population which is important. Lindbloom talked about elk habitat in the state and included the Forest Service forage and population estimates.

John Kanta showed population objectives for the elk herd in the Black Hills and in the different units along with harvest data. The elk bull harvest opportunity has been stable the past five years and success rates remain above 50%. Kanta presented the 2014 elk recommendations and the process to formulate the recommendations. Kanta shared about each unit and their features. Kanta outlined changes for additional antlerless licenses in Unit 2, to modify the boundaries in Unit 7, to adjust the season dates and boundary in Unit 9, and make changes to the prairie units. Kanta explained the impacts of the proposed additional licenses in the Black Hills units which did not include the parks.

Mountain lion hunting season update

John Kanta indicated the mountain lion hunting season will end on March 31st unless the harvest quota is met prior to March 31st. As of March 3rd, the number of licenses sold was 3,251 compared to 4,351 licenses sold last year. There have been 47 lions harvested as of this morning, 28 females and 19 males, similar to last year at this time. The access permits for Custer State Park shows eight lions harvested, five females and three males, and seven of them with hounds. One lion has been harvested in the prairie unit and with the snow forecasted for this weekend the hunters will be out once again.

Spring Canada goose program update

Keith Fisk gave a PowerPoint Presentation about the resident goose population and complaints which included a photo of the damage geese can do to a field. Fisk provided results for the experimental season in the spring of 2013 where the U.S. Fish and Wildlife Service authorized a permit to harvest up to 7,000 geese and has again permitted the Department to conduct the experimental season this spring. Registration for the 250 volunteer permits has closed, with 800 applicants wanting to harvest these

geese on private lands in specific northeast counties from April 1-30, 2014, and within the parameters provided by the U.S. Fish and Wildlife Service.

Pheasant Habitat Working Group

Director Tony Leif provided background information for the new Commissioners about staff involvement with the Governor's Pheasant Habitat Summit, the Governor appointed Working Group meeting, and preparation for future meetings of the Working Group. Director Leif shared involvement Pheasants Forever and US Fish and Wildlife Service have with the Working Group and that the Working Group is to report to the Governor this summer.

Chairman Cooper commented on the makeup of the group and presenters at the Working Group meeting and that Professor Dunn provided more detailed background on CRP and native grass lands being converted to crop land. Cooper indicated a revenue stream to help incentivize habitat projects on private lands will be the biggest challenge.

Secretary Vonk stated revenue will be a challenge and believes getting the group to a cohesive place and open to big ideas will be a challenge before moving on to possibilities. These challenges will need to be overcome and more information will be forthcoming as members of the group have looked into some possible revenue streams.

Farm bill update

Chief Kirschenmann provided a handout with bulleted points about the recently passed Farm Bill. More information will be provided in the near future as there are rules involved with the Farm Bill and we will work with national committees to determine how it affects the Department. Highlighted bullets included Conservation Reserve Program, Agriculture Conservation Easement Program, Environmental Quality Incentives Program, Regional Conservation Partnership Program, and Voluntary Public Access and Wildlife Incentive Program.

Kirschenmann provided background on the success of the James River Conservation Reserve Enhancement Program and that enrollment has been suspended due to budgetary limitations; however, enrollment can resume in the future.

Request for fish spearing exemption

Director Leif presented an email from Caleb Gilkerson requesting the Oahe tail waters from Lake Oahe to the Hwy 34 bridge in Pierre be open for spearfishing from August 11-18, 2014. This requires Commission approval and Leif requested to allow comments during the Open Forum at the April Commission meeting and other public input methods such as US mail and email before the April 3rd meeting. Discussion ensued as to how the public would be notified of the request from Gilkerson and Commission's desire for public input.

Asian carp education efforts

Biologist Sam Stukel shared a PowerPoint Presentation about a Vermillion Middle School Science Class accepting a challenge by Samsung and then creating a video. The Science class brain stormed and submitted a project to Samsung to make a

video to share with students and the public to increase awareness about Asian Carp. Samsung selected the project and the school received \$10,000 of video equipment to make the video. Stukel assisted with classroom education and a field trip on the water to make the video. The video has been selected as one of the top 15 finalists in the Samsung Competition with the top winners to be announced next week.

Stukel shared what the students learned and the community outreach GFP gained with the project. The PowerPoint included photos of the students and Stukel's involvement in the project as well as the video created by the students.

Fisheries management plans

Chief John Lott reported the Statewide Fisheries Management Plan and the plans for the Black Hills, West River, East River, and Missouri River Fisheries Management Areas have been out for public comment. Few comments were received except for the Black Hills Plan and changes were made to the plans to address relative comments. An economic factor and a native species objective have been added to the Statewide and Black Hills plans respectively. Additional changes included increasing emphasis on the need for small impoundment rehabilitation and discussing water level management as a management issue in the Missouri River Plan. The U.S. Forest Service helped fine tune the quality of the Black Hills Plan. The Commission will be asked to formally adopt these plans at the April meeting. The fisheries staff will be working streams and lakes plans for the Black Hills and water-specific plans for the Missouri River this year and will plan for public input in the process.

Miscellaneous updates

Director Leif shared the draft Sage Grouse Management Plan is out for public comment and in northwest South Dakota public meetings scheduled March 11 and 12 in Bison and Buffalo.

Custer State Park Visitor Center Donor Recognition

Secretary Jeff Vonk thanked the Commission for this opportunity to introduce Governor Dennis Daugaard. Vonk thanked the Governor for the \$4 million of general funds provided for the three Outdoor Heritage Projects. Vonk stated he is pleased with the private side of fundraising by the South Dakota Parks and Wildlife Foundation (SDWPF), and shared recognition of a positive "Letter to the Editor" in an Arizona newspaper expressing high regard for South Dakota's commitment to a quality state park system.

Governor Daugaard had the pleasure to announce the South Dakota Parks and Wildlife Foundation has secured a \$1 million grant from the Leona M. and Harry B. Helmsley Charitable Trust to be used for the Custer State Park Visitor's Center. The visitor's center will include a world class theater promoting Custer State Park and the jewels within the park.

The Governor introduced Shelly Stingley, Program Director for the Charitable Trust, Walter Panzier grandson of Leona M. Helmsley and his family, and Spencer Hawley President of the South Dakota Parks and Wildlife Foundation. A heartfelt thank you was extended to the Helmsley Charitable Trust and The Water Panzier Family for

their generous donation for the CSP Visitor's Center as a showcase to millions of visitors to South Dakota.

Hawley extended a thank you to the SDPWF Development Directors Dick and Sue Brown for their efforts in securing the grant and photos were taken.

Chairman Cooper thanked everyone and the meeting resumed at 10:20 AM.

DIVISION OF PARKS AND RECREATION

SD Parks and Wildlife Foundation Land Donation

Parks Division Director Doug Hofer and Wayne Winter Executive Director for the South Dakota Parks and Wildlife Foundation presented Resolution 14-02 requesting favorable consideration and approval by the Commission to accept the gift of twenty acres from the SDPWF to be used as an addition to the Good Earth State Park at Blood Run. Director Hofer provided history about the relationship of the SDPWF with the Department and assets the Foundation holds.

Wayne Winter indicated the SDPWF Board voted at their last meeting to transfer the recently acquired twenty acres from Louise (Lomman) and Paul Evenson to the Department of Game, Fish, and Parks at no cost.

Director Hofer thanked Dick Brown for his fundraising efforts for the SDPWF on projects for the Parks Division that benefits the citizens of South Dakota and many visitors.

Motion by Spies with second by Barry Jensen TO ADOPT RESOLUTION 14-02 AS PRESENTED (Appendix C). Motion carried unanimously.

Good Earth State Park land acquisition

Director Hofer stated that last June the Commission adopted a resolution to acquire tracts of land for Good Earth State Park at Blood Run and provided background for Commissioners Phillips and Dennert. Hofer was happy to announce the Forest Legacy Funds were received by the Department and The Conservation Fund loan will be paid in full this month. The title to the property held by The Conservation Fund will be transferred to the Department by the end of March.

Lewis and Clark Marina Request for Proposal

Sean Blanchette provided the Prospectus on the Lewis and Clark Concession operation that has gone out to the public and media for Request for Proposals (RFP). Blanchette indicated the Prospectus was reviewed by CHM Government Services to analyze the feasibility of the Prospectus that included a 2% Repair and Maintenance (R&M) Fund. The results indicated that, yes, the fees can be supported and recommended the R&M commitment by the next concessionaire should be 4-5% as the condition of the docks and property will require repairs in the next ten years. The RFP's are due by June 30th with a recommendation for Commission consideration anticipated in the fall.

Cedar Shore Resort and Marina Bank Stabilization Project

Director Hofer indicated this report will be saved for the April meeting as the meeting is located at Cedar Shore Resort and the contractor may be on site by then.

Campground Reservation System

Hofer provided background on the parks camping reservation system that changed last year and then introduced Lynn Spomer. Spomer shared that campgrounds are nearly full for Memorial Day with only a few tent sites available. Park Entrance License sales are up and 72.5% of camping reservations are made online. The call center has seen a 30% drop in the number of calls received and this represents a savings to the Parks Division. Over all there is an increase of 18% in reservations statewide over 2013 and Custer State Park reservations are up 30%.

Chairman Cooper requested a report on the use of drones similar to Colorado, an update on the Chauncey investigation, and report back about the Pierre elevators for the April meeting.

Motion by Peterson with second by Sather TO ADJOURN THE MEETING.
Motion carried and meeting adjourned at 12: 20 PM.

Respectfully submitted,

Jeffrey R. Vonk, Department Secretary

Appendix A

**GAME, FISH AND PARKS COMMISSION
STATE OF SOUTH DAKOTA**

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|--|---|
| IN THE MATTER OF THE PRIVATE SHOOTING PRESERVE OPERATOR PERMIT FOR JIM STECKLEY d/b/a STECKLEY'S WILD DAKOTA, 35809 259th Street, Kimball, SD 57355. | CONSENT ORDER GFP <u>14-02</u> |
| | |

The South Dakota Department of Game, Fish, and Parks and Jim Steckley d/b/a Steckley's Wild Dakota, ("Applicants"), by and through their authorized representatives, have executed a "Stipulation and Consent to the Issuance of a Consent Order" ("Stipulation and Consent") dated January 13, 2014. By this Stipulation and Consent, the terms of which are incorporated herein by this reference, the Applicants have agreed and consented to the issuance of this Consent Order by the Game, Fish, and Parks Commission ("Commission").

Pursuant to the authority vested in it by the laws and administrative rules of the State of South Dakota including the Private Shooting Preserve Act, SDCL Ch. 41-10, the Commission hereby orders that:

Jim Steckley d/b/a Steckley's Wild Dakota, is hereby prohibited from applying for or possessing a private shooting preserve operating permit for a period of 5 years from and after January 13, 2014, and during that period of time, he will not in any manner own, operate, or participate in a private shooting preserve and he will not permit a shooting preserve to be operated on any property owned or leased by him.

The provisions of this Order are effective upon its being signed by the Commission Chair.

IT IS SO ORDERED, this _____ day of _____, 2014.

SD Game, Fish, and Parks Commission Chairman

Appendix B
**GAME, FISH AND PARKS COMMISSION
STATE OF SOUTH DAKOTA**

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|--|--|
| IN THE MATTER OF THE PRIVATE SHOOTING PRESERVE OPERATOR PERMIT FOR JIM STECKLEY d/b/a STECKLEY'S WILD DAKOTA, 35809 259th Street, Kimball, SD 57355. | STIPULATION AND CONSENT TO THE ISSUANCE OF CONSENT DECREE |
| | |

WHEREAS, the Department of Game, Fish and Parks (“Department”) is charged with conserving and protecting wildlife, regulation of the hunting of game animals, and enforcement of the laws and administrative rules governing the operation of private shooting preserves; and

WHEREAS, Jim Steckley d/b/a Steckley’s Wild Dakota has previously applied for and received private shooting preserve operating permits; and

WHEREAS, Jim Steckley has entered a guilty plea in South Dakota Federal District Court to the misdemeanor offense of Conspiracy – Lacy Act Violations, all in violation of 16 U.S.C 3372(a)(2)(A), 3372(c)(1)(A), 3373(d)(2), SDCL 41-6-20 and 41-14-32; and Jim Steckley will be entering a guilty plea to a misdemeanor count of Failure to Notify of Release of Birds in violation of ARSD 41:09:01:01.01; and

WHEREAS, Jim Steckley d/b/a Steckley’s Wild Dakota has agreed to enter into a separate written agreement with the South Dakota Department of Game, Fish and Parks, pursuant to terms and conditions established by the Department wherein he will not in any manner own, operate or participate in a private shooting preserve for five years; and that he will not permit a shooting preserve to be operated on his property.

NOW, THEREFORE, in consideration of the above-stated premises the Department, acting by and through its Secretary, and Jim Steckley d/b/a Steckley’s Wild Dakota, hereby stipulate to the following:

1. The Commission has jurisdiction over the parties and subject matter pursuant to Title 41 of the South Dakota Codified Laws.
2. Jim Steckley d/b/a Steckley’s Wild Dakota, hereby consents and agrees to the issuance of a Consent Order by the Commission which incorporates the terms and conditions of this Stipulation.
3. Jim Steckley d/b/a Steckley’s Wild Dakota, being represented by legal counsel, has been informed of his right to a contested case hearing and a right to an appeal

to the courts from any final decision of the Commission as provided by SDCL 41-10-20, and by signing this Stipulation is waiving these rights.

4. Jim Steckley d/b/a Steckley's Wild Dakota, agrees that he will not in any manner own, operate or participate in a private shooting preserve for a period of five years from the date the Game, Fish and Parks Commission approves this agreement and he will not permit a shooting preserve to be operated on any property owned or leased by him.
5. The Consent Order is intended to be, and shall be construed to be, a final order. The Consent Order and the Stipulation of Consent do not form and shall not be construed to form, a contract binding on the Commission, the Department, or the State of South Dakota. Notwithstanding the absence of mutuality of obligation, or of consideration, or of a contract, the Commission and/or the Department may enforce any of the commitments or obligations herein undertaken by Jim Steckley d/b/a Steckley's Wild Dakota under his statutory authority, and not as a matter of contract law. Jim Steckley d/b/a Steckley's Wild Dakota express and acknowledge that the Department has no intention to enter into a contract. Jim Steckley d/b/a Steckley's Wild Dakota expressly acknowledges that no Department officer or employee has statutory or other authority to bind the State of South Dakota, the Department, the Commission or any other state agency or any officer or employee of those entities to a contract affecting the Department's or the Commission's exercise of their statutory responsibilities. The terms of the Consent Order are not subject to amendment or modification by any extraneous expression, prior agreements or arrangements, or negotiations between the parties, whether oral or written.
10. If the Commission should choose not to accept the parties' proposed Consent Order, this Stipulation and Consent shall be null and void.

FOR THE DEPARTMENT

_____ Dated this ____ day of _____, 2014.
Jeffrey R. Vonk, Secretary
SD Department of Game, Fish and Parks

FOR JIM STECKLEY D/B/A STECKLEY'S WILD DAKOTA

_____ Dated this ____ day of _____, 2014.
Jim Steckley d/b/a Steckley's Wild Dakota

Appendix C

RESOLUTION 14-02

WHEREAS, South Dakota Parks and Wildlife Foundation owns real estate described as follows:

Tract 1 of Good Earth Park Entrance Addition in the Northwest Quarter (NW¼) of Section 14, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota, according to the recorded plat thereof (hereinafter “the Property”); and

WHEREAS, South Dakota Parks and Wildlife Foundation, Inc. desires to gift the Property to the South Dakota Department of Game, Fish, and Parks (Department) as an addition to Good Earth State Park in Lincoln County, South Dakota; and

WHEREAS, the Department has evaluated and determined that the Property would serve very well as an addition to Good Earth State Park, providing park and public recreational opportunities; and

WHEREAS, the Department is authorized to accept gifts of property for park and recreational purposes per SDCL §§ 41-2-19 and 41-2-24; and

WHEREAS, the South Dakota Game, Fish, and Parks Commission desires to authorize the Department to accept this gift of property from the South Dakota Parks and Wildlife Foundation to be used as an addition to Good Earth State Park, and further acknowledge the generosity of South Dakota Parks and Wildlife Foundation.

NOW, THEREFORE, BE IT RESOLVED, that the South Dakota Game, Fish, and Parks Commission does hereby authorize the Department to accept the gift of the Property from South Dakota Parks and Wildlife Foundation to be used as an addition to Good Earth State Park.

BE IT FURTHER RESOLVED that the South Dakota Game, Fish, and Parks Commission, on behalf of the citizens of South Dakota, does hereby acknowledge and express its deepest appreciation and gratitude to South Dakota Parks and Wildlife Foundation for its generosity and ongoing support for Good Earth State Park, and further acknowledge the outdoor recreational opportunities this gift will provide to South Dakotans for generations to come.

Public Hearing Minutes of the Game, Fish, and Parks Commission
March 6, 2014

Chief Scott Simpson serving as the Public Hearing Officer started the Public Hearing of the Game, Fish, and Parks Commission at 2 PM by providing an outline of the rule process and purpose of the Public Hearing for the benefit of the new commissioners.

Simpson indicated the written testimony was provided to the Commissioners earlier this week. Comments received this week will be read and followed by oral testimony as listed on the agenda under Finalizations. Persons providing oral testimony were asked to approach the microphone and provide their name, city, and state on the sign in form and introduce themselves.

Sale/purchase of cottontail rabbits and squirrels

No written or oral testimony was received.

Public Lands

No written or oral testimony was received.

Public Waters

Joseph Wyatt of Pierre, SD, emailed: "In absence of ANY documents of ANY public harm I am strongly opposed to any limitation by law or regulation of the public's natural right of use of our shared outdoor resources like swimming or diving...I must strongly oppose any further restriction of swimming or diving and assert that all uses of our public resources be held equally valid unless evidence of public harm can be presented."

Tom Sedlacek of Yankton, SD, emailed: "There does not appear to me to be an underwater hazard in this area. The cabling system is no different than those found in the marinas at Yankton and Chamberlain. I am not aware of any problems regarding these underwater systems or the structure at Spring Creek. This area could be looked at as a floating playground similar to other structures found around the country and the world. It is simply made of floating tires. I would argue that this is a safer place for divers and swimmers to observe underwater wildlife than submerged trees which often contain tangled fishing line. Banning this area could potentially force diving enthusiasts into areas that do present actual hazards. There appears to be no logical reasoning for making changes which could potentially have unintended consequences. The issue of lifting the no swimming ban for Spring Creek Marina seems to be a given and does not need further discussion."

Tim Vilhauer of Hartford, SD, emailed: "For several years my friends, family I have been diving and swimming in this area and do not understand why this would be considered a hazard as compared to other areas of the river or other bodies of water. This structure provides a great recreational area. I am unaware of any problems swimming in this area has caused. The adjacent boating community appears to operate in a safe manner. Though there are boats in the area they always keep a safe distance from the structure just as they do other structures. I do not believe the game fish and

park personnel need another area to monitor unnecessarily. If someone is looking to protect people from themselves I have many other more sensible suggestions which they could look into. If there is a legitimate concern by someone who is familiar with diving or swimming in this area I would be interested to hear what the specific concern is. If they are concerned for my safety I appreciate their thoughtfulness and would reciprocate this by suggesting they refrain from using the structure. Additionally, it is interesting this proposal is combined with a simple motion to clean up the books by officially allowing swimming within the Spring Creek Bay.

In closing we should be reminded not to set precedent by creating restrictions based on opinion as if this occurs many other proposals will be forthcoming. If there truly is a concern about safety this should be discussed with experienced local divers. I would argue that swimming around or walking on the docks would be expected to result in more injuries than swimming around or running on floating rubber tires."

Laura Carda of Fort Pierre, SD, emailed: "You can't have it both ways. This proposal makes no sense as its apparent intent is to restrict swimming in an area with limited boat traffic made of rubber tires and a few cables, yet open swimming in an area made of iron, wood, electrical lines and many cables with a greater amount of boat traffic. With this in mind, it appears that swimming should either be banned or allowed for the entire area. I have swum in both areas many times and have never felt unsafe. The logical action, for clarity, would be to remove the swimming ban for the bay, which has fortunately never been enforced."

Steven Lee of Pierre, SD, emailed: "I am interested in the proposal to amend the rules regulating swimming in the approximate area of the breakwater in front of Spring Creek Marina. As an experienced scuba diver and personally laying eyes on the rigging structure for the breakwater up close and personally, I fail to see how you can identify this area as a potentially hazardous area to swim, yet actually relieve the restrictions on swimming within the bay at Spring Creek Marina in the area of the boat docks. As your personnel are well aware, most of the cables anchoring the breakwater descend almost vertically down to concrete anchors below. For obvious reasons, few lateral or horizontal cables exist. For this reason, risk to diving off boats and casual swimming would seem minor. Within the marina, multiple hazards exist. This includes significantly more horizontal cabling, not to mention water and sewer lines, potential electrical shock, etc. To restrict swimming or diving activity at one location while actually loosening restriction at the other would seem quite illogical. Frankly, after spending many summers in the area, renting a boat slip, etc, I feel that restricting swimming or diving in either area, with the exception of the immediate area of the boat ramp, is not a necessary measure. The SD GF&P has an arrangement with a concessionaire who charges a handsome fee for boat slip rent. These folks pay a hefty "rent" for approximately 4 months of use. Prohibiting them from enjoying the water in the interest of their own "safety" seems a bit extreme if little risk truly exists. If the author of this rule change had scuba diving or spearfishing in mind, I can say with great confidence as a Master Diver, that the cable apparatus and tires provides very little risk to a diver. Quite minimal, when compared to diving in submerged trees around Lake Oahe where fishing line is now commonly found running tree to tree like a tennis net. I respectfully request that all of the facts are carefully considered before you tender your decision on this Rule

change. Thanks folks, and please remember....we love our Country because of freedom!"

Chip Carda of Hartford, SD, emailed: "There is no need to ban swimming around the tire barrier at Spring Creek Marina. The ban on swimming in the Spring Creek Marina should of course be removed. These issues seem to be self-evident to those who are familiar with the area and have spent time above and below the surface."

Riley Lamb of Pierre, SD, emailed: "I think the "danger" of the tire breakwater at Spring Creek is being a bit overstated. How many adverse events have been documented in regards to the tire breakwater? Are we making these decisions because there is actual evidence that there is a problem, or are we making rash decisions based on the concerns of a relative few?"

Dale Faulhaber of Groton, SD, emailed: "I would like to comment on the proposal to restrict access to the breakwater tires at Spring Creek. I feel that it is a bad idea to limit and complicate it's use. This area provides a unique opportunity to snorkel in a protected area. Those of us who live far away and have restrictive schedules enjoy this area to swim and snorkel. Depending on weather conditions it may be near impossible to find an area with visibility good enough to see some fish and structure. This location often works when nothing else does. I don't feel that there are any safety issues that should prevent it's use. Whenever engaged in any outdoor activities it is our own personal responsibility to understand what we are doing and be safe. This area is no exception and should not be unnecessarily regulated. Thank you for your consideration."

Chad Carda of Fort Pierre, SD, emailed: "A proposal for Spring Creek Marina on Lake Oahe would designate the water within 20 feet of the floating tire breakwater structure as a "no swimming zone." The cabling and anchoring system that holds the breakwater structure in place represents an underwater hazard that makes swimming unsafe near the breakwater. This letter is in reference to the above proposal specifically addressing designating the floating tire breakwater structure as a no swimming zone. Myself, along with many others, do not feel this is necessary and would unnecessarily restrict its recreational use of based on the following. This structure has been in place for many years and has been safely used by swimmers and divers for recreational purposes offering an opportunity which cannot easily be found elsewhere. The clarity of the water in this area provides for an exceptional chance to observe the many different species of fish which populate the reservoir. I have spoken with many other snorkelers and divers, including master divers, who do not agree based on hundreds of hours of snorkeling and logged dives around the world that this presents an underwater hazard as compared to other natural structures. I have personally used this area to safely teach my own children and many of their friends from the Pierre and Fort Pierre area and around the state to snorkel. They have found this to be a very enjoyable activity. I feel this area provides a safe environment for this purpose."

No oral testimony received

Motorboats and Watercraft

No written or oral testimony was received.

Refuges

Greg and Barb Fischer of Lake City, SD, emailed: "These refuges are used by 10's of thousands of birds. They provide migrating waterfowl a safe haven and a safe roost. Without these refuges migrating flocks will push south. Taking these off the refuge status will be counterproductive for hunting. Please do not remove these waters as refuges."

Gary and Marlys Wickre of Britton, SD, emailed: "We are strongly opposed to any changes in the status of White Lake refuge and East Stink Lake refuge in Marshall Co."

Gary Wickre of Britton, SD, wrote a letter and included three pages containing 59 names of local area residents who are opposed to the change of the White Lake Game Bird Refuge.

Gary Wickre of Britton, SD, wrote: "story was printed in the Britton Journal newspaper following a meeting held in Britton on Feb.3. Dept. of GFP representatives Scott Lindgren and Jacquie Ermer met with area residents about the proposed changes to White Lake Refuge and East Stink Lake Refuge in Marshall Co. S. Dak...people in the county are opposed to any changes to these refuge status."

Gary Wickre, Secretary of the Marshall County Sportsman's Club wrote: "The Marshall County Sportsman's Club is strongly opposed to changing the White Lake game bird refuge in Marshall County to a waterline refuge, and any changes to either the White Lake refuge or East Stink Lake refuge in Marshall County.

We were told by GFP personnel that it would be hard to get them back into the refuge system if they were removed or altered. These refuges are great waterfowl holding areas, especially in late season. If the wetlands go away, these two refuges are key areas for the waterfowl to rest undisturbed. If hunters are allowed to shoot at the water's edge, a few hunters will get a great hunt for 1 or 2 days and then the birds are pushed out of the area for the remainder of the season.

Section line pass shooting and decoys in adjacent fields provide many sportsmen with quality waterfowl hunting opportunities throughout the season.

Marshall Co. has many acres of GPA's, WPA'S, along with lots of walk-in areas that provide enough hunting opportunities for resident and non-resident hunters.

White Lake provides hunting opportunities on the refuge, for all species, except waterfowl throughout the season. Our sportsman's club would like to leave the game bird hunting on the refuge at its present status, opening in early December when most waterfowl have gone south."

Kevin, Lisa, and Kendall Knudson emailed: "I would like to make known that my family is strongly opposed to any of the proposed changes to the White Lake and East Stink Lake Refuges."

George Ammann emailed: "I own land in Sections 22, 26, and 27 that borders Bullhead Lake on the North and West side. My renters John and James Remund and myself are glad to see the Lake removed from Refuge status. I never did understand why it was a refuge in the first place. I was never contacted when it was at that time."

Bruce Iwerks of Sioux Falls, SD, emailed: "I am writing you in regards to removing Bullhead Lake Refuge as a State Waterfowl Refuge. It would be a very poor move to not have Bullhead Lake as a refuge to aid the nesting and migrating birds in northeast SD. Hunting at Bullhead Lake has been a part of my life for over 50 years and I have known that this is a prime area for waterfowl for nearly all of my life."

Ben R. Johnson of Wilmot, SD, wrote: "I'm writing to express my opposition to the change that would remove the refuge designation on Bullhead Lake in Roberts County...please leave the refuge status as it is."

William Clayton of Sioux Falls, SD, wrote: "I urge you to not open Bullhead Lake Refuge to hunting. I have hunted this area for several years and had fairly good "pass shooting." I believe the refuge holds enough birds that it provides hunting opportunity for locals as well as others. I am somewhat limited due to health issues and mobility and know other seniors who use this area for the same reasons. I realize some years it only holds a few thousand birds but other times its man thousands. Please do not open it!"

Todd Hora, of Sioux Falls, SD, wrote: "It is with a sad heart that I write this letter. The idea that Bull Head Lake Refuge is to no longer remain a refuge is a true disappointment. For years, our family has appreciated the opportunity to utilize this lake to hunt geese, free of any interruption of hunters on the lake itself.

I URGE you to please re-consider, and I hope that you will allow Bull Head Lake Refuge to remain as is. One of the great hunting opportunities for migratory birds on this refuge has been a staple for our family for many years. PLEASE, do not take away one of the great hunting opportunities and privileges we have had for so many generations..."

Larry Eachen of Aurora, SD, wrote: "I wish to object to removing the waterfowl refuge status at Bullhead Lake in northeastern So. Dak. I think we should be putting in more refuges instead of them going off."

Robert Bauman of Sioux Falls, SD, wrote: "Would you please keep Bullhead Lake Reserve as a refuge for waterfowl? My son and I have hunted this area for many years. We are also looking forward to having our son and grandson hunt with us in the years to come."

Bullhead Lake Refuge received ten pages with signatures and addresses of sportsmen about the closure or change of Bullhead Lake Refuge with 151 names.
Oral testimony:

Dale Buttke of Corona, SD, and a landowner stated his concern that opening Bullhead Lake and he is concerned the geese will leave and that is what the landowners want and the hunters want to hunt. There is a clear path in the spring for the geese to get to the land and cause the depredation issues and a fence to keep geese out and hates to see the refuge to go back to nothing and geese will not visit in the fall. A few people get to hunt on the private land and the public has a hard time to hunt area. He believes the geese will be gone and will miss the little things like watching deer and eagle. He will really miss the Bullhead refuge as will his grandkids.

The Public Hearing concluded at 2:12 PM.

Respectfully submitted,

Jeffrey R. Vonk, Department Secretary