



AGENDA

Game, Fish and Parks Commission

September 6-7, 2018

Lewis & Clark Resort - Lodge

43349 SD Hwy 52, Yankton, SD

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

Contested Case Hearing – September 6th 9:00 am

Tour Lewis and Clark Recreation Area – September 6th 11:00 am

Tour NFAA Easton Yankton Archery Center – September 6th 5:15 pm

Call to order 1:00 PM

Division of Administration

Action Items:

1. Conflict of Interest Disclosure
2. Approve Minutes of the July 2018 Meeting
<https://gfp.sd.gov/commission/archives/>
3. Additional Commissioner Salary Days
4. License List Request
5. Commission Meeting Schedule 2019

Information Items:

6. Yankton Area Chamber of Commerce
7. Deer License Allocation Briefing – Information Item
8. Resident Nonresident Discussion
9. Non-meandered Waters
10. Preserve Operator Forum

Petition

11. Falconry Briefing – Information Item
12. Establish Licenses to Hunt with Falcon
13. Allow for the Raffle of Resident Only Any Elk License by Nonprofit Conservation Organizations

Proposals

14. Fishing Season Methods
15. Fish Limits
16. Spearing and Archery
17. Aquatic Invasive Species

Proposals (continued)

- 18. Bobcat Management Update – Information item
- 19. Bobcat Hunting/Trapping Season
- 20. Deer License Allocation

Public Hearing 2:00 PM

Finalizations

- 21. Indian Springs Boating Restrictions

Open Forum

Division of Parks and Recreation

Action Items:

- 22. Concession Administration Overview – Information Item
- 23. Roy Lake Prospectus

Information Items:

- 24. Lewis and Clark Park Overview
- 25. Public Involvement Customer Satisfaction
- 26. Parks Revenue and Camping Reservation Report

Division of Wildlife

Action Items:

- 27. Elk Contingency Licenses

Information Items:

- 28. GPA Management Review
- 29. Pheasant Survey Report
- 30. License Sales Update

Solicitation of Agenda Items from Commissioners

Adjourn

Next meeting information:

October 4-5, 2018

Cadillac Jack's SpringHill Suites

360 Main St., Deadwood, SD

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

Minutes of the Game, Fish, and Parks Commission
July 11, 2018

Chairman Barry Jensen called the meeting to order at 8:35 a.m. CT at the Ramkota Hotel & Convention Center in Pierre, South Dakota. Commissioners Barry Jensen, Gary Jensen, Mary Anne Boyd, Jon Locken, Cathy Petersen, Scott Phillips, Russell Olson and Douglas Sharp and approximately 60 public, staff, and media were present.

DIVISION OF ADMINISTRATION

Conflict of Interest Disclosure

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

Approval of Minutes

Chairman B Jensen called for any additions or corrections to the June 7-8, 2018 minutes or a motion for approval.

Motion by G. Jensen with second by Olson TO APPROVE THE MINUTES OF THE JUNE 7-8, 2018 MEETING. Motion carried unanimously.

Additional Commissioner Salary Days

No additional salary days were requested

License List Request

Chris Petersen, administration division director, presented a license list requests to the Commission from Dallas Cares via Jack Gunvordahl, Burke, SD for a reduced fee license list request for licensed preserve operators in Gregory and Tripp Counties. It was noted this request is for one-time to contact the operators in regards to participation in a donation program.

Motioned by Phillips, second by Peterson TO APPROVE THE LICENSE LIST REQUEST. Motion carried unanimously.

Non-meandered Waters

Kevin Robling, special projects coordinator, provided the commission an update on nonmeandered waters stating no additional closure requests have occurred since February 22, 2018. The provisions of the Open Water Compromise continue to provide a good balance between protecting private property rights and providing public recreational opportunities. To date, 3,700 acres of nonmeandered waters are closed across the state. Game, Fish and Parks (GFP) staff have been continually reaching out to sportsmen and woman via social media, sport shows, email inquiries and phone calls. The "recreation and respect" campaign has been front and center. An adopt-a-lake program has been initiated and two shoreline litter clean-up days have occurred thus far on Lake Poinsett and the Big Sioux River.

B. Jensen said the commission is dedicated to public access and every commissioner puts in a lot of effort making sure this happens and appreciates Kevin's efforts.

Peterson thanked Kevin for his work with landowners.

Resident Nonresident Discussion

Scott Simpson, wildlife administration chief, and Robling provided an update on the discussion surrounding resident and nonresident license allocations. The update addressed the demographic information available for nonresidents already contained within our licensing database. Age, gender, state of residence and frequency of license purchase were presented. The next step continuing this conversation will be to identify a work group that will begin to work on answering the questions previously identified by the commission.

B. Jensen asked if there have been discussions in regards to surveying nonresident hunters.

Robling responded staff have been discussing doing a quantitative and qualitative survey. Need to know who our nonresidents are, and what other questions we want answered.

Olson noted the data presented is great and asked if preserve licenses are included in the stats.

Simpson said preserve licenses are included in the total number of hunters but not in the small game license frequency.

G. Jensen appreciated the info that was gathered. He asked if there were further discussions in regards to putting together a workgroup as we do for management plans to see where it leads us.

Robling said staff will move forward with a workgroup and request a Commissioner be part of that group.

Preserve Operator Forum

Robling informed the commission on the upcoming preserve operator forum scheduled for July 31st. He explained the forum is similar to the forum with sportsmen and women earlier in April and will have two more forums later this year (other Recreational Groups, Agricultural Groups). The forum will provide the opportunity to meet with preserve operators to listen, learn and discuss topics that are important them and their business and also to GFP and sportsmen and women. Some of those topics may include sustainable habitat or addressing the decline of hunters across the nation (R3 - recruitment, retention and reactivation), but we also know there are other topics they may want to discuss, as well. Staff will report out at the September meeting.

Trespassing Issues

Tony Leif, wildlife division director, and Andy Alban, law enforcement program manager, provided information on trespassing issues per request of Commissioner Phillips as individuals have contacted him over the years as they deal with repeated known

trespassing and would like to see it enforced as the states attorney is not prosecuting or it is minimal.

Alban noted these are legislative issues. He explained the first category is criminal trespass for building or property after notice is made which can be a fence with posting or verbal communication and this has no bearing on hunting privileges. Second is vehicular trespass which also has no bearing on hunting fishing or trapping privileges. GFP staff most often deal with hunting fishing and trapping trespass and there is a knowing violation. If found guilty of this they lose privileges for one year of the date of conviction. There is also unknowing hunting, fishing, and trapping trespass where things may not clearly be marked,

Phillips asked of the 65 knowing trespass violators do we know how many were fined through the court system. He noted landowners need to be party to file formal complaint.

Leif said every year there is a process to take on legislative issues in conjunction with the Governor's office on department sponsored legislation. This will be one of the topics we will discuss with the Governor's office. Legislation can also be introduced through an individual's and legislator and staff are available to help aid in crafting legislation.

Phillips recommends the legislative process and asked to personally be involved.

Sharp said with trespass law you should assume you may be trespassing if you do not own the land. He thinks there is a need to get back to this and issue tickets/fines similar to speeding tickets and after the second violation you lose your privileges. People are very willing to push the limits in today's society we need to be aggressive to get these things changed. Sharp will monitor this process along with Commissioner Phillips.

B. Jensen said a considerable amount of consideration among landowners who have come to the point where they do not report as there are not adequate repercussions.

G. Jensen explained the legal system is set up to give considerable amount of jurisdiction to the states attorney. So, in addition to legislation there is a need to meet with the states attorney association to discuss this issue to find a better way of approaching this situation.

Alban said he has presented information to the association in the past and will work to get on their agenda again.

Deer License Allocation

Robling explained that during the development of the statewide deer management plan, which was finalized in July 2017, several social management considerations were identified through stakeholder group meetings and public comments. One area which received considerable attention from the public was deer license allocation. As a result, the Commission tasked the Department to identify alternatives which would increase the number of hunters who draw their preferred deer license.

Department staff along with feedback from the deer stakeholder committee developed three alternatives to the current license allocation process, with the third alternative being no change to the current allocation system. An email invitation was then sent out to all 2017 resident deer applicants (18 years and older), requesting public involvement participation and attendance at one of the nine focus groups meetings held across the state. The meeting locations included; Pierre, Philip, Yankton, Sioux Falls, Watertown, Aberdeen, Rapid City, Belle Fourche, and Mitchell. Approximately 780 deer hunters responded to the request and a random draw was conducted to cap each focus group meeting to 45 participants. The main objectives of the focus groups include; 1) provide draw statistic and background information; 2) discuss the potential alternatives; 3) receive feedback on level of support or opposition for the alternatives; and 4) determine how participants would apply for deer licenses under each alternative using mock applications.

In an effort to allow broader participation from hunters and another opportunity to provide feedback, an online video was also posted on the Department's social media pages and website. The intentions of the video were to provide draw statistics and background information and receive feedback on level of support or opposition for the alternatives through an online survey. Over 600 hunters watched the online video and filled out the survey.

The Department recommendation was presented to the Commission during the July meeting and was formally adopted as a Commission proposal. The proposed change would require applicants to make a preferred first choice in the first draw from the six firearm seasons which include East River, West River, Black Hills, Custer State Park, Refuge, and Muzzleloader deer seasons. The proposal will have a 90-day public comment period with two public hearings, one during the September meeting in Yankton and the other hearing is scheduled for October in Deadwood. Staff have been responding to numerous calls and emails regarding the proposal and the proposed change has generated a great deal of public feedback both positive and negative.

B. Jensen noted this is a monumental change and asked when it would be reevaluated.

Robling responded the 2022 deer management plan will be up for review so we would look at 2019-2021 to give us 3 years of data. Hoping it shows increased draw possibilities

PROPOSALS

Deer License Allocation

Robling presented the deer license allocation proposal designed to increase the number of deer hunters who draw their preferred license. He noted this proposal does not impact current preference points, the ability to accumulate preference points or limit the number of licenses an individual could obtain. He said the department conducted a series of nine focus group meetings to discuss three alternatives to the deer license structure. A video and online survey was also available to those deer hunters who were not initially part of the focus groups allowing them a part of the discussion. Results from the focus group meetings suggested that approximately 46 percent of the participants preferred change. Of the online respondents, 43 percent preferred change. When looking at the number of resident hunters who typically apply for one deer season, which in 2017 represented 67

percent of firearm deer applicants, 72 percent of the focus group participants preferred change and 50 percent of the online respondents preferred change.

Alternatives discussed at statewide Focus Group meetings and on-line video.

- A. Choose one from East River, West River, and Black Hills as a first choice in the first draw.
- B. Choose one from East River, West River, Black Hills, Custer State Park, Refuge, and Muzzleloader as a first choice in the first draw.
- C. No change from the current structure.

Recommended changes from the current drawing structure:

- 1. Alternative B which requires an individual to select their most preferred license from the six seasons in the first draw.

Motion by Phillips, second by G. Jensen TO APPROVE THE RECOMMENDED CHANGE TO CHOOSE ONE FROM EAST RIVER, WEST RIVER, BLACK HILLS, CUSTER STATE PARK, REFUGE, AND MUZZLELOADER AS A FIRST CHOICE IN THE FIRST DRAW. Motion carried.

Indian Springs Boat Restrictions

Robling presented the recommended changes to the Indian Springs boating restrictions explaining it is a nonmeanded waterbody and as a result, numerous discussion regarding the continued allowance of recreational use on the waters have occurred with the surrounding landowners. He explained this change in rule would allow recreational users the opportunity to recreate on all portions of Indian Springs the vast majority of the year and would meet the requests of the landowners.

Recommended changes

- 1) Add a "no discharge of a weapon from a boat zone" on the waters west of a half mile east of 427th avenue within Indian Springs from October 10 to December 31.
- 2) Add fishing from a boat is prohibited on the waters west of a half mile east of 427th avenue within Indian Springs from October 10 to December 31.

Motioned by G. Jensen, second by Sharp TO APPROVE THE RECOMMENDED RESTRICTIONS TO INDIAN SPRINGS. Motion carried.

PUBLIC HEARING

The Public Hearing began at 10:03 a.m. and concluded at 10:51 a.m. and began at 1:56 p.m. and concluded at 2:00 p.m. on Wednesday, July 11, 2018. The minutes follow these Commission meeting minutes.

FINALIZATIONS

Firewood Restriction

Bob Schneider, parks and recreation assistant director, presented the recommended change to prohibit firewood because the Emerald Ash Borer (EAB) is a devastating insect that has killed tens of millions of ash trees in at least 32 states. In May, 2018, the insect was discovered in South Dakota. The South Dakota Secretary of Agriculture declared an emergency EAB quarantine area that firewood cannot be moved out of. The quarantine area includes all of Minnehaha County and portions of Turner and Lincoln County area and will grow if the infestation moves beyond the area. The larva and insect can survive in firewood for extended periods of time. One of the most common means for spread of the EAB infestation is the transport of infested firewood. By not

allowing firewood into state park areas from outside of South Dakota and from EAB quarantine areas within South Dakota, we hope to slow the infestation. Knowing that the EAB would reach South Dakota, we ceased planting ash trees in state park areas over a decade ago and increased the planting of alternate tree species. Each year that the EAB can be kept out of a state park area will allow more time for alternate species trees to mature.

Motioned by Boyd, second by G. Jensen TO FINALIZE THE RECOMMEND CHANGES TO PROHIBIT FIREWOOD FROM QUARANTINE AREAS BE BROUGHT INTO STATE PARKS 41:03:01. Motion carried.

Fall Turkey

Chad Switzer, wildlife program administrator, presented the recommended changes to the fall wild turkey hunting season. He detailed the harvest management strategy table of the wild turkey management plan and unit-specific population objectives for the prairie units. He noted prairie unit 48A is being modified to address depredation complaints in the areas outside the current unit boundary. Adjustment recommendations to the Black Hills unit boundary are justified based on survival rates and population growth rates derived from a current research project in the northern Black Hills.

1. Offer 305 less resident single tag licenses and 50 less resident double tag licenses for Prairie Units compared to 2017.
2. Offer 200 less resident single tag licenses for the Black Hills Unit compared to 2017.
3. Close prairie units 8A (Davison and Hanson counties), 12A Bon Homme County, 13A (Brule County), 37A (Hutchinson County), 53A Perkins County, and 62A Union County.
4. Establish and open prairie unit 39A (Jackson County).
5. Modify current prairie unit 48A (Marshall and Roberts counties) to include all of Roberts County.
6. Modify current Black Hills Unit by removing those portions of Lawrence, Meade and Pennington counties.

Motioned by Phillips, second by Olson TO FINALIZE THE CHANGES TO THE FALL TURKEY HUNTING SEASON AS PROPOSED 41:06:14. Motion carried.

Switzer presented the recommended change in administrative action to allocate fall turkey hunting licenses by unit.

Motioned by G. Jensen, second by Olson TO APPROVE THE ADMINISTRATIVE ACTION ALLOCATING FALL TURKEY LICENSES. (Appendix A). Motion carried.

Archery Equipment Restrictions

Robling and Simpson presented the recommended changes to remove certain archery equipment restrictions as equipment has evolved. He explained how expanding the list of legal equipment will remove confusing and often unenforceable regulations. Modification of the rule will also allow archers to make equipment decisions based on personal preference, performance and tailor their equipment setup to their individual requirements.

- (1) Explosive, poisonous, hydraulic, or pneumatic points;
- (2) Crossbows and draw-lock devices that hold the bow at partial or full draw except as provided in chapter 41:09:12;
- ~~(3) Arrow rests that have more than three inches of continuous contact with the arrow;~~

~~(4) Electronic devices mounted to the bow that aid in the taking of game. However, cameras, video cameras, cell phones used exclusively for photographic purposes, lighted sight pins, and illuminated arrow nocks may be used. An electrical device mounted to the bow to project a light beam or image to a target;~~

(5) Electronic arrow or electronic string releases;

~~(6) Compound bows with a let off of more than 80 percent;~~

~~(7) Compound bows shorter than 28 inches as measured from the top of the upper wheel or cam to the bottom of the lower wheel or cam;~~

~~(8) Telescopic sights;~~

~~(9) An arrow, including the attached broadhead, weighing less than 275 grains when hunting a big game animal;~~

~~(10) An arrow that is less than 26 inches long when measured from the notch of the neck to the end of the shaft, not including the blunt or broadhead;~~

~~(11) An arrow without a broadhead (fixed or mechanical) that has at least two metal cutting edges when hunting big game animals. However, an arrow tipped with any point may be possessed when used for practice; except blunt points may be used when hunting a turkey or small game and both field points and blunt points may be possessed and used when hunting small game, or at any time when possessed and used as practice arrows;~~

~~(12) A bow that measures less than 40 pounds pull when hunting elk with a mechanical broadhead or a bow that measures less than 40 pounds pull when hunting any other big game animal with a mechanical broadhead; or~~

~~(13) A bow that measures less than 30 pounds pull when hunting big game animals other than elk, with a fixed blade broadhead or a bow that measures less than 30 pounds pull when hunting any other big game animal with a fixed blade broadhead.~~

Phillips inquired if 4 would allow for range finders and auto sight pins.

Simpson said the intention is to address rangefinders that are not uncommon and this language change would allow for this type of new technology.

Phillips asked for confirmation that 4 and 8 would allow for telescopic sights and sight pins

Simpson confirmed that it would allow for both explaining it was commented that these would allow for longer distance shots. He said we are already seeing longer shots and allowing these sights will allow a hunter to make a better shot not, necessarily encourage you to take a longer shot

G. Jensen asked if it is fair to compare and contrast this equipment on a bow to a rifle.

Simpson explained you can make that argument, but it does not impact the fair chase idea that we need to be cognizant of.

B. Jensen inquired if it would be better to list kinetic energy opposed to pounds of pressure.

Robling explained kinetic energy would be very difficult to gage and enforce in the field.

Simpson further explained that additional equipment would be need to measure kinetic energy and that most people do not have have the specific equipment.

Sharp stated that at 275 grain arrowhead we are the lightest and asked if there is merit to having it be heavier.

Robling clarified that we are one of 7 states with the minimum set and ours is the lowest. All other states do not have a minimum.

Boyd asked how current restrictions would make it a safer hunt even for a novice hunter now that education requirements have been removed.

Simpson said safety was an important consideration for these specific requirements. The safety concern would only be if you possibility built an arrow that is so light that doesn't hold up to the spine, but that could happen regardless of these restriction

Peterson asked if the importance of shot placement of the kill is taught at hunter education.

Simpson noted shot placement is important regardless of weapon which is taught at huntsafe and bowhunter education.

Olson said he was immediately concerned with the proposed changes then spoke with others who are very involved with the sport and they do not have concerns. He asked why they do not allow telescopic sights on muzzleloaders so why on archery and how does it still allow for primitive status.

Simpson explained it goes against primitive nature which archery began as and has now moved past. He said most are of the mind it will make them more successful with a more humane kill to kill a deer with the one license they have. Maybe there is a need to readdress muzzleloader as modern muzzleloader as they are no longer a primitive weapon with their effective range.

Phillips stated that if we are beyond primitive weapon stage then we need to take a look at season lengths and unlimited tags. He noted he is opposed to 4 and 8 would like to see removed from recommended changes

Kelly Hepler, cabinet secretary, noted muzzleloader will be discussed as a department at a later date. He said most shoot animals at 10-20 yards with a bow and approximately 100 yards with gun. Hepler also noted that a primary goal was accomplished by bringing items forward such as these philosophical issues. Just want to allow more opportunity.

Motioned by Phillips second by Boyd TO AMEND THE CHANGES TO THE ARCHERY RESTRICTIONS TO REMOVE THE PROPOSED ELIMINATION OF THESE RULES AND TO RETAIN

~~(4) Electronic devices mounted to the bow that aid in the taking of game. However, cameras, video cameras, cell phones used exclusively for photographic purposes, lighted sight pins, and illuminated arrow nocks may be used~~
An electrical device mounted to the bow to project a light beam or image to a target;

~~(8) Telescopic sights;~~

Motion carried.

Motioned by G. Jensen, second by Sharp TO FINALIZE CHANGES TO THE ARCHERY RESTRICTIONS AS AMENDED 41:06:05. Motion carried.

Refuge and Boating Restrictions

Robling and Mike Klosowski, wildlife regional supervisor, presented the recommended changes to the refuge and boating restrictions. (appendix B)

Olson asked when the changes would go into effect if approved.

Robling responded early to mid Sept.

Sharp recommended tabling decisions on electric motor zone restriction as they will have the most questions. He also requested Swan Lake be addressed separately.

Hepler recommended further information from staff on electric motors and concerns.

Leif said if no changes are made at this meeting we will need to either re-propose and take action in September or address them at the same time as Missouri River refuges

Motion by Sharp, second by Olson TO APPROVE THE RECOMMENDED CHANGES FOR THE REFUGE AND BOATING RESTRICTIONS TO

- Removed the East Oakwood Lake Waterfowl Refuge and the "no boating zone" from Oct. 20 – Dec. 31 in Brookings County.
- Removed the Sand Lake Game Bird Refuge in Campbell County.
- Removed the Whitewood Lake State Waterfowl Refuge and the "no boating zone" from Oct. 20 – Dec. 31 in Kingsbury County.
- Removed the State Waterfowl Refuge status on the Game Production Area located on the south side of Cottonwood Lake in Spink County.
- Removed the Crow Lake "no motorized boating zone" from Oct. 20 – Dec. 31 in Jerauld County.
- Removed the Milwaukee Lake "no motors zone" from Oct. 20 - Dec. 31 in Lake County.
- Removed the Island Lake "no boating zone" from Oct. 20 – Dec. 31 in McCook and Minnehaha Counties.

Motion carried.

Motion by G. Jensen, second by Sharp TO APPROVE THE RECOMMENDED CHANGES FOR THE REFUGE AND BOATING RESTRICTIONS

- Reclassified the Waubay State Game Refuge to Waubay State Game Bird Refuge and removed the "no boating zone" in the Windgate Arm in Day County.
- Removed the state game refuge status in the Windgate Arm area for Waubay Lake in Day County and the lands adjacent to the national wildlife refuge below the ordinary high water mark.
- Modified the pheasant hunting start date from the second Monday in Dec. to Dec. 1 for Renziehausen State Game Bird Refuge in Brown County, (including shooting and retrieval zones), Gerken State Game Bird Refuge in Faulk County and White Lake State Game Bird Refuge in Marshall County.
- Modified the Bear Butte Lake "no motors over 25 horse power zone" to a "no wake zone" in Meade County.

Motion carried.

Motion by Sharp, second by G. Jensen TO AMEND THE RECOMMENDED CHANGE FOR SPIRIT LAKE IN KINGSBURY COUNTY FROM AN ELECTRIC MOTORS ZONE TO COMPLETE REMOVAL OF ALL BOATING RESTRICTIONS DURING THE OCT. 20 – DEC. 31 TIMEFRAME. Motion carried.

Motion by Peterson, second by Boyd TO APPROVE THE RECOMMENDED CHANGE FOR SPIRIT LAKE IN KINGSBURY COUNTY AS AMENDED. Motion carried.

Motion by Olson, second by Sharp TO REJECT THE RECOMMENDED CHANGE FOR THE REFUGE AND BOATING RESTRICTIONS

- Removal of Silver Lake "no boating zone" during the spring conservation order (spring take of light geese) as well as during regular open migratory waterfowl hunting seasons in Hutchinson County.

- Lehrman Game Production Area "no boating zone" to an "electric motors only" zone from Oct. 20 – Dec. 31 in McCook County.
Motion carried

Motion by Sharp, second by Locken TO REJECT THE RECOMMENDED CHANGES FOR THE REFUGE AND BOATING RESTRICTIONS AND REVIEW AT A LATER TIME

- Cottonwood Lake State Refuge "no boating zone" during the open migratory waterfowl hunting season to "electric motors only" from Oct. 20 – Dec.31 in Roberts County.
- Putney Slough "no boating zone" to "electric motors only" and changed the date from Oct. 15-Dec.31 to Oct. 20 – Dec.31 in Brown County.
- Long Lake "no boating zone" to "electric motors only" from Oct. 20 – Dec. 31 in Codington County.
- McKillican Lake "no boating zone" during open migratory waterfowl hunting seasons to an "electric motors only" from Oct. 20 – Dec. 31 in Codington County.
- Horseshoe Lake "no motor zone" during open migratory waterfowl hunting seasons to an "electric motors only" from Oct. 20-Dec. 31 in Codington County.
- Clear Lake "no boating zone" to an "electric motors only" from Oct. 20 – Dec. 31 in Minnehaha County.
Motion carried.

Motion by Sharp, second by G. Jensen TO REJECT THE PROPOSAL TO ADD AN ELECTRIC MOTORS ONLY ZONE ON SWAN LAKE, CLARK COUNTY. FROM OCTOBER 20- DECEMBER 31. Motion carried.

Fish Limits – Reetz Lake

Robling presented the recommended change to fish limits on Reetz Lake stating the lake will be managed as an experimental trophy fishery for walleye, yellow perch, black crappie and bluegill from May 1- September 30. During this time Reetz Lake will be open to the public. From October 1 – April 30 Reetz Lake will only be open through landowner permission and during this time, statewide fishing regulations will apply to all species.

Boyd noted it has not been simple getting to this proposal and asked Robling to highlight the process.

Robling explained there has been lots of discussion with the Reetz family including 5 personal visits since March. He presented a \$4,000 offer that was counter offered to be \$8,000 annually for 5 months of use. He said they have had discussions in regards to the periods when to be open and fish regulations. Have asked landowners to keep regulations year round and moved forward to propose agreement with regulation changes. He noted the department is aware of and in tune with concerns of all including sportsmen and sportswomen and are committed to allowing access. Also concerned with the opportunity that would be lost if we do not take this offer which would make it closed 12 months of the year.

Phillips noted 140,000 resident anglers with a payment at \$8,000 dollars a year is a pretty good deal at 5-6 cents per angler.

B. Jensen asked Robling to speak to how this would be setting precedence.

Robling responded there is a fear that we are setting precedence. He has spoken with other landowners with no discussion on compensation as of today, not that there

wouldn't be in the future. He said this is similar to WIA's where the department pays some over \$10 per acre. If you consider the amount of use and fishery potential Reetz Lake is set apart especially because the entire basin except a few acres is owned by one family. If this moves forward we would not plan to stock Reetz Lake with a one year agreement.

Peterson reminded the Commission of codified law the department is working with that SDCL 31-23-3 states "The department, on behalf of and in the name of the state, may negotiate with each landowner to acquire, by gift, grant, devise, purchase, lease, or license, recreational use of all or any portion of any nonmeandered lake overlying private property. Any agreement reached pursuant to this section, or any failure to reach an agreement, is not an appealable final action of the department." This gives the department an opportunity to negotiate with landowners on specific terms and conditions set by the landowner to ensure recreational opportunities are not lost and continue for the 140,000+ resident anglers that enjoy fishing in South Dakota. The department has the obligation to implement SDCL 41-23 and it is our goal to continue providing recreational opportunities to families and outdoor enthusiasts who enjoy South Dakota's great outdoor resources.

B. Jensen said he knows there is opposition but in light of the goal to provide opportunity he recommends a one year agreement.

Olson commended Robling for his work in the negotiation process and value as it was undervalued. He noted that principle will not allow him to support this agreement. If it would be open for 12 months of the year he could support it. He thanked staff for all their work.

Phillips said that in regards to landowners changing regulations. He doesn't see a problem with it for example if people go to his home to hunt with antlerless tag he tells them whitetail only.

Robling explained the fact that when closed commercialization is prohibited and would be a class one misdemeanor. The landowner is aware of this. Per family they will donate the money they receive to the Webster School District Athletic Association.

Motion by Phillips, second by Peterson TO MODIFY THE FISH LIMITS TO

May 1 – Sept. 30

- 1 walleye or sauger, 28 inches or greater
- 1 yellow perch, 14 inches or greater
- 1 black crappie, 15 inches or greater
- 1 bluegill, 10 inches or greater
- Statewide regulations for all other species.

Oct. 1 – April 30

- All lake specific harvest restrictions are off and statewide regulations would apply to all species.

And remove the largemouth and smallmouth bass size restrictions year-round and changed to statewide harvest regulations.

Roll call vote: Boyd-yes; Locken – yes; G. Jensen-yes; Olson- no; Peterson-yes; Phillips – yes; Sharp- yes; B. Jensen-yes. Motion passes with 7 yes votes and 1 no vote. Motion passes.

Robling noted fishing is not open tomorrow and that notification will go out when it is open.

OPEN FORUM

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

Martie Haines, Faith, SD, spoke in regards to out of state archery tags. He asked if there has been discussion to regulate out of state archery tags, will they be strictly public or private.

Leif responded this has been drawn into a broader discussion. People want public lands and broader restriction to all licenses. Past the timeframe to implement 2018 restrictions, but will bring discussion forward to the Commission in the future.

B. Jensen will be addressed in resident nonresident discussion we continue to have.

Dana Rogers, Hill City, SD, spoke in regards to nonresident permits and provided the commission a handout of stats from the GFP website. He said staff does excellent job gathering statistics and making them available. Noted other states require nonresidents to draw a permit or they are restricted to a specific area. He said currently there are unlimited archery permits for residents and nonresidents for antelope and deer. He noted 40 percent of mule deer are taken on public land by nonresidents. He is concerned with public land pressure.

Jake Leibke, Garden, City, SD, spoke in regards to nonresident archery licenses. He said nonresident archery deer concerns align with prior comments from Rogers. He noted private land probably gets less pressure as nonresidents typically hunt public land. Will continue to see increase in nonresident hunting pressure. On a trip to Custer national forest area in 2016 all camping spots, approximately 20, were filled with nonresidents and only two were residents.

Jon Kotilnek, staff attorney, informed the commission a contested case hearing has been scheduled for September. He also advised the commission to not engage in dialogue as Mr. Allen is represented by an attorney. Commissioners are free to make a personal statement, but advised commission not to comment as hearing is requested in regards to denial on a bait dealer application.

Justin Allen, Eden, SD spoke in regards to his bait dealer license. He said he feels the hearing is being delayed so he cannot bait. He requested the commission to allow him to bait until the hearing.

Bonnie Allen, Atwater, MN, spoke in regards to her sons bait dealer license.

DIVISION OF PARKS AND RECREATION

Roy Lake Prospectus

Sean Blanchette, concessions manager, provided the Commission information on the settlement agreement with Roy Lake Resort LLC, Concessionaire at Roy Lake Resort. The operation consists of 8 rental cabins, a 4-plex lodging unit, main lodge with 2 lodging units, C-store, dining room and on-the-water gas sales. The current concession lease

includes a franchise fee of 4 percent on revenues up to \$200,000 and 5 percent for revenues in excess of \$200,000 and expires on December 31, 2018. The property was appraised and the department issued multiple prior prospectuses to advertise for the resort sale and concession lease opportunity. No proposals were received in response to the previous prospectuses. The purchase price has been reduced by the resort owner to \$795,000.00 which includes structures and personal property. Recommendations for a new lease were 10 year term with Franchise Fees, required services and operating season all remaining the same as in the current lease. The settlement agreement sets up terms and conditions of closing. In November 2017, the Commission approved a settlement agreement which contained the same terms as the version presented with the exception of the reduce sale price as well advertisement of a new concession lease with terms that match those in the existing agreement. The Commission authorized a second prospectus issuance in March 2018. Roy Lake Resort has requested authorization to advertise a prospectus for sale of the concession lease. Blanchette requested approval of the presented settlement agreement as well as authorization to issue a prospectus to include a concession lease containing the lease terms discussed with the Commission.

Motioned by G. Jensen with second by Peterson TO APPROVE THE SETTLEMENT AGREEMENT AND AUTHORIZE THE DEPARTMENT TO ISSUE AND ADVERTISE A PROSPECTUS FOR THE SALE OF ROY LAKE RESORT CONCESSION LEASE. Motion carried.

Parks Revenue and Camping Reservation Report

Bob Schneider, parks and recreation assistant director, provided the year to date revenue report by item as well as the breakout of district revenue. The revenue report indicated an increase of 4 percent. He reported camping is down 6 percent and visitation is down 3 percent, and visitation by district is down 5 percent.

DIVISION OF WILDLIFE

Big Horn Sheep Management Plan

Switzer said the South Dakota Bighorn Sheep Management Plan, 2018-2027 will serve as the guiding document for decision making and implementation of actions to ensure bighorn sheep populations and their habitats are managed appropriately. South Dakota Department of Game, Fish, and Parks (SDGFP) will work closely with United States Forest Service (USFS), National Park Service (NPS), private landowners, and sportsmen and women to overcome the challenges and take advantage of opportunities regarding the future management of bighorn sheep in South Dakota.

For the management of bighorn sheep the following objectives have been identified: 1) management and monitoring of disease pathogens in bighorn sheep herds across South Dakota; 2) annually determine status of bighorn sheep populations; 3) bi-annually review and formulate bighorn sheep management objectives; use harvest strategies to manage the population with the available resource; 4) maintain, manage, and protect existing bighorn sheep habitat and augment populations to either maintain or start new herds in vacant habitat in South Dakota; 5) continue to use science-based research, habitat inventories, and surveys to answer questions related to bighorn sheep ecology and public attitudes towards bighorn sheep management; and 6) the SDGFP will inform and educate the public on bighorn sheep ecology, management, research, and provide viewing opportunities.

He detailed the following edits that occurred since meeting with the Bighorn Sheep Working Group:

- 1) General edits such as changing it to "10" year versus "5" year, and checking citations.
- 2) Updated current units map for 2018.
- 3) Updated Auction Tag Revenue table for 2018.
- 4) Removed Badlands Hunting Unit as a "new" unit since it is already in place.
- 5) Added Strategy D in Objective 4 for our agency partners to cite for their habitat activities:
Strategy D. Avoid disturbance during critically sensitive parturition and nursery periods. Parturition for ewes can occur from April 15-June 15. Nursery groups can be raising lambs in sensitive areas during May 1- August 31.

Motion by Olson, second by Boyd TO ADOPT THE BIGHORN SHEEP MANAGEMENT PLAN. Motion carried.

Mountain Goat Management Plan

Switzer explained the South Dakota Mountain Goat Management Plan, 2018-2027 will serve as the guiding document for decision making and implementation of actions to ensure mountain goat populations and their habitats are managed appropriately. South Dakota Department of Game, Fish and Parks will work closely with Black Hills National Forest, National Park Service, and sportsmen and women to overcome the challenges and take advantage of opportunities regarding the future management of mountain goats in South Dakota.

For the management of mountain goats the following objectives have been identified: 1) maintain, manage, and protect existing mountain goat habitat in the Black Hills; 2) determine status of mountain goat populations; 3) bi-annually review and set mountain goat management objectives; use harvest strategies to manage the population with the available resource; 4) management and monitoring of disease pathogens in mountain goat herds in the Black Hills; 5) continue to use science-based research, habitat inventories, and surveys to answer questions related to mountain goat ecology and public attitudes towards mountain goat management; and 6) inform and educate the public on mountain goat ecology, management, research, and provide viewing opportunities.

He noted that since meeting with the Mountain Goat Working Group the following edits have occurred:

- 1) General edits such as changing it to "10" year versus "5" year, and checking citations.
- 2) Updating some tables with 2017 data.
- 3) Reworded page 16 in "Habitat" section of Challenges and Opportunities. Removed "mechanical thinning" from wilderness sentence of working with US Forest Service since this is not allowed in wilderness.
- 4) Added Figure 7 on page 14. Five-year trend which exemplifies the benefits of harvesting males and passing up females; if hunters take the time to select males instead of females, more goats will be available for future harvest and viewing by

the public. This provides more information on the importance of harvested males versus females in the plan.

- 5) Added Strategy C in Objective 1 for our agency partners to cite for their habitat activities:

Strategy C. Avoid disturbance during critically sensitive parturition and nursery periods. Parturition for nannies can occur from May 1-June 15. Nursery groups can be raising kids in sensitive areas during May 1- August 31.

Motion by Peterson, second by Phillips TO ADOPT THE MOUNTAIN GOAT MANAGEMENT PLAN. Motion carried.

Elk Raffle License Approval

Tom Kirschenmann, wildlife deputy and terrestrials chief,, presented request for elk raffle license from the Rocky Mountain Elk Foundation (RMEF) to be raffled off to raise funds for their program which protects and enhances habitat for the elk population and other species. He provided a project history noting that in South Dakota RMEF and its partners have completed 298 conservation and hunting heritage outreach projects with a combined value of more than \$36.5 million. These projects have protected or enhanced 73,812 acres of habitat and opened or secured public access to 11,472 acres.

Kirschenmann also provided a handout on Black Hills Special Elk Tag Raffle Results for the last 5 years. Revenue for 2018 was \$41,932.38.

Motioned by G. Jensen with second by Phillips TO APPROVE THE REQUEST FROM ROCKY MOUNTAIN ELK FOUNDATION TO OBTAIN AN ELK LICENSE TO BE RAFFLED OFF. Motion carried unanimously.

CWD Management Approach

Switzer and Andy Lindbloom, senior big game biologist, provided a presentation on chronic wasting disease (CWD). CWD is a fatal brain disease of cervids that is caused by an abnormal protein called a prion. Recent developments from ongoing research and surveillance efforts across the country has heightened the level of concern for the long-term management of deer and elk in South Dakota. Topics covered included the following: disease overview; CWD transmission; disease symptoms and impacts; CWD distribution across South Dakota and the nation; results of past CWD surveillance efforts; Department workgroup; and objectives identified by the workgroup.

The Department workgroup has identified five major objectives: limit spread of CWD from known locations; public education; determine CWD prevalence rates and thresholds for certain management actions; determine presence/absence of CWD; and public involvement. Workgroup meetings will be held on a regular basis to achieve these objectives, updates will be provided to the Commission, and regulation recommendations will be presented to the Commission in early 2019 for consideration and implementation.

Sharp asked if the fire in CSP mitigated some of this. He also noted hopes our goal is the benchmark for the country.

Switzer responded it is unclear what impact the fire had, but they are seeing nice effects of the fire for wildlife management.

Spawning and Stocking Update

John Lott, fisheries chief, provided an update on spawning and socking. He noted walleye egg collection efforts began on April 25 and were completed on May 5. Egg collection efforts typically begin by April 10th, with the peak occurring between April 20 and 25, and operations are completed by the beginning of May. Initial concerns about not being able to meet the 2018 egg-take goal of 130 million eggs, due to the late spring, were unfounded, as 138 million eggs were collected. The yellow perch egg collection goal of 20 million was not met, as only 2 million eggs were collected.

Spring trap and transfer operations to supply fish like white bass, catfish, and northern pike were reduced in 2018 by the late spring and the need to begin spawning walleyes immediately after ice-out.

Fingerling production of walleye, yellow perch, and saugeye combined was higher at Blue Dog Hatchery than during any previous year. Production at Blue Dog during the winter of 2017-2018 focused on growing juvenile yellow perch for southeastern SD fisheries. Muskies will likely not be stocked in 2018 because the Iowa hatchery where we had been getting fish now has zebra mussels in the lake where it gets its water. We are exploring other alternatives for muskies for 2019.

B. Jensen asked if spring flooding affect any stocked waters pushing them out of contained areas.

Lott responded Lake Hiddenwood had a winter kill and was stocked the day before the dam broke. Also the urban fishing area in Sioux Falls had the water level breached. He explained that is difficult to gage, but has not impacted any stocking efforts and effects will most likely will be seen in waterbodies adjacent just downstream.

Sportsmen Against Hunger Update (due to lack of time will be presented at future meeting)

License Sales Update (due to lack of time will be presented at future meeting)

Solicitation of Agenda Items from Commissioners

No agenda items were recommended

Adjourn

Motioned by Boyd, second by Peterson TO ADJOURN THE MEETING. Motion carried unanimously and the meeting adjourned at 5:05 p.m.

Respectfully Submitted,



Kelly R. Hepler, Department Secretary

Appendix A
2018-2019 Fall Turkey

| Unit # | Unit Name | Resident | | Nonresident | | License Totals | | | | | | | |
|--------|------------------|------------|--------------|-------------|--------------|----------------|--------------|-----------------|-------------|-------------|-------------|---------------|------------|
| | | AnyT 31 | 2 AnyT 37 | AnyT 31 | 2 AnyT 37 | RES 1-Tag | RES 2-Tag | RES Licenses | RES Tags | NR 1-Tag | NR 2-Tag | NR License | NR Tags |
| 07A | Yankton | 150 | | | | 150 | | 150 | 150 | | | | |
| 30A | Gregory | 150 | | 12 | | 150 | | 150 | 150 | 12 | | 12 | 12 |
| 39A | Jackson | 25 | | 2 | | 25 | | 25 | 25 | 2 | | 2 | 2 |
| 48A | Marshall/Roberts | 100 | | | | 100 | | 100 | 100 | | | | |
| 50A | Mellette | 50 | | 4 | | 50 | | 50 | 50 | 4 | | 4 | 4 |
| 60A | Tripp | 50 | | 4 | | 50 | | 50 | 50 | 4 | | 4 | 4 |
| BH1 | Black Hills | 200 | | 16 | | 200 | | 200 | 200 | 16 | | 16 | 16 |
| TOTAL | | 725 | | 38 | | 725 | | 725 | 725 | 38 | | 38 | 38 |
| | | | | RES & NR: | | 763 | | 763 | 763 | | | | |

2016-17 vs. 2018-19 Fall Turkey

| Unit # | Unit Name | 2016-17 Resident Licenses | 2018-19 Resident Licenses | # Change | % Change | 2016-17 Resident Tags | 2018-19 Resident Tags | # Change | % Change |
|--------|------------------|---------------------------------|---------------------------------|-------------|-------------|-----------------------------|-----------------------------|-------------|-------------|
| 07A | Yankton | 100 | 150 | 50 | 50% | 100 | 150 | 50 | 50% |
| 08A | Davison/Hanson | 50 | 0 | -50 | -100% | 100 | 0 | -100 | -100% |
| 12A | Bon Homme | 150 | 0 | -150 | -100% | 150 | 0 | -150 | -100% |
| 13A | Brule | 50 | 0 | -50 | -100% | 50 | 0 | -50 | -100% |
| 30A | Gregory | 150 | 150 | 0 | 0% | 150 | 150 | 0 | 0% |
| 37A | Hutchinson | 30 | 0 | -30 | -100% | 30 | 0 | -30 | -100% |
| 39A | Jackson | 0 | 25 | 25 | #DIV/0! | 0 | 25 | 25 | #DIV/0! |
| 48A | Marshall/Roberts | 100 | 100 | 0 | 0% | 100 | 100 | 0 | 0% |
| 50A | Mellette | 50 | 50 | 0 | 0% | 50 | 50 | 0 | 0% |
| 53A | Perkins | 100 | 0 | -100 | -100% | 100 | 0 | -100 | -100% |
| 60A | Tripp | 50 | 50 | 0 | 0% | 50 | 50 | 0 | 0% |
| 62A | Union | 50 | 0 | -50 | -100% | 50 | 0 | -50 | -100% |
| BH1 | Black Hills | 400 | 200 | -200 | -50% | 400 | 200 | -200 | -50% |
| TOTAL | | 1,280 | 725 | -555 | -43% | 1,330 | 725 | -605 | -45% |

Note: An additional 8% of the number of licenses will be available to nonresidents for the Black Hills and West River prairie units.

Appendix B GAME, FISH AND PARKS COMMISSION ACTION FINALIZATION

Refuges and Boating Restrictions

Chapters 41:04:02, 41:05:02 and 41:06:08

| | | | |
|---------------------------|----------------|----------------|----------|
| Commission Meeting Dates: | Proposal | June 7-8, 2018 | Aberdeen |
| | Public Hearing | July 11, 2018 | Pierre |
| | Finalization | July 11, 2018 | Pierre |

COMMISSION PROPOSAL

ACTION ITEM #1

Recommended changes from last year:

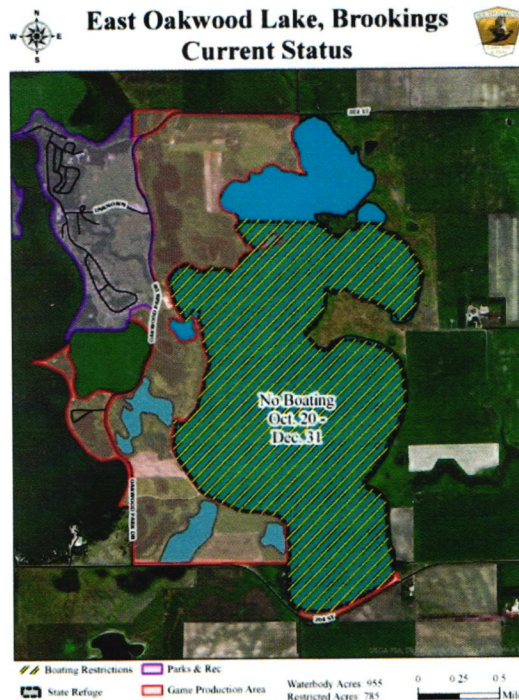
- 3) Remove the East Oakwood Lake Waterfowl Refuge and the "no boating zone" from October 20 – December 31.

41:05:02:05. Brookings County refuges. Brookings County refuges are as follows:

The East Oakwood Lake State Waterfowl Refuge comprises all of East Oakwood Lake, including the shore up to the high water line, in sections 8, 9, 16, 17, the south half of section 4, and the south half of section 5, township 111 north, range 51 west of the fifth principal meridian.

41:04:02:05. Brookings County public water safety zones. Brookings County public water safety zones are as follows:

The waters of East Oakwood Lake in sections 8, 9, 16, 17, the south half of section 4, and the south half of section 5, township 111 north, range 51 west of the fifth principal meridian is a "no boating zone" from October 20 to December 31, inclusive;



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

GFP staff have received numerous inquiries annually regarding removing the refuge status and boating restriction to allow for fall fishing opportunities. East Oakwood Lake is a high-use fishery and recent fish surveys indicate high walleye and perch populations. In addition, the boat ramp is in the closed area which makes fishing and launching in the current open area problematic.

COMMISSION PROPOSAL

ACTION ITEM #2

Recommended changes from last year:

- 4) Remove the Sand Lake Game Bird Refuge



41:05:02:10. Campbell County refuges. Campbell County refuges are as follows:

The Sand Lake State Game Bird Refuge comprises the south half of section 19, the west half of the northwest quarter of section 30, the northeast quarter of section 30, that portion of the southwest quarter of section 20 west of U.S. Highway 83, and that portion of the northwest quarter of section 29 west of U.S. Highway 83, all in township 125 north, range 76 west of the fifth principal meridian. The refuge on the land owned by the department is open to hunting each year from November 15 through August 31 of the following year.



Sand Lake, Campbell Current Status



 State Refuge
 Game Production Area

Waterbody Acres: 339

0 0.2 0.4
Miles

DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

Work group recommends removal of the refuge to add recreational opportunities and simplify rules. This area has a good amount of staging water available for waterfowl to use. Blue Blanket Waterfowl Refuge on the Missouri River is approximately 15 miles SW of Sand Lake.

COMMISSION PROPOSAL

ACTION ITEM #3

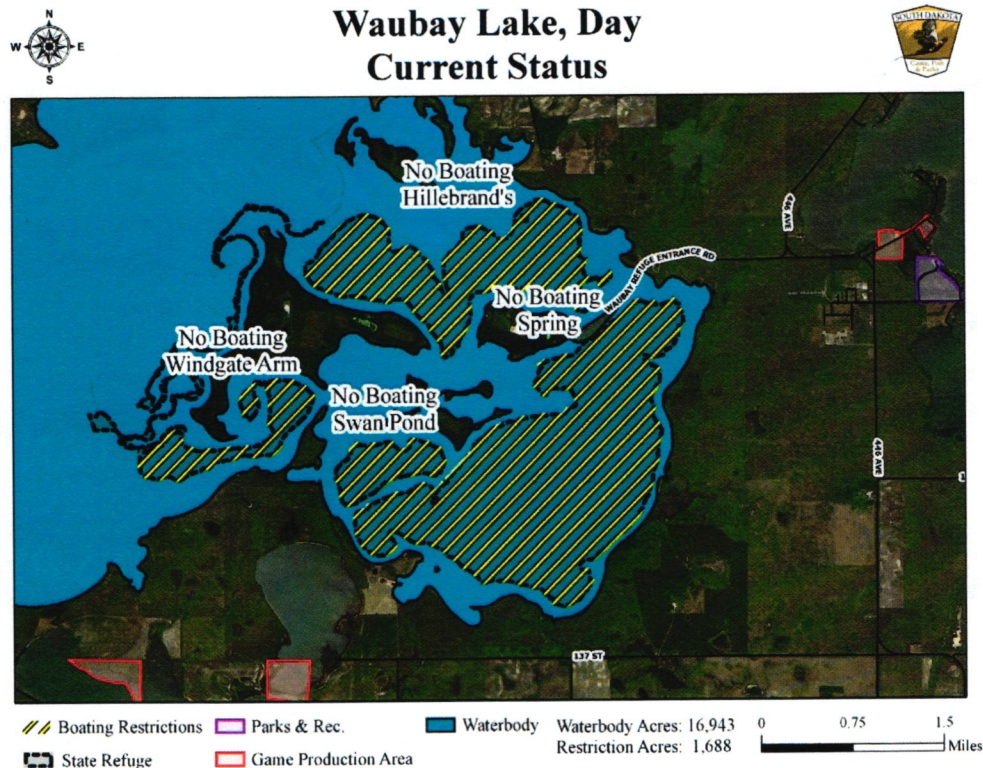
Recommended changes from last year:

- 5) Reclassify Waubay State Game Refuge to Waubay State Game Bird Refuge, and remove the "no boating zone" and "State Game Refuge" status in the Windgate Arm;

41:05:02:18. Day County game refuges. The refuge in Day County is the Waubay State Game Bird Refuge. This refuge comprises the lands and waters below the ordinary high-water mark associated with Hillebrand's Lake, Spring Lake, and Swan Pond; that portion of Waubay Lake known as Windgate Arm lying east of the dike located in the south half of section 36, township 123 north, range 55 west; and the land below the ordinary high-water mark on Waubay Lake lying adjacent to Waubay National Wildlife Refuge.

41:04:02:18. Day County public water safety zones. Day County public water safety zones are as follows:

- (6) That portion of Waubay Lake known as Windgate Arm lying east of the dike located in the south half of section 36, township 123 north, range 55 west of the fifth principal meridian is a "no boating zone";



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

Work group members met with Waubay NWR staff to discuss options that would allow for more recreational opportunities within the NWR boundary. Eliminating the no boating year round and State Game Refuge restrictions will allow recreational opportunities within the Windgate Arm portion of Waubay Lake. Reclassifying the Game Refuge to a Game Bird Refuge within the NWR boundary will allow refuge deer hunters the opportunity to harvest a deer and cleanup a rule that isn't needed.

COMMISSION PROPOSAL

ACTION ITEM #4

Recommended changes from last year:

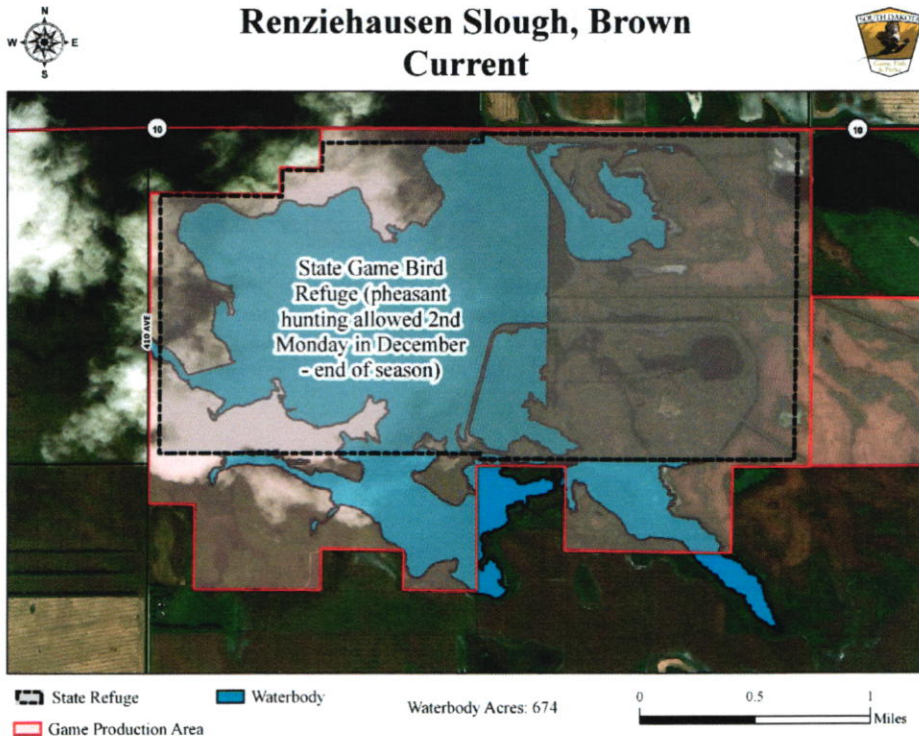
- 6) Modify the pheasant hunting starting date from the 2nd Monday in December to December 1 for Renziehausen State Game Bird Refuge including its shooting and retrieval zones, Gerken State Game Bird Refuge, and White Lake State Game Bird Refuge.

41:06:08:01. Pheasant hunting season established -- Open units and dates. The pheasant hunting season is open in the units and during the dates set out in this section. The season is open from 12:00 noon central time to sunset each day to the Friday preceding the fourth Saturday of October, inclusive. Beginning on the fourth Saturday of October, the season is open from 10:00 a.m. central time to sunset each day. The open dates and units are as follows:

(1) Unit 1: all counties in the state except for those areas described in Unit 2 and Unit 3. The season in Unit 1 is open beginning on the third Saturday of October and remains open to the first Sunday of January, inclusive;

(2) Unit 2: Renziehausen Game Production Area, Renziehausen State Game Bird Refuge including its shooting and retrieval zones, Gerken State Game Bird Refuge, ~~Sand Lake National Wildlife Refuge in Brown County~~, and White Lake State Game Bird Refuge. The season in Unit 2 is open beginning on the ~~second Monday of December 1~~ and remains open to the first Sunday of January, inclusive.

(3) Unit 3: Sand Lake National Wildlife Refuge in Brown County. The season in Unit 3 is open beginning on the second Monday of December and remains open to the first Sunday of January, inclusive.





DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

Currently, Gerken GPA, Renziehausen GPA and White Lake GPA open for pheasant hunting starting the 2nd Monday in December (December 11th in 2017). Data collected from the Waubay Refuge staff indicates average freeze dates since 1996 have occurred on December 1. This change would increase pheasant hunting opportunity on these GPA's and on an average year, would cause no disturbance to staging migratory waterfowl because the waterbodies would be frozen.

COMMISSION PROPOSAL

ACTION ITEM #5

Recommended changes from last year:

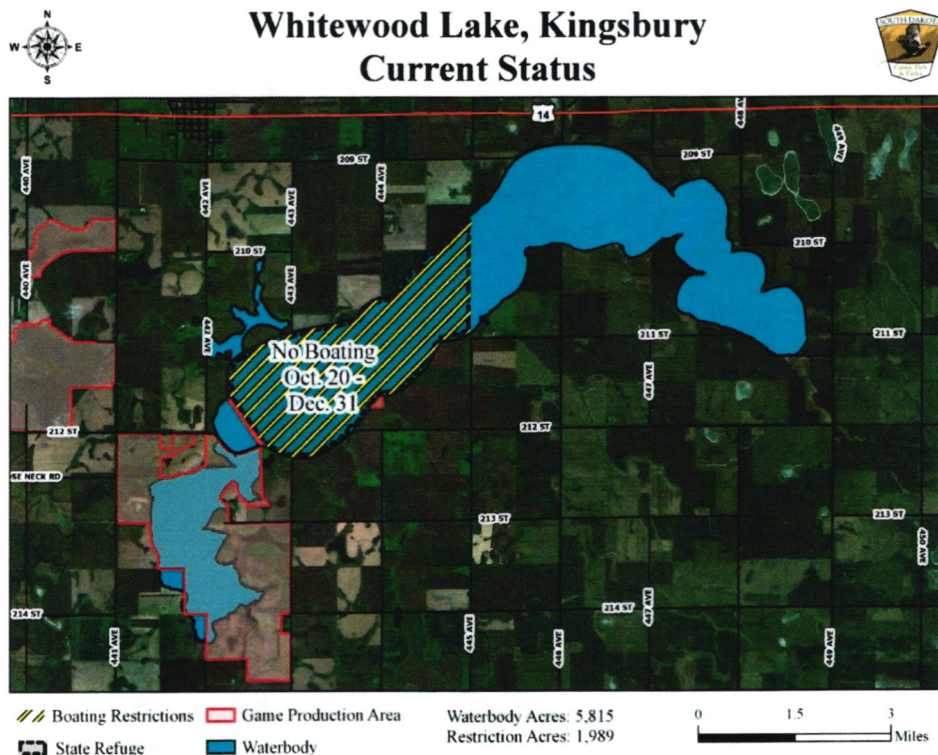
- 7) Remove the Whitewood Lake State Waterfowl Refuge and the "no boating zone" from October 20 to December 31

41:05:02:38. Kingsbury County refuges. The refuge in Kingsbury County is:

~~The Whitewood Lake State Waterfowl Refuge. This refuge comprises that portion of Whitewood Lake within the water's edge, bounded on the east by the east section line of sections 9 and 16, township 110 north, range 54 west of the fifth principal meridian and bounded on the west by the Chicago, Milwaukee and St. Paul Railroad grade, as posted, including all islands and bars within the area.~~

41:04:02:38. Kingsbury County public water safety zones. Kingsbury County public water safety zones are as follows:

- ~~(2) Whitewood Lake Waterfowl Refuge is a "no boating zone" from October 20 to December 31, inclusive;~~



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

There is a vast amount of water covering the landscape in the surrounding area (>20,000 acres within a 5 mile radius) and Whitewood Lake is also a very popular fishery. Removing the restrictions would add recreational opportunities and simplify regulations.

ACTION ITEM #6

Recommended changes from last year:

- 8) Change the "no boating zone" during the open season on migratory waterfowl to "electric motors only" from October 20 – December 31.

41:05:02:54. Roberts County refuges. Roberts County refuges are as follows:

The Cottonwood Lake State Waterfowl Refuge comprises all of Cottonwood Lake within the water's edge in sections 20, 28, 29, 32, and 33, township 128 north, range 49 west of the fifth principal meridian, including all islands and bars within the water's edge;

41:04:02:54. Roberts County public water safety zones. Roberts County public water safety zones are as follows:

- (3) The waters of the portions of the Cottonwood Lake Waterfowl Refuge located in sections 20, 28, 29, 32, and 33, township 128 north, range 49 west are a "no-boating zone" "electric motors only" ~~during the open season on migratory waterfowl~~ from October 20 – December 31;



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Modify "electric motors only" to "electric motors zone"

STAFF COMMENTS

- "Electric motors zone," an area which is closed to the use of all motors except any electric-powered motor.

Making this change will simplify rules and allow more recreational opportunity. Retaining the refuge status and allowing only boats with no motors or electric motors will still allow a quiet place for waterfowl to stage.

COMMISSION PROPOSAL

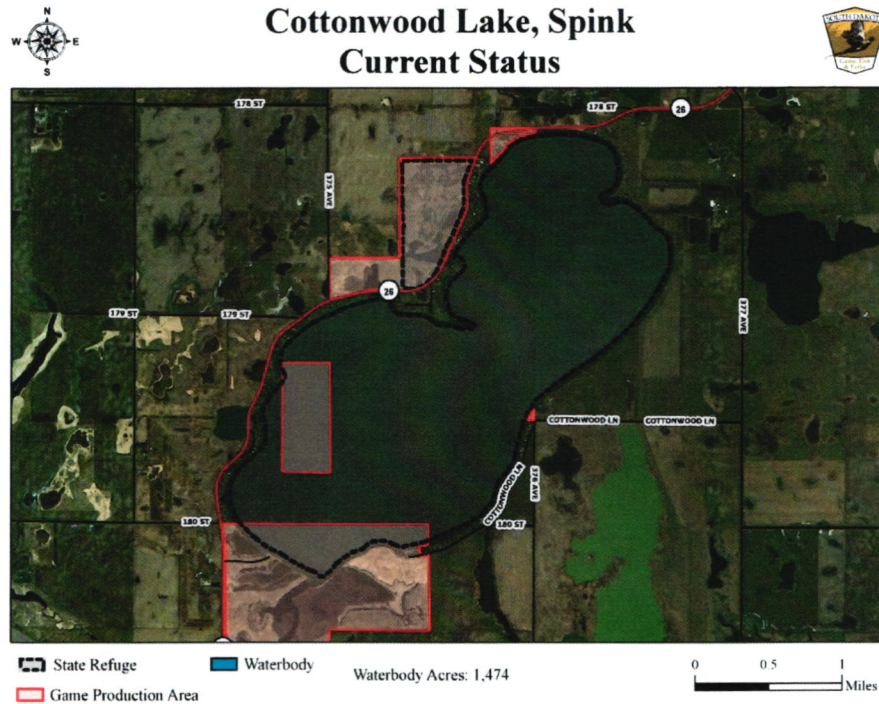
ACTION ITEM #7

Recommended changes from last year:

- 9) Remove the State Waterfowl Refuge status on the Game Production Area located on the south side of Cottonwood Lake

41:05:02:57. Spink County refuges. Spink County refuges are as follows:

The Cottonwood Lake State Waterfowl Refuge comprises the waters of Cottonwood Lake; excluding the area owned by Game, Fish and Parks on the southern portion of Cottonwood Lake.



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

Work group recommends removing the waterfowl refuge status on the GPA towards the southern end of the lake. Allowing water hunting will increase hunting opportunities and not affect the staging waterfowl on the rest of the lake.

Recommended changes from last year:

- (2) That portion of Long Lake in sections 11, 12, 13, and 14 of township 117 north, range 55 west, is a "electric motors only" from October 20 – December 31; ~~"no boating zone"~~ year round;



Recommended changes from proposal: Modify “electric motors only” to “electric motors zone”

STAFF COMMENTS

- "Electric motors zone," an area which is closed to the use of all motors except any electric-powered motor.

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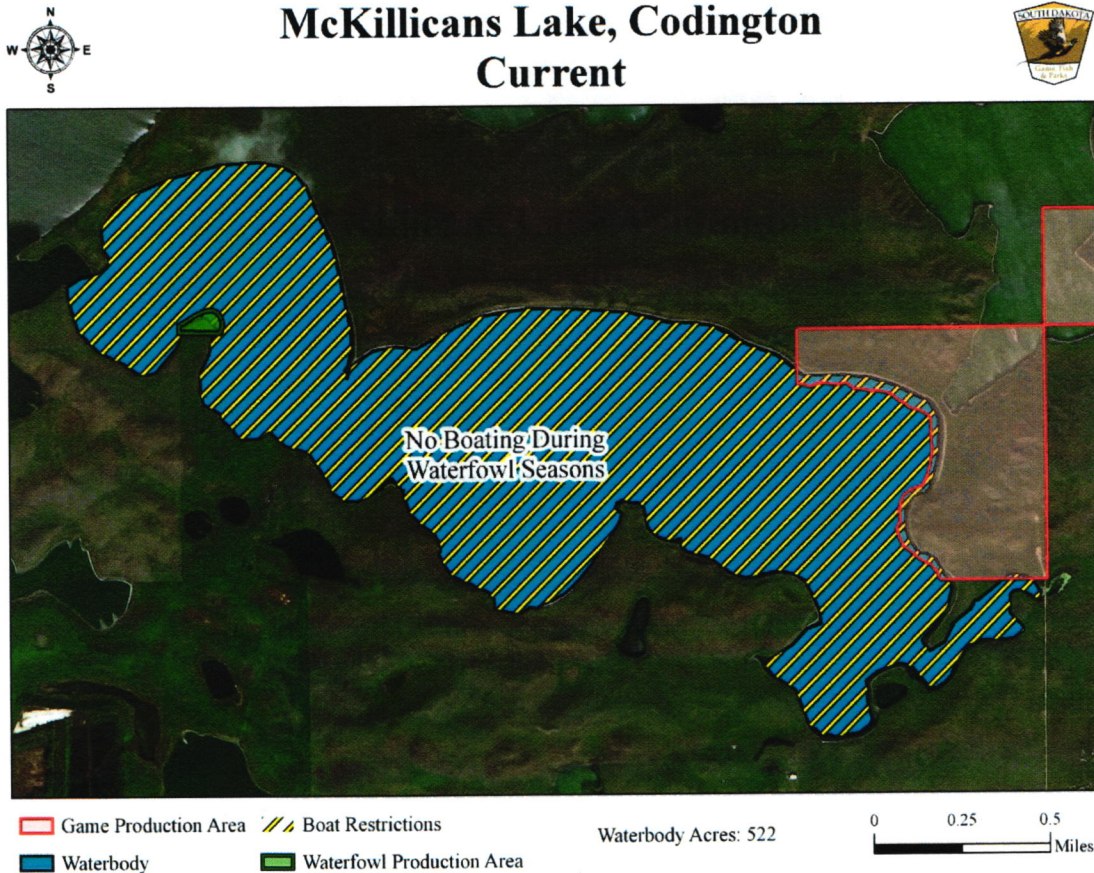
ACTION ITEM #10

Recommended changes from last year:

- 12) Modify the "no boating zone" during open season on migratory waterfowl on McKillicans Lake to "electric motors only" from October 20 – December 31.

41:04:02:14. Codington County public water safety zones. Codington County public water safety zones are as follows:

- (3) All of McKiligan Lake is "~~no boating zone~~" "electric motors only" from ~~during open season on migratory waterfowl~~ from October 20 – December 31;



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Modify "electric motors only" to "electric motors zone"

STAFF COMMENTS

- "Electric motors zone," an area which is closed to the use of all motors except any electric-powered motor.

Implementing this change will add more recreational opportunities for the public, streamline existing regulations and still offer an area for waterfowl to stage.

ACTION ITEM #11

Recommended changes from last year:

- 13) Modify the "no motor zone" during open season on migratory waterfowl on Horseshoe Lake to "electric motors only" from October 20 – December 31.

41:04:02:14. Codington County public water safety zones. Codington County public water safety zones are as follows:

- (4) All of Horseshoe Lake is a "~~no-motors zone~~" "electric motors only" ~~during open season on migratory waterfowl from October 20 – December 31;~~



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Modify "electric motors only" to "electric motors zone"

STAFF COMMENTS

- "Electric motors zone," an area which is closed to the use of all motors except any electric-powered motor.

Implementing this change will add more recreational opportunities for the public, streamline existing regulations and still offer an area for waterfowl to stage.

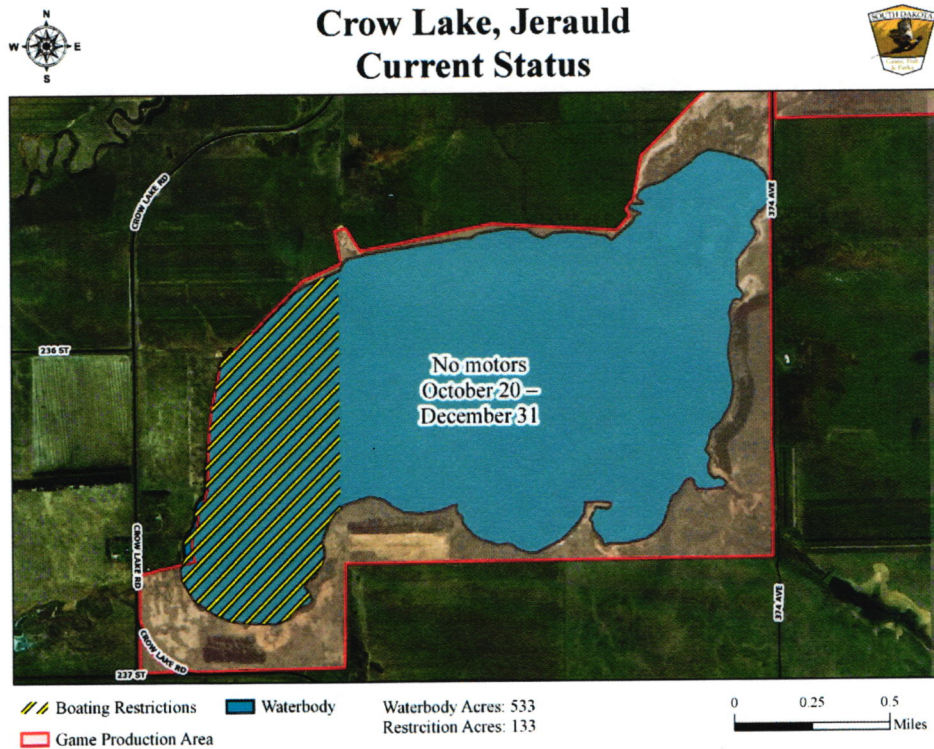
ACTION ITEM #12

Recommended changes from last year:

- 14) Remove the "no motorized boating zone" on Crow Lake from October 20 to December 31

41:04:02:36. Jerauld County public water safety zones.

That portion of Crow Lake in Jerauld County lying west of the north/south section lines between sections 22 and 23 and sections 26 and 27, township 106 north, range 66 west is a "no motorized boating zone" from October 20 to December 31, inclusive.



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

Recommend removing restriction to increase recreational opportunities and simplify regulations. Crow Lake is a shallow semi-permanent wetland that periodically goes dry.

COMMISSION PROPOSAL

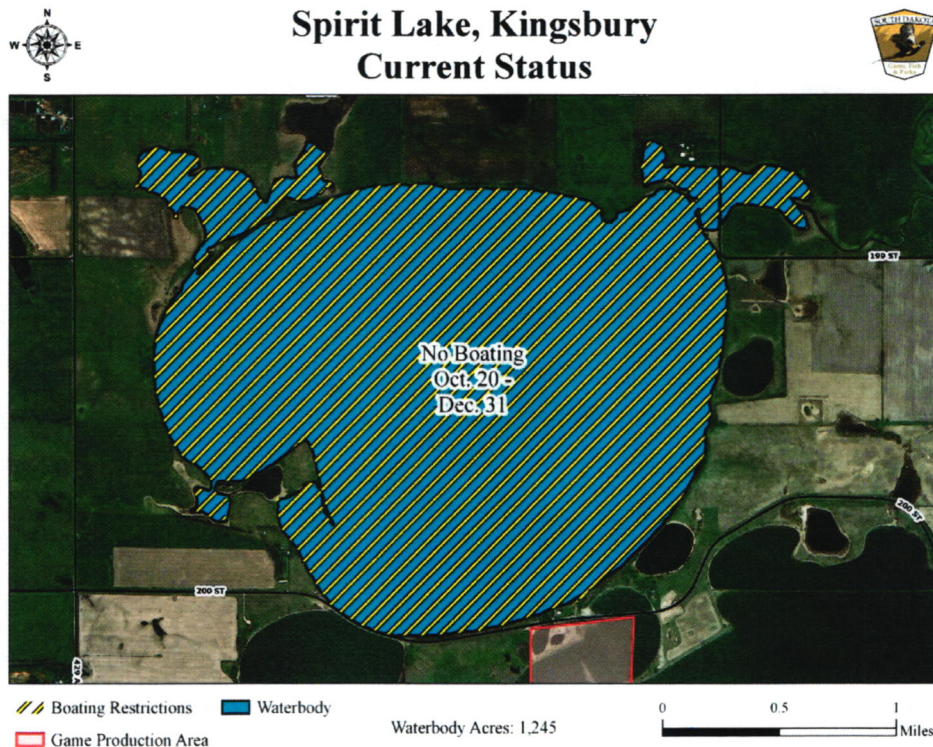
ACTION ITEM #13

Recommended changes from last year:

- 15) Modify the "no boating zone" on Spirit Lake to "electric motors only" from October 20 to December 31.

41:04:02:38. Kingsbury County public water safety zones. Kingsbury County public water safety zones are as follows:

- (1) Spirit Lake is a ~~"no boating zone"~~ "electric motors only" from October 20 to December 31, inclusive;



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Modify the proposal to remove the "no boating zone" on Spirit Lake from October 20 to December 31.

STAFF COMMENTS

After further discussions with field staff and members of the public, staff would like to remove the Spirit Lake boating restriction because the size of Spirit Lake (>1200 acres) is not conducive to an electric motor zone. Other key criteria to consider:

- 1) Spirit Lake is a very popular fishery (stocked with walleyes in 2011, 2014, 2015 and 2016).
- 2) 88% of Spirit Lake is a meandered basin.
- 3) 4.4% (3,026 acres) of the landscape within a 5 mile radius is covered with water.

COMMISSION PROPOSAL

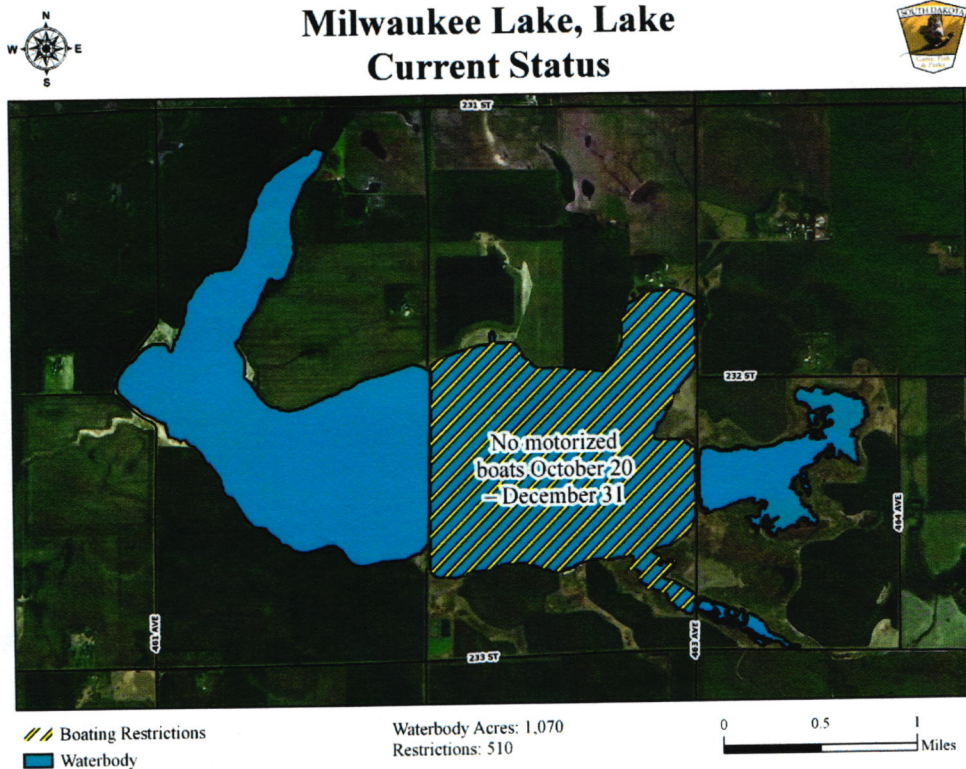
ACTION ITEM #14

Recommended changes from last year:

- 16) Remove the "no motors zone" on Milwaukee Lake from October 20 to December 31.

41:04:02:39. Lake County public water safety zones. Lake County public water safety zones are as follows:

(3) The meandered portion of Milwaukee Lake located in section 33, township 107 north, range 51 west and section 4, township 106 north, range 51 west is a "no motors zone" for boats from October 20 to December 31, inclusive;



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

This change will allow more recreational opportunity and simplify regulations.

COMMISSION PROPOSAL

ACTION ITEM #15

Recommended changes from last year:

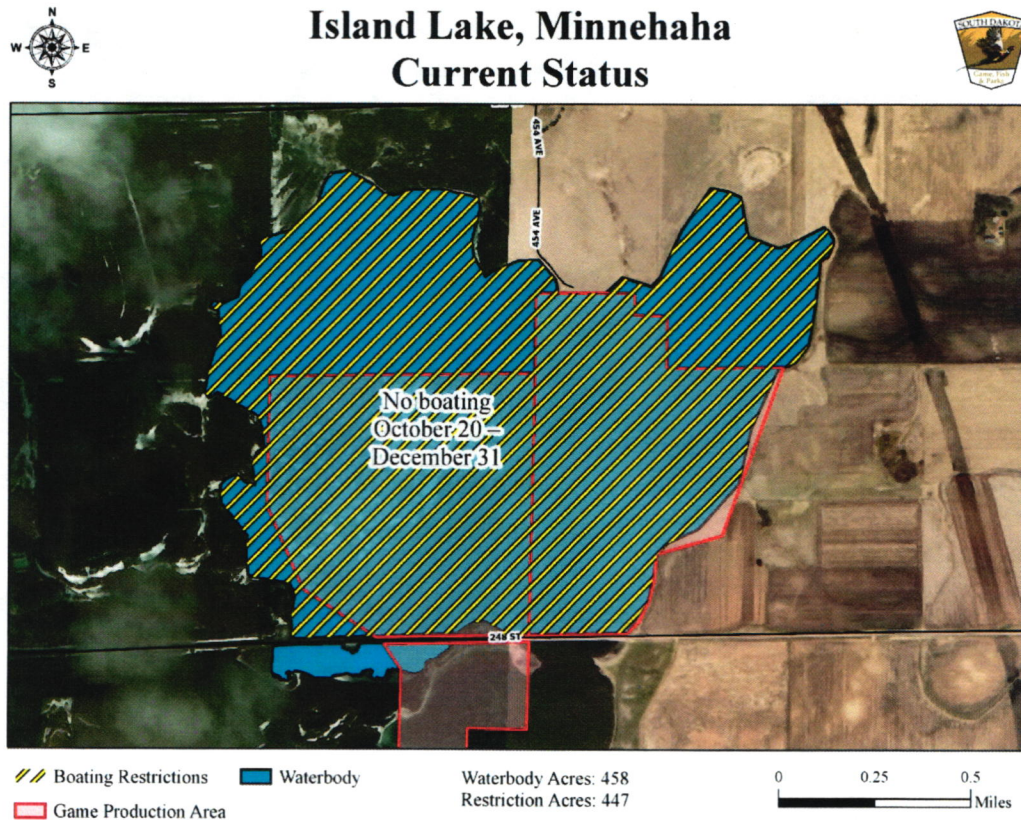
17) Remove the "no boating zone" on Island Lake from October 20 to December 31.

41:04:02:43. McCook County public water safety zones. McCook County public water safety zones are as follows:

(2) That portion of Island Lake lying north of McCook County Road 6 is a "no boating zone" from October 20 to December 31, inclusive.

41:04:02:49. Minnehaha County public water safety zones. Minnehaha County public water safety zones are as follows:

(5) The waters of that portion of Island Lake lying north of Minnehaha County Road 110 are a "no boating zone" from October 20 to December 31, inclusive;



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

Island Lake is a popular fishery with a diverse fish community. Field staff hear from the public requesting the ability to fish longer into the fall. Clear Lake (472ac) is located 6.5 miles SE of Island Lake which has a similar boating restriction.

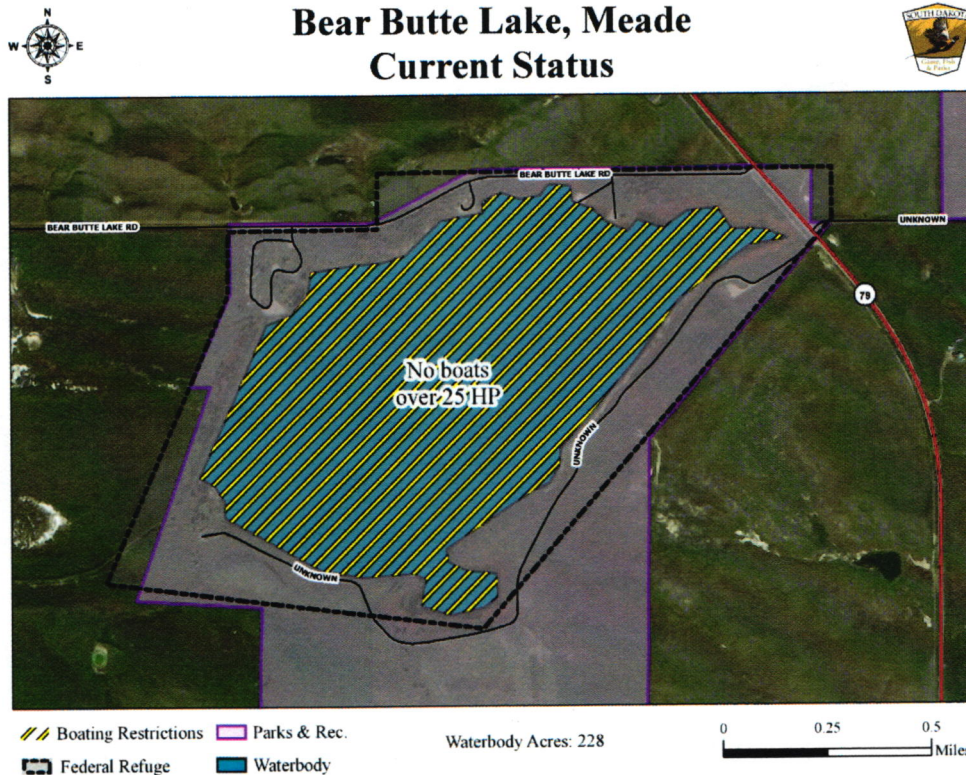
COMMISSION PROPOSAL

ACTION ITEM #16

Recommended changes from last year:

- 18) Modify the "no motors over 25 h.p. zone" on Bear Butte Lake to a "no wake zone"

41:04:02:46. Meade County public water safety zones. Bear Butte Lake in Meade County is a "~~no motors over 25 h.p. zone.~~" "no wake zone."



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

STAFF COMMENTS

This will allow more boaters to safely utilize the lake. This would also be more consistent with erosion and safety rules at other state parks.

COMMISSION PROPOSAL

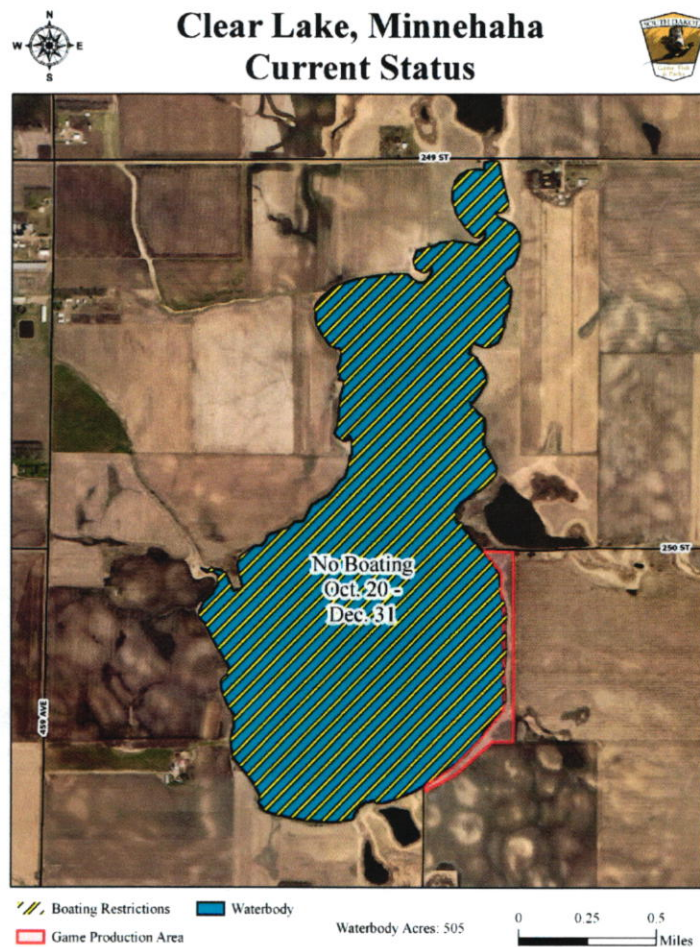
ACTION ITEM #17

Recommended changes from last year:

- 19) Modify the "no boating zone" on Clear Lake to "electric motors only" from October 20 to December 31.

41:04:02:49. Minnehaha County public water safety zones. Minnehaha County public water safety zones are as follows:

- (2) Clear Lake is a ~~"no boating zone"~~ "electric motors only" from October 20 to December 31, inclusive;



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Modify "electric motors only" to "electric motors zone"

STAFF COMMENTS

- "Electric motors zone," an area which is closed to the use of all motors except any electric-powered motor.

This would allow for some limited fall fishing opportunity, limited water hunting opportunity, while still allowing staging waterfowl opportunities.

ACTION ITEM #18

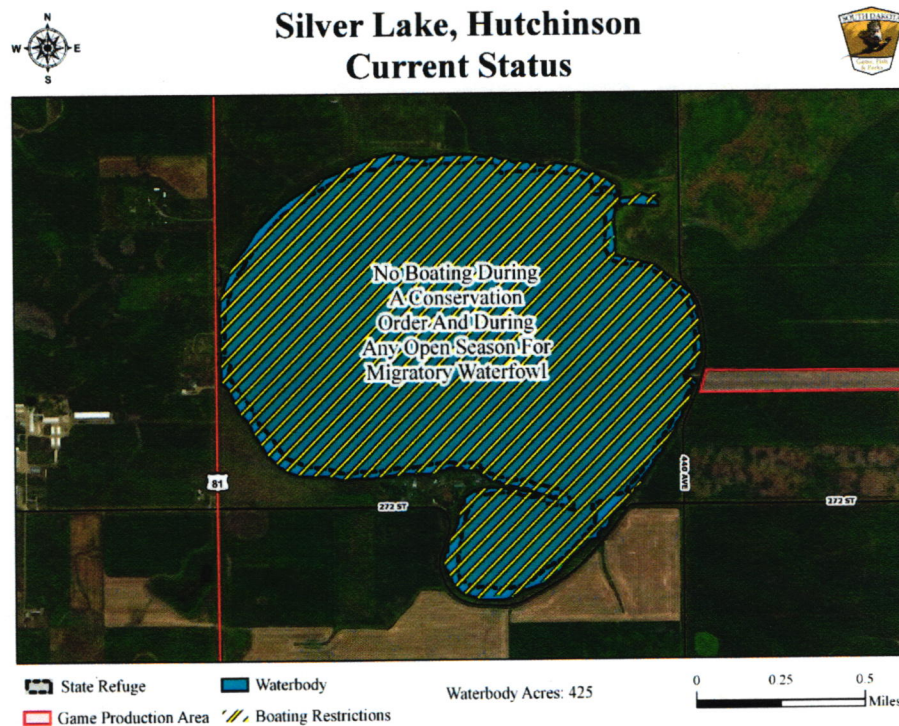
Recommended changes from last year:

- 20) Remove the "no boating zone" on Silver Lake during a Conservation Order (spring taking of light geese) as well as during the regular open season on migratory waterfowl

41:05:02:33. Hutchinson County refuges. The following refuge is in Hutchinson County: the Silver Lake Waterfowl Refuge comprises all of Silver Lake below the high-water mark including all islands and bars lying within the high-water mark.

41:04:02:33. Hutchinson County public water safety zones. Hutchinson County public water safety zones are as follows:

- (1) ~~Silver Lake is a "no boating zone" during a Conservation Order (spring taking of light geese) as well as during the regular open season on migratory waterfowl;~~



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Reject the Silver Lake Commission Proposal

STAFF COMMENTS

Staff would like to retain the refuge status and the "no boating zone" restriction because water is a limited resource in the area (<100 acres within a 5 mile radius), and as a result, limited waterfowl staging opportunities exist in this area.

COMMISSION PROPOSAL

ACTION ITEM #19

Recommended changes from last year:

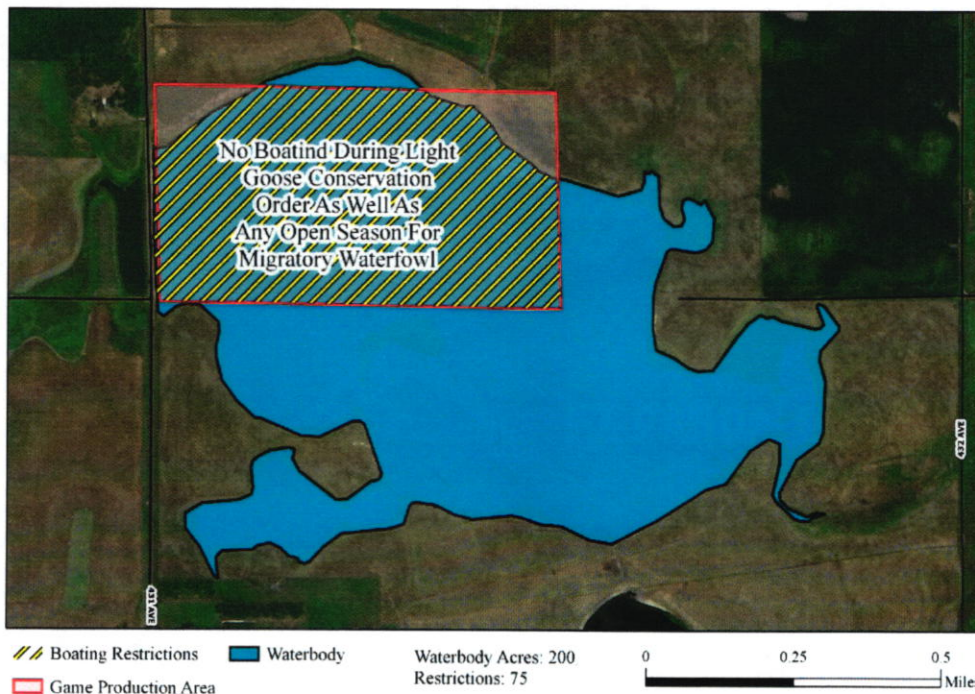
- 21) Modify the "no boating zone" during a Conservation Order and during any open season for migratory waterfowl on Lehrman Game Production Area to "electric motors only" from October 20 – December 31.

41:04:02:43. McCook County public water safety zones. McCook County public water safety zones are as follows:

(4) The waters of Lehrman Game Production Area in section 32, township 103 north, range 56 west are a ~~"no boating zone"~~ "electric motors only" during a Conservation Order and during any open season for migratory waterfowl, from October 20 – December 31 inclusive.



Lehrman Slough, McCook Current Status



DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Reject the Lehrman Slough Commission Proposal

STAFF COMMENTS

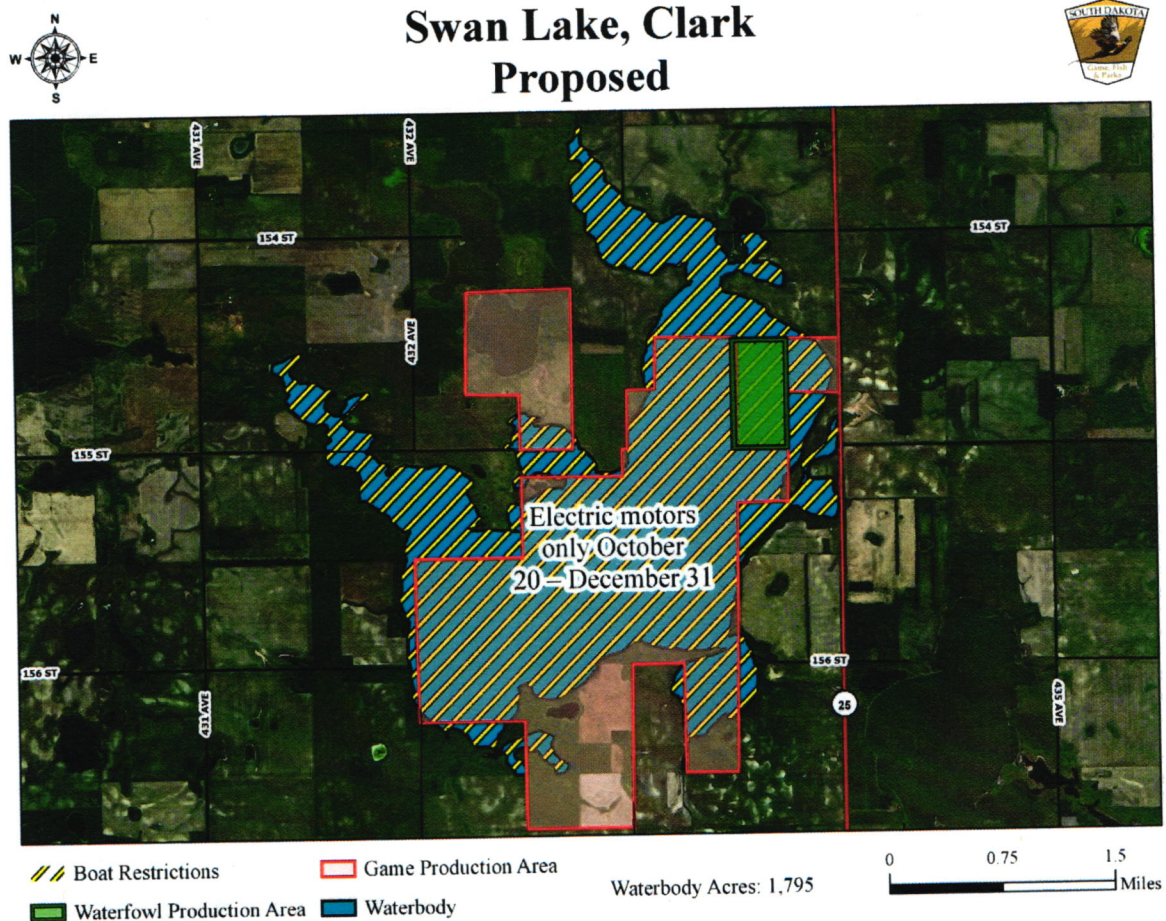
An agreement has been made with the adjacent landowners to allow public access across a portion of their private property to access the landlocked portion of public land in the northeast corner of the game production area.

COMMISSION PROPOSAL

ACTION ITEM #20

Recommended changes from last year:

- 22) Add "electric motors only" zone on Swan Lake in Clark County from October 20 – December 31.



DEPARTMENT RECOMMENDATIONS

Reject the Swan Lake Commission proposal.

STAFF COMMENTS

This change would limit recreational opportunities and contradicts information outlined in the criteria document used to justify the elimination and/or modification of other boating restrictions and refuges. Key criteria to consider:

- 1) 13.1% (10,390 acres) of the landscape is covered with water within a 5-mile radius
- 2) 66% of the Swan Lake basin is publicly owned
- 3) Swan Lake has been stocked with walleye about every other year since 1998 and has been a very popular fishery for the past 20 years.