

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

A Public Hearing will be held at the Watertown Event Center – 1901 9th Avenue SW, Watertown, SD, 57201 at 2:00 pm (Central) on Thursday, September 7, 2023. The public hearing is to consider adoption, amendment and repeal of Rules pertaining to:

1. ARSD 41:06:01:09 - Application for unsold big game licenses -- Future eligibility.

Effect: Restrict the number of applications a person may submit during certain draws for Prairie Spring Turkey, Fall Turkey, and Prairie Antelope.

Reason: The popularity of turkey and antelope hunting in South Dakota has seen a steady increase in applications. This change will allow more applicants the opportunity to hunt each year as well as creating consistency among turkey and antelope season draws.

2. ARSD 41:07:01:12 - Fishing license fees.

Effect: The proposed change would include the costs of hoop net, trap and setline licenses.

Reason: Including the cost of resident hoop, net, trap and setlines with other fishing license fees reduces the number of administrative rules needed to define costs.

3. ARSD 41:07:01:17 - Liberalized take of silver carp, bighead carp, rough fish, smelt, and lake herring.

Effect: The proposed change would permit invasive carps and rough fish to be taken with dip nets.

Reason: Allowing the use of dip nets to take invasive carps and rough fish would increase opportunity for anglers while having no biological impacts.

4. ARSD 41:07:01:20 - Authorization for landowner to perform fisheries management activities -- Conditions.

Effect: Language added should clarify what the term “resident” means in this rule.

Reason: The proposed change would provide clarification of license and limit requirements of landowners.

5. ARSD 41:07:03:02 - South Dakota-Minnesota boundary waters.

Effect: The proposed rule would establish a catch-and-release lake sturgeon season on Big Stone Lake.

Reason: A catch-and-release lake sturgeon season would allow for anglers to target these fish and have little to no biological impact on the population.

6. ARSD 41:07:05:02 - Paddlefish season in special management areas.

Effect: The proposed change would modify the number of resident paddlefish tags on Lake Francis Case.

Reason: The change would increase fishing opportunities by allowing additional tags while remaining within the safe harvest estimates.

7. ARSD 41:07:06:03 - Areas open to spearing of game fish.

Effect: The proposed change would allow for rainbow trout to be harvested by legal spearing and archery methods from reservoirs within the Black Hills Fish Management Area.

Change: Allowing spearing and archery of rainbow trout would increase user opportunity while having no biological impacts.

8. ARSD 41:07:08:01 - License requirements and fees.

Effect: The proposed change will repeal a rule that establishes hoop net and trap license fees in order to move the fees into another administrative rule.

Reason: The change clarifies administrative rules and creates a more consistent approach as to where fees are located within administrative rule.

9. ARSD 41:07:08:02 - Maximum number of hooks allowed on setlines and floatlines

-- Mechanical devices prohibited.

Effect: The proposed rule clarifies the number of floatlines that may be fished under a setline license.

Reason: This clarification allows the use of floatlines under the setline license, expanding the fishing methods permitted.

10. ARSD 41:09:04:02.04 - Species that may be taken as bait for noncommercial use.

Effect: The proposed change would clarify what methods may be used to take bait species.

Reason: Clarifying the method by which bait species can be taken will provide consistency within rule and clarify better for public understanding.

11. ARSD 41:09:04:04 - Seines, nets, and traps limited.

Effect: The proposed rule would specify the methods used for harvesting bait.

Reason: The recommended change would clarify the types of traps that may be used to harvest bait.


Interested persons will be given reasonable opportunity to submit data, opinions, arguments, and their views, either orally or in writing (or both) at the hearing. Persons unable to attend the hearing may mail data, opinions, arguments, and their views to the office of the Secretary of the Department of Game, Fish, and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501, or by going to the GFP website at <http://gfp.sd.gov/forms/positions>. All persons who desire to submit written data, opinions, arguments, and their views by mail or email are encouraged to mail or transmit the same in sufficient time so that it is received by and in the office of the Secretary of the Department of Game, Fish, and Parks 72 hours prior to the date of the hearing. Interested persons will be given reasonable opportunity to submit data, opinions, arguments and their views, either

orally or in writing (or both) to the Commission for their consideration. All written and email comments must include the name, home town/city, and state of the person submitting the comments.

The above rule proposals are available for review on the internet by going to <https://rules.sd.gov/> and copies of the proposed rules may be requested from the office of the Secretary of the Department of Game, Fish, and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Any individuals with disabilities who will require a reasonable accommodation in order to participate in the hearing should submit a request to the undersigned at 605.773.3718 or 605.223.7684 (Telecommunication Device for the Deaf).

Dated this 11th day of August, 2023.

(SEAL)



Kevin Robling, Secretary

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