



COMMISSION AGENDA

Game, Fish and Parks Commission
August 31 – September 1, 2022
Good Earth State Park Visitor Center
26924 480th Avenue, Sioux Falls, SD 57108

CALL MEETING TO ORDER AT 1:00 PM CT/12:00 PM MT – DAY 1, 11:56 MARK

Chairman Russell Olson called the meeting to order at 1:00 pm CT at Good Earth State Park Visitors Center in Sioux Falls, South Dakota. Commissioners Travis Bies, Stephanie Rissler, Russell Olson, Jon Locken, Julie Bartling, Robert Whitmyre, and Chuck Spring were present. The public and staff could listen via SDPB Livestream, participate via video conference, or in person, with approximately 96 total participants via zoom or in person.

DIVISION OF ADMINISTRATION

1. CONFLICT OF INTEREST DISCLOSURE – DAY 1, 00:12:15 MARK

Chairman Olson called for a conflict of interest to be disclosed. *None were present.*

2. APPROVE MINUTES OF THE JULY 2022 MEETING – DAY 1, 00:13:38 MARK

Chairman Olson called for any additions or corrections to the regular meeting minutes of July 7-8, 2022. Minutes are available at <https://gfp.sd.gov/commission/archives/>. *Motion by Rissler with second by Bartling to APPROVE THE MINUTES OF THE JULY 7-8, 2022, REGULAR MEETING. Motion carried unanimously.*

3. ADDITIONAL COMMISSIONER SALARY DAYS – DAY 1, 00:13:59 MARK

Chairman Olson called for additional salary days. No additional commission salary days were submitted for approval.

4. SOUTH DAKOTA PARKS & WILDLIFE FOUNDATION UPDATE – DAY 1, 00:14:30 MARK

Kristina Coby, Executive Development Director of the South Dakota Parks & Wildlife Foundation, provided an update on Foundation activities. Her update included a thank you to all commissioners for attending the Outdoor Campus - Sioux Falls Anniversary & Campaign Kick-Off the night before their meeting. Kristina shared that the Foundation has committed to raising \$3 million of the approximate \$7 million price tag of the Outdoor Campus expansion project. The project includes the addition of indoor and outdoor bb gun/archery ranges, new classrooms, remodeled bathrooms, and additional storage and office space to accommodate programming needs. The estimated timeline includes outdoor range construction beginning in 2024.

5. SECOND CENTURY HABITAT FUND UPDATE – DAY 1, 00:18:42 MARK

Brian Bashore, Executive Director of the Second Century Habitat Fund, informed the Commission that the SCHF has raised \$182,000 this year, with over \$1.15 million in the pipeline from federal grants and private corporate donors. SCHF has enrolled 594 acres into the Workinglands Program in 2022 at an investment of \$195,000, bringing the total to 7,512 acres at \$1,240,246 invested in landowner contracts and seed. SCHF will also launch their 2022/23 raffle of a Toyota Tundra pickup truck with 165 Alumacraft Boat around the 1st of October.

6. GO OUTDOORS SOUTH DAKOTA UPDATE -FISK - DAY 1, 00:22:07 MARK / BECHARD - DAY 1, 1:45:24 MARK

Keith Fisk, Licensing Program Administrator, updated the commission virtually on the Combined Deer drawing and tag/license printing status. Customers should receive their tag/license by mid-September. All other limited draw printing is moving forward as expected and should be mailed daily. GFP is prepping to open the Landowner-Own-Land licenses in mid-September and preparing for a busy Fall with pheasant season not far away. Keith also answered several questions regarding the deer draws and eligibility at different draw levels.

Jodi Bechard, Parks Business Manager, virtually reported on the parks side of Go Outdoors South Dakota. She indicated that the initial launch of Go Outdoors had a few bumps but is moving smoothly now. GF&P pushed

through some updates and items from internal and external customers to get fixed or changed over the winter months.

7. NON-MEANDERED WATERS UPDATE – DAY 1, 00:30:58 MARK

Rhet Russell, Wildlife Biologist, reported there are currently 43 posted closures for a total of 5,758.25 acres ranging from 0.25 to 1,010 acres in 11 counties, most of which are in the northeast region. These acreages have remained consistent, though they vary by a couple of thousand acres each year depending on water levels and weather. Currently, 12 agreements with landowners provide access to 13,000 acres of non-meandered waters. These agreements range in length from a few months up to ten years. The department will continue to work with landowners on possible contracts to keep the non-meandered waters for recreational use.

PETITIONS

8. SHERIDAN LAKE WALLEYE LIMIT

EDEL - DAY 1, 58:54 MARK / KIRSCHENMANN - DAY 1, 1:04:35 MARK; DAY 1 – 1:31:01 MARK

DENIAL RESOLUTION - DAY 2, 00:32:06 MARK

Petition received August 7, 2022, from Ken Edel of Rapid City, SD, requesting a change to the state walleye daily limit to four fish, no minimum, one fish over twenty inches.

Department recommendation: Denial, as the department does not want to create inconsistency in the statewide walleye regulations and believes the current and future stocking rates should sustain overall walleye limits.

Motion by Rissler, seconded by Spring to DENY THE PETITION ON A STATEWIDE WALLEYE LIMIT. Motion carried unanimously.

Motioned by Rissler, seconded by Bies to ADOPT RESOLUTION 22-16 TO DENY THE PETITION ON A STATEWIDE WALLEYE LIMIT. Motion carried unanimously.

PROPOSALS

9. SPRING TURKEY – DAY 1, 00:46:35 MARK

9A. CUSTER STATE PARK SPRING WILD TURKEY HUNTING SEASON – CHAPTER 41:06:15

Department recommended changes from last year:

1. Change the season start date from the 2nd to the 3rd Saturday in April.
2. Format and style change for the maximum number of licenses and preference point unit.

Department recommended changes to proposal:

1. Changes the proposed season start date from the 2nd to the 4th Saturday in April.
 - a. April 22-May 21, 2023
 - b. April 27-May 19, 2024

Motioned by Rissler and seconded by Locken to APPROVE THE AMENDMENT TO THE PROPOSAL. Motion carried unanimously.

Motioned by Locken and seconded by Whitmyre to APPROVE PROPOSAL AS AMENDED. Motion carried unanimously.

9B. SPRING WILD TURKEY HUNTING SEASON – CHAPTERS 41:06:13 & 41:03:01

Department recommended changes from last year:

1. Modify the season dates for all spring turkey hunting seasons to begin on the third Saturday of April and end on May 31.
2. Adjust the maximum number of licenses available in administrative rule from no more than 5,807 to 10,000 one-tag "male turkey" licenses and from no more than 600 to 2,500 two-tag "male turkey" licenses.

3. Eliminate Unit BST-BH2, which provides for a second Black Hills spring turkey licenses for resident hunters.
4. Modify the season dates for those prairie units with split season seasons.
5. Modify the valid time during the season when access permits are valid for Good Earth State Park and Adams Homestead and Nature Preserve.
6. Modify the valid time during the season when hunters can have uncased weapons within the boundary of Sica Hollow State Park.

Department recommended changes from the proposal:

1. Change the proposed season start date from the 3rd Saturday in April to the 2nd Saturday in April for the prairie spring turkey season. This would be a no change to the current administrative rule.
 - a. April 8 – May 31, 2023
 - b. April 13 – May 31, 2024
2. Change the proposed season start date from the 3rd Saturday in April to the 4th Saturday in April for the Black Hills spring turkey season.
 - a. April 22 – May 31, 2023
 - b. April 27 – May 31, 2024
3. Withdraw the proposed changes for the season dates for those prairie units with split seasons. This would be a no change to the current administrative rule.
4. Withdraw the proposed changes to modify the valid time during the season when access permits are valid for Good Earth State Park and Adams Homestead and Nature Preserve. This would be a no change to the current administrative rule.
5. Withdraw the proposed changes to modify the valid time during the season when hunters can have uncased weapons within the boundary of Sica Hollow State Park. This would be a no change to the current administrative rule.
6. For archery and mentored spring turkey licenses, season start dates would align with the prairie and Black Hills seasons.
7. For the Fall River prairie hunting unit, remove the allowance to hunt within one mile of the Cheyenne River in the Black Hills hunting unit.

Motioned by Rissler and seconded by Bartling to APPROVE THE AMENDMENTS TO THE PROPOSAL. Motion carried unanimously.

Motioned by Whitmyre and seconded by Bartling to APPROVE PROPOSAL AS AMENDED. Motion carried unanimously.

PUBLIC HEARING – 2:00 PM CST / 1:00 PM MST – DAY 1, 1:14:00 MARK

Jon Kotilnek, senior staff attorney, opened the floor to testimony from those in attendance on matters of importance to them that may not be on the agenda. The public hearing started at 2:01 pm CST, with two persons testifying. The public hearing concluded at 2:07 pm CT. Public hearing minutes following these commission meeting minutes.

OPEN FORUM – FOLLOWING PUBLIC HEARING – DAY 1, 1:20:20 MARK

Jon Kotilnek, senior staff attorney, opened the floor for discussion from those in attendance on matters of importance to them that may not be on the agenda. The open forum started at 2:07 pm MT.

- Jerry LeClair of Sioux Falls, SD. Expressed concern about docks and fish cleaning stations.
- Mary Kay Fausch of Harrisburg, SD, representing the Timber Ridge HOA, expressed opposition to Spring Creek Golf Course being turned into a campground.

The open forum concluded at 2:17 pm CST.

FINALIZATIONS

10. FISHING REGULATIONS – DAY 1, 1:47:20 MARK

10A & 11. ICE SHACK REMOVAL DATES & FISH LIMITS – CHAPTERS 41:07:01 & 41:07:03

Proposed Changes:

1. Remove restrictions on when ice fishing shelters can be left overnight on public waters.

Department recommended amendments to the proposal:

1. Remove ice fishing shelter removal dates for inland waters and change the ice fishing shelter removal date on South Dakota – Minnesota border waters from the last day in February to March 5.

Motioned by Whitmyre, seconded by Locken to APPROVE AMENDMENT TO PROPOSAL. Motion carried unanimously.

Motioned by Whitmyre, seconded by Locken to ADOPT THE FINALIZATION AS AMENDED. Motion carried unanimously.

2. Remove language referencing gear specifications for the noncommercial take of smelt.
Motioned by Bartling, seconded by Rissler to ADOPT THE FINALIZATION. Motion carried unanimously.

3. Remove the 15” minimum length limit for largemouth and smallmouth bass on Burke Lake in Gregory County and put in place a 15” minimum length limit for largemouth and smallmouth bass on Lake Mitchell in Davison County.

Motioned by Bartling, seconded by Spring to ADOPT THE FINALIZATION. Motion carried unanimously.

10C. IMPORTATION OF FISH - CHAPTER 41:09:08

Proposed change:

1. Modify language in the rule listing importation requirements of fish to better describe current definitions of pathogens or diseases of regulatory concern (41:09:08:03.03).

Motioned by Bartling, seconded by Whitmyre to ADOPT THE FINALIZATION. Motion carried unanimously.

10D. HOOP NETS, TRAPS, SETLINES, AND FLOATLINES - CHAPTER 41:07:08

Department recommendations are as follows:

1. Change check times for hoop nets, traps, and setlines from 72 hours to 24 hours.
Motioned by Bies, seconded by Rissler to ADOPT THE FINALIZATION. Motion carried unanimously.

2. Modify language to allow someone besides the licensee to run hoop nets, traps, setlines, and floatlines if the licensee is present.

Motioned by Locken, seconded by Bies to ADOPT THE FINALIZATION. Motion carried unanimously.

10E & 10F. PADDLEFISH SEASON & PERSONS WITH DISABILITIES - CHAPTERS 41:07:05 & 41:09:12

Department recommendations are as follows:

1. Remove language regarding ZZ1 units (preference point only) for archery and snagging paddlefish seasons, as these units are no longer available.

Motioned by Bartling, seconded by Rissler to ADOPT THE FINALIZATION. Motion carried unanimously.

2. Add crossbows as a legal method of take for paddlefish during archery seasons.
Motioned by Bies, seconded by Rissler to ADOPT THE FINALIZATION. Motion carried unanimously.

3. Provide a permit to allow for assistance to be given to a disabled angler while participating in lawful fishing activities.

Motioned by Whitmyre, seconded by Bartling to ADOPT THE FINALIZATION. Motion carried unanimously.

11. THREATENED AND ENDANGERED SPECIES – PEREGRINE FALCON – DAY 1, 2:09:00 MARK

Proposed Changes:

1. Down list the Peregrine Falcon (*Falco peregrinus*) from endangered to threatened on the list of state threatened and endangered bird species.

Motioned by Bies, seconded by Bartling to ADOPT THE FINALIZATION. Motion carried unanimously.

DIVISION OF PARKS & RECREATION

12. SPRING CREEK GOLF COURSE UPDATE – DAY 1, 2:10:34 MARK

Scott Simpson, Parks Director, gave a verbal update virtually on the meeting that happened on August 30, 2022, at the Outdoor Campus – Sioux Falls with the homeowners' associations from the Spring Creek Golf Course area.

13. RECREATIONAL TRAILS PROGRAM – DAY 1, 2:46:45 MARK

Randy Kittle, Grant & Loan Specialist, gave a verbal update virtually on the Recreational Trails Program. These funds are part of the gas tax in the Transportation Bill. The RTP Advisory Committee met on June 7, 2022, to review applications and make funding recommendations. The committee recommended funding \$684,278 in motorized projects and \$1,596,649 in nonmotorized projects.

14. FEMA UPDATE – DAY 1, 2:52:35 MARK

Travis Theilen, Planning and Development Division Staff Specialist, gave a virtual presentation to the commission on the progress made from the 2019 disasters, with over 75% of the damages having undergone repairs within the first three years. Several options exist for SD GFP (as an applicant for public assistance) to match a reasonable repair to eligible damages. The 2022 disaster event that resulted in severe tree damage and minor facility damage required crews to respond and conduct debris removal activities immediately. An inventory of damages is collected from GFP staff and will be used to apply for FEMA-eligible public assistance.

15. BECOMING AN OUTDOOR FAMILY WORKSHOP UPDATE – DAY 1, 3:50:36 MARK

April Larson, Marketing Coordinator, reported 2022 Becoming an Outdoor Family three-day workshop was held at Pelican Lake Recreation Area near Watertown on July 27-29. This annual education program encourages families to try new recreation activities, build confidence in their outdoor skills, and meet others with shared interests. Over 50 participants, including numerous multi-generation and blended families, traveled across the state. For most, this was their first workshop and camping experience at Pelican Lake Recreation Area. Staff was available throughout the workshop to help set up tents, host group dinners, and teach classes. This year's class topics included archery, air gun, birding, paddling, fishing, geocaching, photography, plants, tracks, Dutch oven cooking, trapping, and deer and waterfowl hunting lectures. The overwhelming response from families is that they had a great time and learned a lot from all the Conservation Officers, Biologists, Park Managers, Interns, and other South Dakota Game, Fish and Parks staff that took the time to share their knowledge. Registration for the next workshop will open in the spring of 2023.

16. FALL PROGRAMMING AND SPECIAL EVENTS UPDATE - DAY 1, 3:54:06 MARK

April Larson, Marketing Coordinator, gave a virtual verbal update on the upcoming planned events for this fall in the state parks, such as the Governor's Buffalo Roundup, fall festivals, and hikes.

17. FEDERAL BRIDGE PROGRAM UPDATE – DAY 1, 4:00:07 MARK

Adam Kulesa, Planning & Development Coordinator, provided a virtual presentation outlining the Federal Bridge Program and how it affects the department. 4 Bridges have been accepted into the cost-share program and are scheduled to be replaced in the fall of 2024 (three within Custer State Park and one at Bear Butte State Park).

18. JULY CAMPING, VISITATION, AND REVENUE REPORT - DAY 2, 00:03:10 MARK

Al Nedved, Parks Deputy Director, provided documentation and reported verbally on the July 2022 camping, visitation, and revenue report.

DIVISION OF WILDLIFE

19. ELK CONTINGENCY LICENSES - DAY 2, 00:34:27 MARK

Andy Lindbloom, Senior Big Game Biologist, gave a virtual presentation to the commission concerning the Elk Contingency Licenses. NRCS, USFS, and GFP meet twice a year to discuss range conditions. Based on recommendations provided as part of the Forage Production Model, the department is recommending Elk Unit 2B be granted five licenses, Unit 2HIJ be granted five licenses, Unit 3BCD be granted seven licenses, and Unit 7B be granted five licenses for a total of 22 Antlerless Elk Contingency Licenses.

Motioned by Bartling, seconded by Rissler to issue twenty-two Antlerless Elk Contingency Licenses in the department recommended elk units. Voting for the motion: Spring, Bartling, Rissler, Locken, Whitmyre & Olson. Voting in opposition to the motion: Bies. Motion carried.

20. GROUSE MANAGEMENT PLAN - DAY 1, 3:11:32 MARK

Alex Solem, Wildlife Biologist, and Hilary Morey, Senior Wildlife Biologist, gave a joint presentation stating South Dakota has two species of prairie grouse, the sharp-tailed grouse, and the greater prairie-chicken, which are native to grassland habitats and require extensive, intact grasslands to persist. Prairie grouse management heavily depends on retaining and maintaining existing grasslands in South Dakota. A system of priority habitat areas was generated from a spatially explicit habitat-based occupancy model to direct management actions to areas identified as essential habitats to prairie grouse. These management efforts should focus on proper grazing regimes, restoration and maintenance of grasslands, and the removal/prevention of tree encroachment.

21. LAKE STURGEON PROGRAM UPDATE - DAY 2, 00:58:53 MARK

Chelsey Pasbrig, Aquatic Biologist, gave a virtual presentation regarding the Big Stone Lake (border water with MN) historically housed a wild population of Lake Sturgeon, present up until the mid-1900s, with the last fish being washed up on shore in 1946. Since the 1980s, considerable work to improve water quality and make the habitat more suitable for Lake Sturgeon has been completed on the Little Minnesota River, Minnesota River, and Big Stone Lake. In 2014, a Lake Sturgeon stocking program began on Big Stone Lake, which has continued to date, stocking just over 34,000 fingerlings, with successful incidental catches by anglers (catch and release only), commercial fishermen, and standard lake surveys. This spring, there were reports of congregations of Lake Sturgeon within the Whetstone River near Madison. To date, the reintroduction efforts have shown great promise for the potential of a future fishery; however, further habitat improvements will be needed to help restore the essential spawning habitat of this prehistoric fish.

22. NONRESIDENT ARCHERY DEER & ANTELOPE - DAY 2: 01:18:51 MARK

Tom Kirschenmann, Wildlife Director, verbally updated the Commission on the plan to work with interested agencies to establish a Public Input Forum that will study the department's nonresident archery deer and antelope licensing program. The department is finalizing the short public survey to be sent out this month to current deer and antelope hunters, which the Public Input Forum will explore. Once this is complete, the department will return with recommendations from this forum to the commission in December.

23. SIOUX FALLS OUTDOOR CAMPUS UPDATE - DAY 2, 00:10:10 MARK

Emmett Keyser, Regional Supervisor, gave a verbal update concerning the 25th Celebration of the Sioux Falls Outdoor Campus and Expansion project. On August 30th, more than 100 enthusiastic supporters of the Sioux Falls Outdoor Campus gathered at an event hosted by the Friends of the Outdoor Campus Committee to celebrate the campus programs' many successes since Game, Fish and Parks opened the doors to the facility in 1997. Governor Kristi Noem joined the list of speakers at the celebration event by outlining the Campus' critical mission of helping to maintain South Dakota's rich outdoor heritage by introducing young people as well as adults to the myriad of outdoor recreational opportunities available across the state, including hunting, fishing, camping, boating, kayaking, hiking, rock climbing, bird, watching, and many, many others. The Governor also surprised the group by presenting GFP Secretary Robling with an Executive Proclamation that cited August 30, 2022, as 'Sioux Falls Outdoor Campus Day' as she highlighted the Campus' delivery of more than 19,800 outdoor skills

education programs that included more than 500,000 participants since 1997. The Governor and others on the speaking program also recognized the numerous donors and supporters the Sioux Falls Outdoor Campus has had over the years, including the nearly 1,250 volunteers who have provided more than 123,000 hours of service in support of the Campus' mission and programming. The event also highlighted the fundraising kickoff led by the SD Parks and Wildlife Foundation, which will gather donor funds to help provide for increased programming space for the Outdoor Campus. This expansion will include an indoor archery range, an outdoor archery range, two classrooms, a game processing area, a redesign of a classroom to enable wild fish and game cooking programs, and the development of new wildlife displays in the Gallery area.

24. LICENSE SALES UPDATE - DAY 2: 01:26:00 MARK

Tom Kirschenmann, Wildlife Director, provided documentation and verbally updated the commission on the current license sales.

ADJOURN

Meeting ADJOURNED AT 9:40 AM CT.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Kevin Robling', is written over a horizontal line.

Kevin Robling, Department Secretary