

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

A Public Hearing will be held at the Custer State Park - Event Barn, 13438 U.S. Highway 16A, Custer, SD, 57730 at 2:00 pm (Mountain Time) on Thursday May 5, 2022. Individuals wishing to participate may attend in person or by teleconference. Teleconference information can be found at <https://gfp.sd.gov/commission/information/>. The public hearing is to consider adoption, amendment, and repeal of Rules pertaining to:

1. ARSD 41:04:02:12 – Clark County public water safety zones.

Effect: The proposed change would modify the no discharge of a firearm from a boat zone in Clark County.

Reason: Due to change in private land ownership, rising water levels, and requests from local landowners, the proposed rule change would simplify current water closures.

2. ARSD 41:06:01:17 – Access permits required for specific hunting units and public lands.

Effect: The proposed change would remove unlimited access permits to hunt certain deer hunting units and public lands.

Reason: The number of access permits currently available for many deer seasons has created unnecessary complexity for sportsmen and women as well as the administration of these access permits in the licensing system. The removal of these access permits will greatly simplify hunting regulations regarding mentor, archery, muzzleloader, youth, and apprentice deer license holders while having no impact to deer management in these areas.

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3. ARSD 41:06:02:03 – Hunting license fees.

Effect: The proposed change would modify license fees for temporary nonresident waterfowl, nonresident spring snow goose, early fall Canada goose nonresident, and

nonresident youth waterfowl licenses.

Reason: Currently, several nonresident waterfowl licenses include the migratory bird certification permit. With the 2-tiered duck license option, applicants must select a migratory bird certification permit to reflect their choice of the traditional or 3-duck license option and pay the \$5 fee for the applicable migratory bird certification permit.

4. ARSD 41:06:16:03 – Daily bag limit (Ducks).

Effect: The proposed change would modify the daily bag limit of mergansers.

Reason: In the past, mergansers have had a separate daily bag limit. Due to the limited harvest of mergansers, the U.S. Fish and Wildlife Service have now included mergansers with the duck daily bag limit and to reduce regulatory complexity for hunters while having little impact on the resource.

5. ARSD 41:06:16:05 – Possession limit (Ducks).

Effect: The proposed change would modify the possession limit of mergansers.

Reason: In the past, mergansers have had a separate possession limit. Due to the limited harvest of mergansers, the U.S. Fish and Wildlife Service have now included mergansers with the duck possession limit and to reduce regulatory complexity for hunters while having little impact on the resource.

6. ARSD 41:06:16:11.01 – Nonresident waterfowl license purchase restrictions – Unsold licenses and unit transfer dates.

Effect: The proposed change would eliminate rule language that transfers unsold licenses to different units.

Reason: The allowance to transfer certain nonresident licenses after a specific date is used very little by duck hunters, is unnecessarily complex, and creates difficulties with the administration of licenses as well as creates confusion with hunters.

7. ARSD 41:06:22:01 – Archery deer hunting season established – Number and type

of licenses – Access permits.

Effect: The proposed change would limit the number of any deer access permits.

Reason: Limiting the number of archery access permits for Unit WRD-27L will reduce hunter densities, improve quality of hunt experience, and help meet the 80% firearm hunter success goal identified in the deer management plan for LAUs.

8. ARSD 41:06:50:04 – Eligibility requirements and restrictions (Early Canada Goose)

Effect: The proposed change would eliminate the prohibition of nonresident early Canada goose hunting in certain counties.

Reason: Very few nonresident hunters take advantage of the current areas open to nonresident Early Fall Canada goose hunting. This proposal will reduce unnecessary regulatory complexity, increase goose hunting opportunity for some nonresidents, and perhaps increase goose harvest in southeastern South Dakota.

9. ARSD 41:07:02:01 – Inland waters.

Effect: The proposed change would modify the prohibition for fishing from a boat in Clark County.

Reason: Due to change in private land ownership, rising water levels, and requests from local landowners, the proposed rule change would simplify current water closures.


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 11<sup>th</sup> day of April, 2022.

(SEAL)

  
Kevin Robling, Secretary

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