

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

A Public Hearing will be held at the RedRossa Convention Center, 808 West Sioux Avenue, Pierre, SD 57501 on March 1, 2018 at 2:00PM (CST), to consider adoption, amendment and repeal of Rules pertaining to:

1. Amend ARSD 41:04:02:32 – Hughes County public water safety zones.

Effect: The proposed change would create a 400 yard area as a no wake zone in front of campsites.

Reason: The proposed no wake zone is a popular area for swimmers due to its proximity to campsites. A no wake zone would increase safety for beach users and protect the shoreline from erosion and yet still allow boaters to beach their crafts along the shoreline.

2. Amend ARSD 41:04:02:52 – Perkins County public water safety zones.

Effect: The proposed change would create a no wake zone in the west boat ramp bay on Shadehill Reservoir.

Reason: Shadehill Reservoir has become more popular with the recent addition of privately owned cabin lots adjacent to department land near the boat access area. The higher volume has led to future planning of an expanded boat ramp and parking lot. This will encourage even more use of the west boat ramp. A no wake zone in the bay will protect boats and boaters during launching and loading.

3. Amend ARSD 41:03:01:16 – Restrictions on use of firearms and bows – Exceptions.

Effect: The proposed change would limit hunting in Oakwood Lakes State Park to shotguns using shot shells, crossbows, and bows.

Reason: Oakwood Lake State Park is the 4<sup>th</sup> smallest state park. The park has extensive established campgrounds and designated day use areas where hunting is

currently prohibited by rule. Recently, additional campgrounds have been added to the park ultimately making rifle hunting unsafe in the park.

4. Amend ARSD 41:06:56 – Black Hills Bighorn Sheep Hunting Season

Effect: The proposed changes would rename the administrative chapter to “Bighorn Sheep Hunting Season.” In addition the proposed change would make appropriate name changes to applicable rules within the chapter removing the term “Black Hills.” The proposed rule would also establish a new hunting unit as that portion of Pennington County east of the Cheyenne River and that portion of Jackson County north of the White River, excluding the Badlands National Park.

Reason: The bighorn sheep herd on the Badlands National Park and surrounding area has strong numbers and is at a level where hunting opportunities on lands outside the national park are available. As a result, a new hunting unit will be created adjacent to the national park. As a result of bighorn sheep hunting opportunities no longer only being located in the Black Hills, the name of the administrative chapter and respective rules will be changed to reflect and conform to a Bighorn Sheep Hunting Season chapter.

5. Amend: ARSD 41:07:03:01 – Inland Waters and ARSD 41:07:03:03 – Daily possession, and length limit restrictions on special management waters – Additional restrictions described.

Effect: The proposed changes will eliminate the ability to harvest one muskellunge or northern-muskellunge effectively turning the species into a catch and release fish.

Reason: Muskellunge and northern-muskellunge are primarily a trophy fish that are not commonly caught for consumption. By requiring catch and release, it will prevent fish from being harvested and allow the population to produce larger, trophy fish.

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 transmit by email to [wildinfo@state.sd.us](mailto:wildinfo@state.sd.us). 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 2nd day of February, 2018.



Kelly R. Hepler, Secretary

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