

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

A Public Hearing will be held at the Creekside Lodge, Custer State Park, 13389 U.S. Highway 16A, Custer, SD at 2:00 PM (MST) on May 3, 2018 to consider adoption, amendment and repeal of Rules pertaining to:

1. ARSD 41:06:01:13 - Designation of areas where free antlerless deer licenses can be used by farmers and ranchers.

Effect: The proposed rule would eliminate the term “youth” and replace it with “apprentice hunter.”

Reason: A rule was proposed to amend the youth deer hunting season to broaden individuals eligible under ARSD 41:06:44 calling it an “apprentice hunter season”.

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

Effect: The proposed rule would require any resident and nonresident deer hunter possessing an archery deer license to obtain and possess a free access permit to hunt in the Black Hills as defined in ARSD 41:06:19:02. An unlimited number of free access permits may be issued. Also, the proposed rule would eliminate the term “youth” and replace it with “apprentice hunter.”

Reason: To evaluate and estimate the number of hunters archery deer hunting in the Black Hills, a proposal has been made to require all archery deer hunters who plan to hunt in the Black Hills obtain a free access permit. Also, a rule was proposed to amend the youth deer hunting season to broaden individuals eligible under ARSD 41:06:44 calling it an “apprentice hunter season.”

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

Effect: The proposed rule would eliminate the term “youth deer” and replace it with

“apprentice hunter deer.” It would also add the word “youth” to the term antelope.

Reason: A rule was proposed to amend the youth deer hunting season to broaden individuals eligible under ARSD 41:06:44 calling it an “apprentice hunter season.”

4. ARSD 41:06:20:01 - West River prairie deer hunting season established -- Number and type of licenses.

Effect: The proposed rule would reinstate the antlerless-only hunting dates to nine consecutive days following the conclusion of the West River Deer season.

Reason: Several comments received during the development of the deer management plan advocated for the reinstatement of the antlerless-only days late in the season. Based on those comments and for the hunting opportunities these days provide, the Commission has proposed to reinstate antlerless-only days for nine consecutive days in mid-December.

5. ARSD 41:06:21:01 - East River deer hunting season established -- Number and type of licenses.

Effect: The proposed change would reduce resident license numbers from 21,085 one-tag to 20,900 one-tag. The rule would also modify the antlerless-only deer hunting season dates to nine consecutive days beginning the Saturday following the 16th day of the East River deer season.

Reason: License allocation for the East River deer season was adjusted to accommodate the change to two hunting units and the addition of the Limited Access Unit added in portions of Hughes and Sully counties.

6. ARSD 41:06:21:02 - Open units -- Exceptions.

Effect: The proposed rule would create a new Limited Access Unit (Unit 59L) in Hughes and Sully counties limited to all Game Production Areas, Corp of Engineer, and Park Recreation Area Lands north of Oahe Dam in Hughes County and west of US Hwy

1804 to Bush's Landing boat ramp in Sully County at 182nd Street; excluding the Spring Creek Recreation area. This unit is all public land. Landowner preference does not apply and hunters must obtain a free access permit to hunt archery, muzzleloader, youth or mentored youth as required on other Limited Access Units. The change would also eliminate Unit 59B. Unit 59A would be modified to include all of Sully County except that portion within 59L. Unit 36A would be modified to include all of Hughes County, excluding that portion within Unit 59L, Farm Island Recreation Area, LaFramboise Island, and the land from the entrance to Farm Island Recreation Area west through the city of Pierre.

Reason: Discussions around the number of hunters using the Little Bend GPA and surrounding public lands have led to the proposal to establish a Limited Access Unit which would limit the number of hunters who can deer hunt in the unit and provide a more quality experience. This approach follows a few other Limited Access Units found throughout the state where larger tracts of public land become a separate unit and provide a quality hunting experience by limiting the number of hunters during the rifle season.

7. ARSD 41:06:22:01 - Archery deer hunting season established -- Number and type of licenses -- Access permits.

Effect: The proposed rule would modify the season end date from January 15th to January 1st. Furthermore, antlerless whitetail deer licenses shall not be valid after January 1st.

Reason: During the development of the deer management plan the department and commission received numerous comments about ending all deer hunting earlier than January 15. Some of the reasons shared for ending deer hunting seasons earlier are to avoid harvesting bucks who have already shed antlers, minimize stress on deer herds during the winter, and some comments from landowners to shorten the deer seasons.

8. ARSD 41:06:22:01.01 - Open units.

Effect: The proposed rule would modify unit ARD-LM1 to close unit ERD-59L.

Reason: To conform with the management structure and approach of other Limited Access Units, statewide antlerless archery licenses are not valid within these units. Restricting the use of these licenses on these properties is all part of the quality hunting experience.

9. ARSD 41:06:22:02 - Restricted areas -- Exceptions.

Effect: The archery season end date for Sand Lake National Wildlife Refuge, Lacreek National Wildlife Refuge, Waubay National Wildlife Refuge, and Waubay State Lake State Game Refuge would change from December 31 to January 1, except during the firearm deer seasons established for such refuges.

Reason: To conform with the season structure and management approach of all other deer seasons, it is being proposed to end deer hunting on National Wildlife Refuges on January 1.

10. ARSD 41:06:42:01 - Season established.

Effect: The proposed rule would extend the trophy bull bison harvest in Custer State Park from 47 days to 61 days and move the start from the last Monday to the third Monday in November.

Reason: To allow more flexibility in scheduling the 3-day trophy bison hunts.

11. ARSD CHAPTER 41:06:44 – Youth Deer Hunting Season

Effect: The proposed change would rename the Chapter to Apprentice Hunter Deer Season.

Reason: A rule was proposed to amend the youth deer hunting season to broaden individuals eligible under ARSD 41:06:44.

12. ARSD 41:06:44:01. Youth deer hunting season established.

Effect: The proposed change would amend the title of the administrative rule to read apprentice hunter instead of youth.

Reason: A rule was proposed to amend the youth deer hunting season to broaden individuals eligible under ARSD 41:06:44.

13. 41:06:44:02.01. Closed areas.

Effect: The proposed change would amend the language within the administrative rule to expand eligibility to deer hunt.

Reason: A rule was proposed to amend the youth deer hunting season to broaden individuals eligible under ARSD 41:06:44.

14. 41:06:44:04. Application requirements and restrictions.

Effect: The proposed change would allow an apprentice hunter to qualify for a deer licenses under the provisions of ARSD 41:06:44.

Reason: The rule is being proposed to broaden individuals eligible under ARSD 41:06:44.

15. ARSD 41:06:45:01 - General muzzleloading deer hunting season established -- Open unit -- Number and type of licenses.

Effect: The proposed rule would change the availability of both any deer and antlerless whitetail deer licenses as valid only from December 1st – January 1st.

Reason: Conforming with the overall approach of ending all deer seasons on the same date, a proposal has been set forward to end the muzzleloader deer season on January 1.

16. ARSD 41:06:45:02 - Open units. The following is a description of the open units:

Effect: The proposed rule would modify unit MZD-LM1 to close unit ERD-59L.

Reason: To conform with the management structure and approach of other Limited Access Units, statewide antlerless muzzleloader licenses are not valid within these units.

Restricting the use of these licenses on these properties is all part of the quality hunting experience.

17. ARSD 41:06:46:01 - Depredation hunts established.

Effect: The proposed rule would change the time-period which depredation hunts (excluding elk) may occur, from December 1st - March 31st to August 15th – March 31st.

Reason: Due to crop damage that can occur during the growing season in some areas with high wildlife populations, the change would allow the use of depredation hunts to reduce crop damage.

18. ARSD 41:06:46:02 - Pool of standby hunters authorized -- Maximum permits.

Effect: The proposed rule would expand the time period for pool hunters for depredation purposes from April 15th to December 31st.

Reason: The expanded time-period is necessary so that a list of hunters is available should a depredation hunt need to occur prior to December 1.

19. ARSD 41:06:46:10 - Elk depredation permit fee.

Effect Reason: The proposed rule would eliminate the \$20 fee for depredation permit.

Reason: This modification would make all depredation permit fees the same.

20. ARSD 41:06:60:01 - Season established.

Effect Reason: The proposed rule would reduce the non-trophy bull bison harvest in Custer State Park from 47 days to 40 days and move the start date from the last Monday to the first Monday in October.

Reason: To allow harvest to begin as soon as the animals have been identified and sorted from the bison to be sold and to allow for completion of the 1-day non-trophy hunts before the trophy bison hunts begin.

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 at 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 10th day of April, 2018.



Kelly R. Hepler, Secretary

This Notice of Public Hearing is published at the approximate cost of \$_____.