

Minutes of the Game, Fish, and Parks Commission  
October 5-6, 2017

Vice chairman Barry Jensen called the meeting to order at 1:00 p.m. MT at the Game, Fish and Parks Outdoor Campus West in Rapid City, South Dakota. Commissioners H. Paul Dennert, Barry Jensen, Gary Jensen, Russell Olson and Douglas Sharp were present and Cathy Peterson via phone. Mary Anne Boyd was present on day two of the meeting. Approximately 40 public, staff, and media were present.

**DIVISION OF ADMINISTRATION**

**Conflict of Interest Disclosure**

Vice chairman Jensen called for conflicts of interest to be disclosed. None were presented.

**Approval of Minutes**

Vice chairman Jensen called for any additions or corrections to the September 7-8, 2017 minutes or a motion for approval.

Motion by G. Jensen with second by Dennert TO APPROVE THE MINUTES OF THE SEPTEMBER 7-8, 2017 MEETING. Motion carried unanimously.

**Additional Commissioner Salary Days**

Commissioner Dennert requested one day for a land tour and visit to Pickerel Lake.

Motion by Phillips with second by Sharp TO APPROVE THE ADDITIONAL SALARY DAY AS REQUESTED. Motion carried unanimously.

**Election of Officers**

Motion by Phillips with second by Dennert TO NOMINATE B. JENSEN AS CHAIR. Motion carried unanimously.

Motion by Olson with second by Phillips TO NOMINATE G. JENSEN AS VICE CHAIR. Motion carried unanimously.

Chris Petersen, administration division director, presented a full fee licenses list request for all trapping, hunting and furbearer licenses from Groenewold Fur and Wool Company of Forrester, IL to be used for marketing purposes.

Motion by Olson with second by Phillips TO APPROVE THE LICENSE LIST REQUEST. Motion carried unanimously.

**Rapid City Convention Center & Visitors Bureau**

Julie Jensen, Rapid City Convention and Visitors Bureau executive director, welcomed the Commission to Rapid City and thanked them for the work they do on the Commission and presented a video representing the beauty and inspiration of Rapid City and the black hills.

### **Black Hills Fly Fishers**

Jeff Olson and David Hanna of the Black Hills Fly Fishers presented a check to the department in the amount of \$145,000 to help carry out the mission to provide better cold clearwater for trout.

Commissioner B Jensen thanked the Black Hills Fly Fishers board for their fundraising efforts and GFP fisheries staff for their efforts on the joint projects.

Hepler thanked the group and noted the department will be presenting information on these joint projects at national level.

### **Club for Boys Recognition**

Game, Fish and Parks recognized the Club for Boys for their ongoing efforts to encourage lifelong outdoor activities and for safely connecting the youth with the outdoor. Lonnie Braun, president of the Club for Boys board of directors accepted the award and with the organizations staff provided a presentation on their Hooked on Hard Water program.

### **Dick and Sue Brown Recognition**

The GFP Commission and Parks and Wildlife Foundation thanked Dick and Sue Brown for their fundraising efforts and projects accomplished for outdoor recreation and heritage to enhance the quality of life for current and future generations.

### **Non-meandered Waters Update**

Kevin Robling, special projects coordinator, provided an update on non-meandered waters efforts to focus on public outreach and interaction by adding key information to the GFP website including an interactive online map showing water bodies that have been legally closed, a petition process for section 8 lakes and continued work with landowners on access agreements. Robling's update highlighted efforts regarding buoys, signs and marking by detailing the cost and burden of compliance by the owner of private property against the visibility of the markers to the public. He explained field testing of four different buoy types with feedback indicating the red polyform were most noticeable and adequate at a distance of 660 feet. A proposal detailing marking requirements will be presented to the Commission at this meeting.

B. Jensen asked if the buoys can re-pressurized.

Robling said they can be with a regular air compressor.

Olson asked how many land based signs are anticipated.

Robling responded that the department will begin with an order 200 of each type of sign as they are unsure how to determine how many will be needed.

Olson said he is not sure the department should purchase the signs.

Robling noted the need to maintain a consistent sign look.

Hepler said if the concerns are over the use of hunter dollars, there are general funds available. He said staff is trying to do their best to not have to site someone so we are promoting official looking signs across the state which is best done by producing the signs. The motive is to reduce confusion and implement consistently across the state.

Phillips asked if the department will we continue to provide the signs.

Robling said the department would replace damaged or deteriorating signs.

Dennert asked if the rule indicates how signs are required to be placed.

Robling noted that will be discussing during today's proposal.

G. Jensen asked when the signs will be purchased due to sunset clause.

Robling said the department will go ahead and purchase some signs.

B. Jensen asked that because this is a new situation, what if the department provided signs for the first year then have landowner replace them.

Robling indicated that is an option.

Hepler stated our goal is to not have these signs needed to be put up and that is the reason we communicate with landowners. These signs are part of the compromise. Department is doing the best we can to implement as that was what we were tasked with per HB1001. We continue to be flexible and address things as they come up.

Arden Petersen, special assistant, explained they are working with staff and want to provide follow up on sign maintenance if passed as proposed intent would be to have landowners be responsible for placement and maintenance of signs, but we would replace signs if they were shot up similar to what is done with other signs. He said we realized it was necessary to purchase a reflector sign which does cost a little more than other signs.

Sharp said he was part of the field day and thinks this is a first good step and said staff have done a good job with this.

## **EXECUTIVE SESSION**

Motioned by Olson with second by G Jensen TO ENTER EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2 (4) TO PREPARE FOR CONTRACT NEGOTIATIONS. Motion carried unanimously.

The Executive Session began at 1:50 PM in a private room located in the GFP Outdoor Campus West. Commissioners B Jensen, G Jensen, Olson, Sharp, Dennert, Phillips and Peterson participated. Secretary Hepler, Attorney Kotilnek, Katie Ceroll, Al Nedved, Sean Blanchette, and Rachel Comes were present. Concluded 2:15 PM

Motioned by Sharp with second by Phillips TO CONCLUDE EXECUTIVE SESSION. Motion carried unanimously.

## **OPEN FORUM**

Representative Tim Goodwin, Hill City, SD provided a brief history of mountain lion season specifically how dates were established and the compromise to use hounds in Custer State Park. Goodwin is hesitant to recommend the use of hounds because group would want more and more. He likes the group but, doesn't recommend hound use because the black hills is spotted with private land and this will encourage lions to go through these areas.

Brad Tisdall, Houndmen Association, Rapid City, SD, said his petition is not for use of hounds in the black hills, but to remove the restriction that doesn't allow for use of hound on public lands when hunts begin on private lands.

Dave Jennings, Mobridge, SD, supports the rule changes for aerial hunting of coyotes.

Julie Anderson, Rapid City, SD, spoke to history of seasons being renewed and expansion into Custer State Park despite protest. She said it is the same for hunting with dogs and now the prairie unit. Anderson does not want lions hunted for trophy noting people like to shoot lions and other wildlife with camera.

Nancy Hilding, Prairie Hills Audubon Society, spoke in regards to the mountain lion petitions saying they do not meet the statutory requirements due to a technical error. She also denounces the petition on legal lions stating it doesn't make sense and that eradicating lion population doesn't meet the plan objective. It should not have a one size fits all hunting and statutes say there should be consultation with tribes. Hilding says the plan was to be revised in 2016 and now has been pushed back to 2019 so we are stuck with a 2015 plan and the objectives that were outlined then. She objects to lion hunting on prairies and sent a letter to the Commission today from mountain lion foundation in support of lowering the quota as they feel population estimates are too high. Hilding also has concerns about the impact of buoys on the scenery of South Dakota lakes. In regards to the contested case hearing she said the definition of terms excludes rule making, but not proceedings related to per 1-26-4 section 5

Mark Zanders, Landowner/Black Hills Houndmen Association, Hermosa, SD, said he gets calls from people who say lions are killing their pets and farm animals near Tilford and Fairburn. He noted houndsmen do not want anything to do with Black Hills forest area, just to eliminate lions who are causing problems on private property when they receive requests per the SD Houndsmen Association or GFP staff. They only want to remove mature lions from the parks.

Ross Rhode, South Dakota Houndsmen Association, spoke in response to petition for use of hounds on prairie explaining this was done to aid in catching a cat as the chances of seeing one is slim. Stipulation is that hunt must start on private land and do not want this to change only change that if the track goes onto public land they can continue on and retrieve the cat.

Brad Tisdall noted the petition was submitted by him on behalf of the Houndsmen association to aid landowners with lion problems as they are upset that houndsmen cannot continue on to public land. He said GFP policy is not interested in managing outside the black hills and the problem lions are not nearly as bad as perceived lion problems.

G. Jensen asked Tisdall how many times he had to stop or could not begin a hunt because of this rule.

Tisdall responded that once a lion was near Fort Meade so he didn't start the hunt then two days later same lion was on private ground which they started hunting their then had to stop. Then 3 days later they did harvest the lion near Tilford. Once at Harding County they could not go into buttes area to harvest lion that attacked a dog. And near Chamberlain found lion on public ground that left cattle pen on private ground that could not be followed.

G. Jensen suggested including this change in recommendations of the preparation of the 2019 management plan and ask if Tisdall was aware of cattle loss due to lions?

Tisdall said not to his knowledge, but they have done damage to corrals and had to put down 2 calves that were injured.

Phillips asked if the legal lion rule change is only for Custer State Park.

Tisdall responded yes as adult lions are the problem at Custer State Park.

Olson noted they heard from Hilding that the petition should be rejected do to a procedural error.

Tisdall explained that director Leif will touch to that when petition is presented.

Representative Goodwin: apologize to houndsmen as what was in the Rapid City Journal was not accurate and perceived that hunters only want trophy's which is not the case. Mr. Goodwin then presented the Commission lion steaks.

## **PETITION FOR RULE CHANGE**

Tony Leif, wildlife division director, presented the petitions for rule change in regards to mountain lions. He reminded the commission of the process and options.

### **Mountain Lion – Use of Hounds**

Leif confirmed that the rule was inaccurately listed and was not noticed by staff therefor the grammatical error was not fixed. He believes petition should be evaluated on merit and provided a list of the current rules. Tisdall, petitioner, clarified that petition is only to remove restrictions on the prairie and staff also provided stats on mountain lion harvest with and without hounds on the prairie. Both of these items were considered by the Department when developing mountain lion season recommendations in September, however determined these were issues were best suited to be addressed during the management plan revision process.

Phillips asked if the petition needs to be reworded to state hunts must originate on private lands.

Jon Kotilnek, staff attorney, said the petition can be taken as it stands in conjunction with petitioner's testimony as it clarifies his intent. The proposal would capture that intent should the Commission agree to move forward.

G Jensen asked if lions are taken outside the Black Hills fire district because of problems and has the department been getting calls that lions are causing problems?

Mike Kintigh, regional supervisor, said staff does not log if harvest is because of a complaint. The department does receive some calls, but people also call houndsmen directly. The department did recommend one caller contact their brother directly who has hounds to assist. Kintigh said that none were due to loss of livestock complaints.

Leif asked if the petition merits further discussion. If so he recommended they propose change and initiate process. If not the department will aid in crafting a resolution to deny the petition.

Kintigh noted that by stating public land this would include Forest Service land and recreation areas such as Fort Meade and that there would need to be with both entities especially since Fort Meade does not allow any firearm hunting.

Motioned by Phillips with second by Olson TO ACCEPT THE PETITION AS A PROPOSAL. Roll call vote: Boyd-absent; Dennert-yes; B. Jensen-yes; G. Jensen-yes; Phillips-yes; Sharp-yes; Peterson-no. Motion carries with 6 yes votes and 1 no vote.

### **Mountain Lion – Legal Lions**

Leif clarified the corresponding rule in regards to mountain lions to facilitate harvest in Custer State Park and hunting season dates with and without hounds.

Chad Lehman, senior wildlife biologist, said the calf call ratio data shows significant survival rate increases.

Phillips asked if they can pass on running a lion if too small.

Leif responded yes and if multiple tracks.

Motioned by G Jensen with second by Olson TO DENY THE PETITION AS PRESENTED. Roll call vote: Boyd-absent; Dennert-yes; B. Jensen-yes; G. Jensen-yes; Phillips-no; Sharp-yes; Peterson-yes. Motion carries with 6 yes votes and 1 no vote.

Motioned by G Jensen with second by Olson TO ADOPT RESOLUTION 17-12 (Appendix A) DENYING THE PETITION. Motion carried.

## **PROPOSALS**

### **Marking of Non-meandered Waters**

Robling presented the proposal for a new rule that requires nonmeandered water closures be indicated by signs or buoys.

1. Only Department supplied signs will be used to mark nonmeandered waterbody closures.
2. Signs and buoys must be placed no further apart than 660 feet.
3. Signs shall be installed so they are conspicuously noticeable from open water and ice.
4. Buoys shall be of polyform design.
5. Buoys shall be red with contrasting 3 inch minimum letters stating: "Closed".
6. Buoys must include reflective tape.
7. Buoy size shall be a diameter of not less than 14.5 inches and a length of not less than 19.5 inches.
8. Signs and buoys are to be installed, removed and maintained by the owner or their designee of the private property.

Motioned by Jensen with second by Sharp TO THE NEW RULE ON MARKING OF NON-MEANDERED WATERS AS PROPOSED. Motion carried unanimously.

**Bighorn Sheep Hunting Season**

Tom Kirschenmann, assistant wildlife director, presented the recommended changes to the Black Hills Bighorn Sheep hunting season

1. No more than 5 bighorn sheep licenses may be issued.
2. Remove the language in administrative rule depicting the license type and number of licenses from each hunting unit.

Motioned by G Jensen with second by Dennert TO APPROVE THE CHANGES TO THE BIGHORN SHEEP HUNTING SEASON AS PROPOSED. Motion carried unanimously.

**CSP Antlerless Elk Hunting Season**

Kirschenmann presented the recommended changes to the Special CSP Antlerless Elk Hunting Season.

1. Increase the number of "antlerless elk" licenses from no more than 20 to no more than 60.
2. Establish new "antlerless elk" hunting units described as that portion of Custer State Park south of the R & D Pasture fence line (see attached map). This boundary applies to Units CAE-CU3, CAE-CU4, CAE-CU5, and CAE-CU6.
3. Season dates for Units CAE-CU3, CAE-CU4, CAE-CU5, and CAE-CU6 are as follows:  
 CAE-CU3: nine consecutive days beginning on the second Saturday following Thanksgiving;  
 CAE-CU4: nine consecutive days beginning on the Saturday following the close of CAE-CU3;  
 CAE-CU5: nine consecutive days beginning on the Saturday following the close of CAE-CU4;  
 CAE-CU6: nine consecutive days beginning on the Saturday following the close of CAE-CU5;
4. Mandatory submission of required samples for CWD testing.

Motioned by Phillips with second by Olson TO APPROVE THE CHANGES TO THE SPECIAL CSP ANTLERLESS ELK HUNTING SEASON AS PROPOSED. Motion carried unanimously.

**Elk Hunting Seasons Hunting Unit License Allocation**

Custer State Park		
Special Antlerless Elk Licenses		
Season	2016	2017
CAE-CU1	10	10
CAE-CU2	10	10

CAE-CU3	0	10
CAE-CU4	0	10
CAE-CU5	0	10
CAE-CU6	0	10

Motioned by Dennert with second by Sharp TO APPROVE THE 2017 CSP SPECIAL ANTLERLESS ELK HUNTING SEASON AS PROPOSED. Motion carried unanimously.

### Threatened and Endangered Species

Kirschenmann presented the changes to the endangered and threatened species rules.

Amend 41:10:02:01 List of Endangered Birds as follows:

Change Interior Least Tern (*Sterna antillarum athalassos*) to Least Tern (*Sternula antillarum*)

Amend 41:10:02:05 List of Endangered Fish as follows:

Change Finescale dace (*Phoxinus neogaeus*) to Finescale dace (*Chrosomus neogaeus*).

Amend 41:10:02:06 List of Threatened Fish as follows:

Change Northern redbelly dace (*Phoxinus eos*) to Northern redbelly dace (*Chrosomus eos*).

Change Pearl dace (*Margariscus margarita*) to Northern pearl dace (*Margariscus nachtrieb*).

Motioned by Olson with second by G. Jensen TO AMEND THE ENDANGERED AND THREATENED SPECIES RULES AS PROPOSED. Motion carried unanimously.

### Aerial Hunting Permits

Keith Fisk, wildlife program manager, presented the proposed changes to aerial hunting to amend current administrative rule to allow nonresidents to obtain an aerial hunting permits from the department.

Motioned by Phillips with second by G. Jensen TO AMEND THE AERIAL HUNTING PERMIT RULES AS PROPOSED. Motion carried unanimously.

### Walleye Length Limit on Lake Poinsett

John Lott, fisheries chief, presented the proposed change to **Daily, possession, and length limit restrictions on special management waters -- Additional restrictions described.** to: remove 15 inch minimum size restriction for walleye on Lake Poinsett.

Motioned by G Jensen with second by Dennert TO REMOVE THE 15 INCH MINIMUM SIZE RESTRICTION FOR WALLEYE ON LAKE POINSETT. Motion carried unanimously.

### Bait Dealer Application Requirements

Andy Alban, law enforcement program administrator, presented the recommended new rule that would require all bait dealers to list employees/agents on their application who will engage in trapping, transporting, delivering, raising or seining bait and allow the department to refuse the issuance of a license to a bait dealer with an

employee/agent who has received a suspension or revocation of their bait dealer license.

**Requirements and Restrictions:**

**Resident Retail Bait Dealer License - \$30 fee**

The license permits the licensee to raise, trap, seine, buy, sell, possess, and transport bait. No retail bait dealer may sell bait to wholesale, retail or export bait dealers. This license is not required for residents under 16 years of age.

**Resident Wholesale Bait Dealer License - \$275 fee**

The license permits the licensee to raise, trap, seine, buy, sell to any retail, wholesale, or export bait dealer, possess, and transport bait and other wild animals commonly used as fish bait within the state, and to transport and sell bait in any adjoining state. This license is not required by residents under 16 years of age.

**Export Bait Dealer License - \$400 fee**

The license permits the licensee to buy and possess bait within the state and transport the bait out of the state for resale.

**Nonresident Retail Bait Dealer License - \$55 fee**

The license permits the licensee to buy, sell, possess and transport bait. No nonresident bait dealer licensed under this section may sell bait to wholesale, retail or export bait dealers.

**Nonresident Wholesale Bait Dealer License - \$550 fee**

The license permits the licensee to transport bait into the state, possess bait within the state, and sell bait within the state to any retail, wholesale or export bait dealers.

Motioned by G Jensen with second by Phillips TO CREATE NEW RULE THAT WOULD REQUIRE ALL BAIT DEALERS TO LIST EMPLOYEES/AGENTS ON THEIR APPLICATION. Motion carried unanimously.

**Park Entrance and Camping Fee Changes**

Chris Petersen, provided a budget overview explaining the necessity for adequate revenue streams to cover expenditures by factoring in all projects, maintenance and salaries with target of a 3 million dollar bottom line balance. Petersen explained that increases in the proposal would generate approximately 3 percent revenue increase to cover inflationary costs in operating budget and capital development.

Olson, how do we compare with other state parks?

Katie Ceroll, parks and recreation division director, said South Dakota state parks are just under the rates of the six surrounding states.

Bob Schneider, parks and recreation assistant director, said nationally, South Dakota state parks are also a little lower.

B Jensen inquired how rates at state parks compare to Forest Services properties.

Schneider explained Forest Services only offers basic campsite and that prices are comparable.

Dennert asked how state parks compare to private campgrounds.

Schneider said state park rates are considerably lower.

Schneider presented the proposed changes to the park entrance and camping fees per the increased demand for and use of the state's campgrounds and facilities.

**The proposal would establish the following campground classifications:**

- **Basic campgrounds:** Campgrounds without modern facilities. \$11 nightly per non-electric site; \$15 nightly per electric site.
- **Modern campgrounds:** Less than 80% weekend occupancy during the summer; feature restrooms and showers. \$13 nightly per non-electric site; \$17 nightly per electric site. Includes 7 campgrounds.
- **Preferred campgrounds:** 80-89% weekend occupancy during the summer; feature restrooms and showers. \$15 nightly per non-electric site; \$19 nightly per electric site. Includes 7 campgrounds.
- **Prime campgrounds:** 90% or higher weekend occupancy during the summer; feature restrooms and showers. \$17 nightly per non-electric site; \$21 nightly per electric site. Includes 32 campgrounds.

**Other fee changes proposed include:**

- Elimination of the per person daily entrance license. The \$6 per vehicle daily entrance license remains unchanged.
- Camping cabin fee increase to \$45 in all parks except Custer, which will remain \$50 per night.
- Campsites in French Creek Horse Camp in Custer State Park increase to \$31 per night.
- Increase in some group lodging fees: Mina Lake and Shadehill to \$205 a night; and Lake Thompson, Palisades, Sheps Canyon, and Newton Hills to \$280 a night.

**The proposal also calls for fee increases for the use of the following state park facilities:**

- Fort Sisseton South Barracks rental would increase to \$500.
- Lewis and Clark catamaran dry slip summer storage would increase to \$325.
- The Angostura catamaran dry slip summer storage would increase to \$175.

Motioned by Dennert with second by Boyd TO APPROVE THE PROPOSED FEE INCREASES AND CAMPGROUND CLASSIFICATIONS. Motion carried unanimously.

## **DIVISION OF PARKS AND RECREATION**

### **Custer State Park Project Update**

Matt Snyder, parks and recreation regional supervisor, introduced Kobie Stalder new visitor services coordinator. They provided an update on the buffalo round up noting 21,282 visitors came to Custer State Park for the event, which is the second best attendance in Roundup history. New to the Roundup was a Facebook Live feed with over 24,000 views, which showcased the herd at the South Viewing Area and again on the North Viewing area. They spoke to the condition of the animals which was good overall and the long term goal to continue to maintain a large healthy heard in balance with forage resources. After the November auction and hunts, the winter herd size will be around 870. Last year the Bison Program Gross revenue was \$871,486.00.

Snyder provided updates on projects at Custer State Park detailing the master plan for facility improvements and bonding authority approved by the legislature in 2015 with the remainder of construction work to be completed by 2019. Snyder noted the renovations and replacements that took place throughout the park that were part of the 6.4 million dollar building construction contract and the upcoming projects in the resort

areas as well as repair and maintenance projects noting only 11 cabins will need renovations after 2018. He also provide renderings of the jeep barn renovation which will repurpose the barn to provide a space for live entertainment, media events and fundraising events

Phillips asked what group makes decisions for upgrades.

Snyder explained that some cabins were not part of the bonding process and some were removed by staff and Resort Company did as they were not meeting the needs of customers. Landscaping is done with a professional company that provides proposals that is low maintenance and fits in with the look of the park and buildings. The jeep barn renovation began with concepts and ensuring the structural integrity and the facility will meet the needs of shoulder season guests for events. He noted the approval process did go through the GFP staff and Governor's Office and received positive feedback from guests at the round up.

Sharp inquired who builds new cabins and where do materials come from and how old cabins are disposed of.

Snyder said they surplus old cabins and sell them through an online auction company. New resort cabins were put out for bid that was done through a modular building company from Watertown. Camper cabins are still built by prison inmates in Springfield who build all state park cabins.

### **Parks Revenue and Camping Reservation Report**

Schneider provided the park revenue and camping reservation report. The report includes a year to date comparison of revenue by line item for September 2017 year to date comparison by district item. Schneider noted it's been another good month with the nice weather increasing camper units 4 percent as parks were full. He said the new Good Earth state park brought in a considerable amount of revenue showing a 17 percent increase for district 8 and over all visitations up 2 percent for the parks system.

## **DIVISION OF WILDLIFE**

### **Land Acquisition Projects**

Paul Coughlin, habitat program administrator provided information on the following proposed land acquisitions projects that will be brought to the Commission for final action at the November meeting.

Tobin/Tvinnereim Trust property inholding consisting of 783 acres in Day County with an average soil rating of 49.8 to be utilized as a game production area for wildlife habitat and management and public hunting access at a cost of \$548,000.

Worthing GPA Addition Donation consisting of 0.76 acres in Lincoln County to be utilized as a game production area for wildlife habitat and management and public hunting access.

Early development project at this time is the Armbruster property southwest of Wallace in Clark County consisting of 174 acres.

Coughlin responded to G Jensen's inquiry on the status for making determination on inventory and maintenance of land currently owned by GFP and how to involve the

public. He explained that appropriate staff will meet later this fall/early winter and will go through each GPA and identify the status as to where it is in development, operation and maintenance to determine the status of each to compile an accurate inventory and identify where the department is with resources, staff and funds, then provide an update to the Commission in the spring. Involve the public by getting a handle on how valuable GPAs are to their fishing hunting and recreating possibly by conducting local open houses to see what they like, what they don't, etc. They will also take into consideration how we become more effective on management particularly leasing per Dennert's request.

Hepler said staff are currently working with Cindy Longmire, human dimensions specialist, to further engage the public on all aspects of parks and wildlife. And will also further involve the Commission in the process.

### **ADC Policy Advisory Committee Report**

Fisk provided the Commission a list of the 2017 wildlife damage management advisory group members. He reported the group recently met on August 3<sup>rd</sup>. Overall it was a good meeting. The program has changed a lot in the past 8 years. He said the group had a lot of positive things to say and per surveys the program has an 80 percent satisfaction rating. Fisk stated the group felt it is important to continue to work with Ag on cooperative efforts like the prairie dog program and send out information on new staff to local papers and other media outlets.

B Jensen participated in the committee and said the ADC policy advisory committee is a productive group that evaluates the process to review various situations and is happy with the department's response to their concerns.

### **WDM Work Group Report**

Fisk provided the Commission the work plan and membership list for the wildlife damage management workgroup. He explained that per SB130 increased transaction fees for license sales provide funds to be split between predator control program and depredation. He said the group used facilitated discussion for good feedback and plans to reconvene next summer.

Phillips was a member of the workgroup and reported it was a good meeting and they are headed in the right direction. They need to keep up the good work with public involvement and input.

### **Surveillance and Sampling of Deer**

Kirschenmann provided commission copy of letter sent to west river deer hunters in unit 35A to share information and ask for their assistance in notification of TB to obtain samples. He said it is not mandatory, but they anticipate approximately 200 deer heads. Hopefully everything comes back as negative and this would then conclude the efforts. If not then staff would reevaluate and determine future steps.

Phillips asked if TB testing is the only testing being done.

Kirschenmann said testing for CWD is also being done.

### **Threatened and Endangered Species Status Reviews**

Kirschenmann provided the Commission copies of the state threatened and endangered species status review draft as of September 28, 2017 which identifies 22 species. He explained a 60 day comment period will be open for example on delisting or listing criteria. The lengthy comment period is necessary to allow time to evaluate based on volume of comment and new information received. Once incorporated comments will be present to the Commission for approval. He said the main objective is to evaluate if species should still be listed or if they need to be down listed.

B. Jensen inquired if it is this the states responsibility or federal government.

Kirschenmann said these species are on the state listing and some are also on the federal listing. For those listed on the federal listing state staff work with the feds on determining where they should be listed.

### **Spearfish Creek Brown Trout Study**

Jeremy Kientz, wildlife resource biologist, provided a presentation on the Spearfish Creek brown trout density manipulation study. Kientz detailed the population and two different objectives and methods as well as a brief project update. The first objective was to examine the impact of a 50 percent reduction in brown trout density on growth, abundance and condition of those in Spearfish Creek. Methods used in objective one were electrofishing at multiple sites as well as removal and transfer of brown trout resulting in extremely high densities specifically in canyon sites vs. city sites and transfer of brown trout to Iron Creek Lake and Hanna Pond. The second objective was to compare movement and fidelity of adult brown trout between control sections (no density reduction) and experimental sections (50 percent reduction). Method 2 objectives tracked movement by use of radio telemetry tags and passive integrated transponder tags with data showing very little impact on movement on immigration.

### **Rapid Creek Hydrology Modeling**

Mackenzie Kenney, SDSMT provided the Commission a presentation on the first phase of the two dimensional hydraulics model of Rapid Creek. She provided history noting the problem which is the decline of brown trout and high discharge volumes with the solution to implement multiple habitat improvement structures in effort to increase fisheries habitat. Steps taken include topographic surveys, flow calibration, specific habitat analysis for application to future projects. Kenney explained how this model will draw a connection between hydraulics and ecosystem characteristics for survival of fisheries in Rapid Creek and that the developed model will be a baseline for future fish habitat restoration projects.

### **OCW Hunter Education Building and Archery Park – Rapid City**

Scott Simpson, wildlife administration chief, said the project began over 7 years ago with the plan to add a BB gun shooting facility 4 years ago then the department had opportunity to purchase adjacent land for parking and an additional 13 acres. He explained how this will allow space to provide an outdoor archery range and shooting range that would be open to the public as well as opportunity for a walking archery trail with 14 stations with 28 targets. The structure will be 68 x100 feet steel frame with open space layout to be functional for multiple education programs to include archery range, air guns, fly fishing techniques, hunter safety, boater safety, wild game processing and also share with local groups such as 4H shooting sports.

Simpson provided the Commission copies of the site and facility plan. He said they are taking considerations to build the outdoor archery park in a safe and responsible manner. Landscape is heavily wooded and will utilize nature resources and grading to create a berm effect around the range and will also add fencing. They will draw on resources such as national archery organizations to provide input. Timeline is looking at going out for bid around January 1 with construction to begin spring with shooting to begin mid-summer.

Al Krause, BH Archery, Rapid City, SD, said he has been teaching bow hunter education since 1993 and started 4 H archery program that now has over 300 kids. He explained the archery range previous used by the 4 H archery program was sold and they no longer have a facility nearby so this will be a great asset for the group. Krause is very excited and believes we will be shocked by how many users there will be especially for programs that get youth involved and result in a family affair.

### **Outdoor Education in Western SD**

Chad Tussing, Outdoor Campus West Director, provided an update on outdoor education provided by staff at outdoor campus west noting that in addition to elementary programming and introductory classes they also offer advanced experiences such as bow hunting and fly fishing. He said they do classes such as hunting and fishing 101 that teach about wildlife management, safety and culminate with actually hunting or fishing opportunities. Tussing explained this is showing a lot of repeat activity with people purchasing licenses year after year and then becoming mentors.

Kobee Stalder, visitor services coordinator, provided an update on the Peter Norbeck Education Center. Stalder said they will be hosting a Halloween hike beginning at outdoor education center the evenings of October 27-28 with characters at multiple locations in the park. They will also host an escape to the park program every Saturday in winter with guest speaker related to natural and cultural significance. The festival of trees will be new at the visitor's center and is similar to Christmas at the Capitol where the trees are decorated by local businesses and organizations. They will also have a winter trails challenge to begin with hikes across the park inviting groups to participating in hikes.

### **License Sales Update**

Simpson provided the license sales report as of September 27 for all resident and nonresidents for all license types indicating not a lot of change is seen in September as most licenses have been sold. He said the main focus will be to see what happens with resident and nonresident small game license sales. Simpson expects to see 25,000 resident licenses sold. He said the staff just completed the east river deer draw processing 221,000 licenses/permits. They also processed 29,000 west river deer apps and 15,000 black hills deer apps.

Dennert asked if nonresident waterfowl licenses are still available and if hunters were successful.

Simpson said several units have sold out and will provide hunter harvest data at the next meeting.

Kirschenmann responded of the 3 day temporary Licenses 316 remain as of Wednesday.

**Solicitation of Agenda Items from Commissioners**

No new agenda items were requested at this time.

**Adjourn**

Motioned by Dennert, second by Sharp TO ADJOURN THE MEETING. Motion carried unanimously and the meeting adjourned at 11:15 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kelly R Hepler". The signature is written in a cursive style with a large, looped "K" and a distinct "H".

Kelly R. Hepler, Department Secretary

Appendix A

**RESOLUTION 17-12**

WHEREAS, Bradley Tisdall of Rapid City, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated September, 19 2017, requesting that the Game, Fish and Parks Commission amend ARSD § 41:06:61:06 (Mountain Lion Hunting Season) – removal of the wording “must take first legal lion” for the reasons more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL § 1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of removal of the wording “must take first legal lion”; and

WHEREAS, mountain lions within Custer State Park are part of the Black Hills population and considered in the total harvest limits to assure sustainability of the population; and

WHEREAS, harvesting the first legal mountain lion with the use of hounds in Custer State Park minimizes the amount of time, potential disturbance to other Park users, and stress on wildlife species; and

WHEREAS, the objective of mountain lion hound hunting in Custer State Park is to maximize harvest using a minimum number of pursuits.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution as adopted by the Commission shall constitute the Commission’s written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission’s discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the

Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission's discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Bradley Tisdall of Rapid City, South Dakota.