

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

A Public Hearing will be held at the Holiday Inn Express, 1103 N. Splitrock Blvd., Brandon, South Dakota, on November 3, 2016, at 2:00 o'clock P.M. (CST), to consider adoption, amendment and repeal of Rules pertaining to:

1. ARSD 41:03:01- Uses of Parks and Public Lands.

Effect: The proposal would amend current rule to allow for removal of shed antlers from state-owned lands.

Reason: Many public concerns and questions were brought to the department's attention during the winter/spring of 2016 when a GFP news release was disseminated reminding the public that it is not legal to remove shed antlers from state parks and game production areas. As a result of several internal discussions among both Parks and Wildlife staff concerning the necessity for the prohibition on this activity, the department is recommending this rule amendment be adopted to remove the prohibition.

2. ARSD 41:06:13 – Spring Wild Turkey Hunting Season.

Effect: The proposed amendments would offer residents 52 less one-tag "male turkey" licenses and 600 less two-tag "male turkey" licenses for the Prairie Units than 2016 for an overall decrease of 1,252 tags; offer nonresidents 6 more one-tag "male turkey" licenses and 42 less two-tag "male turkey" licenses for the Prairie Units than 2016 for an overall decrease of 78 tags; make adjustments to the Black Hills and Unit 49A (Meade County) unit boundaries as outlined in the South Dakota Wild Turkey Management Plan, 2016-2020; offer 10 more archery turkey access permits for Adams Homestead and Nature Preserve than 2016 for a total of 20 access permits; and remove the language in administrative rule depicting the license type and number of licenses from each hunting unit.

Reason: Provide hunting opportunity consistent with wildlife management objectives.

3. ARSD 41:07:03 – Fish Limits.

Effect: The proposed amendments would add language that would: (a) allow ice anglers to keep a legally caught possession limit of fish while on the ice; (b) allow anglers to clean fish species, while on the ice, that do not have water-specific size restrictions; and (c) require that fish possessed on the ice adhere to the transportation rule that requires fish to be readily countable.

Reason: Allowing anglers to possess more than one day's limit while on the ice while at the same time complying with transportation requirements for fish would provide a way for ice anglers fishing multiple days to abide by possession limits. Existing rule does not allow for fish to be cleaned on the ice beyond removal of gills, entrails and eyes; however, many anglers wish to clean their fish prior to transporting them to their domicile or to clean, cook and eat their fish while on the ice. The requirement that fish for which water-specific length limits are in place must be kept whole allows for enforcement of length limits.

4. ARSD 41:10:04 – Aquatic Invasive Species.

Effect: The proposed amendments would (a) add Red Swamp Crayfish to the list of invertebrate aquatic invasive species; (b) allow for the transport of aquatic invasive species by an employee of a business that has been approved by the department to transport a boat or motorboat to a facility for the purpose of aquatic invasive species removal, and allow a person who has been authorized by the department to transport their own watercraft to a department-approved facility for immediate decontamination; (c) remove the exception in current rule that allows all drain plugs, bailers or valves in trailered boats to be closed or remain in place during transport from a boat ramp parking area to an

immediately-adjacent fish cleaning station; and (d) remove the exception in current rule that allows fish or aquatic bait to be transported in water obtained from a lake, river, or stream from a boat ramp parking area to an immediately-adjacent fish cleaning station.

Reason: (a) Red Swamp crayfish are one of the primary crayfish species sold and transported throughout the country for human consumption but can have detrimental effects on native crayfish. (b) There is currently no means available for a person who discovers aquatic invasive species attached to their boat to legally transport the boat to a location where equipment necessary for removal of aquatic invasive species (e.g., heated pressure washers) exists. The recommended rule change allows for transport of infested boats by boat owners and employees of companies who perform decontamination of boats for this purpose. (c) The exception in current rule which allows boats to be transported to an "immediately adjacent" fish cleaning station with drain plugs in place has created much confusion. It has proven difficult for the public to know which fish cleaning facilities are considered immediately adjacent to a boat ramp parking area and which are not. By removing this exception and requiring all trailered boats to have all drain plugs, bailers, valves or other devices opened or removed when not in a boat ramp parking area or while being launched or loaded will clarify the rule and improve compliance and enforceability. (d) Removing the exception that allows fish and aquatic bait to be transported in water from a lake, river, or stream to an immediately-adjacent fish cleaning station will clarify the rule and improve compliance and enforceability.

The above rule proposals may be modified or amended following receipt of public comment at the hearing to include or exclude matters that are described in this Notice of Hearing. The hearing may be continued from time to time until its business has been completed and may be rescheduled.

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 either wildinfo@state.sd.us or gfpadminrules@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 on or before 12:00 o'clock P.M. on 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).

Date of this 7th day of October, 2016.



Kelly R. Hepler, Secretary



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