

Minutes of the Game, Fish, and Parks Commission Meeting
June 7-8, 2012

Chairman Olson called the meeting to order at 1:06 PM at the Ramkota River Center in Pierre, South Dakota. Commissioners Jeff Olson, Susie Knippling, Barry Jensen, John Cooper, Jim Spies, Duane Sather, Cathy Peterson, and William Cerny were present. Secretary Jeff Vonk was present along with forty public, staff, and media.

Division of Administration

Chairman Olson called for any additions or corrections to the May 3-4 minutes. Knippling requested a paragraph be added regarding the weighted lottery drawing system for archery elk and approval was delayed to Friday.

Friday morning Knippling made a motion to approve the May 3-4 minutes with the additional paragraph regarding weighted drawings for future archery elk drawings. Cooper second the motion and motion carried unanimously.

Olson called for additional Commissioner Salary Days. Spies claimed two and Cooper claimed one. Motion by Jensen with second by Knippling TO APPROVE THE ADDITIONAL SALARY DAYS AS REQUESTED. Motion carried unanimously.

Director Chris Petersen presented a license list request from Kathye Miller of K & M Hunting for a list of 4,000 nonresident pheasant license holders to advertise and showcase their business. This would be at full fee.

Motion by Cooper with second by Peterson TO APPROVE THE LICENSE LIST REQUEST FROM KATHYE MILLER AS PRESENTED. Motion carried unanimously.

Petersen presented the annual license list request from William-Neil Associates representatives of Cabela's for a list of resident and nonresident small game license holders for the Cabela's Pheasant Week promotion to mail postcards and catalogs. This would be at full fee.

Motion by Cerny with second by Spies TO APPROVE THE CABELA'S LICENSE LIST REQUEST AS PRESENTED. Motion carried unanimously.

Director Petersen presented the License Sales Totals ending on May 30, 2012, indicating sales are up 30.3% from the May 30, 2011, report with fishing and combination licenses accounting for the increase. Petersen stated the end of May represents 50% of fishing license sales and the end of June represents 75% of fishing license sales.

Open Forum

Terry Mayes, a landowner in Tripp County with a pay-hunting operation and serves on several boards, spoke for himself and requested more liberalized pike fishing in the Black Hills Fire Protection District.

Mayes supports the proposal from Safari Club International of a financial partnership to hire a biologist to improve the bighorn sheep herd in western South Dakota. The herd is at risk and is diminishing and should be protected and he supports the partnership. If a license is available for auction the proceeds would go directly to the bighorn sheep project and rescuing an endangered species in South Dakota is more important than an auction license available for a nonresident to hunt in South Dakota.

Mayes stated that dealing with mountain lions in SD is a contentious issue and he would like to commend the Commission for work on this very challenging issue, it is a long term and complicated issue and the end result is down the road. He compliments and applauds the Commissioners for their work on mountain lion issues.

Darrell Moffit of Iroquois representing landowners in the Cavour and Iroquois area indicating he does not want burning of wildlife habitat on Game Production Areas. He feels there are many other ways to clean up these areas than burning pheasant nests. He understands the studies and wants common sense used and wants to stop spring burning of ditches and habitat. He likes the policy not allowing the cutting of ditches until July. He suggested letting farmers clean up grass by haying one third and wants the burn policy changed.

The Public Hearing began at 2:02 PM and concluded at 2:21 PM. Minutes of the Public Hearing are at the end of these minutes.

Finalizations

West River Hunting Season 41:06:20

Chief Tom Kirschenmann presented the proposed changes with no recommended changes to proposal. Discussion included the location of the reduction of tags and public comments.

1. Adjust resident license numbers by increasing one-tag licenses by 1,590, increasing two-tag licenses by 830 (1,660 tags), and decreasing three-tag licenses by 4,960 (14,880 tags) compared to 2011.
2. Adjust nonresident license numbers by increasing one-tag licenses by 128, increasing two-tag licenses by 67 (134 tags), and decreasing three-tag licenses by 397 (1,191 tags) compared to 2011.
3. Modify the boundary description for Unit WRD-27L to add some additional public lands adjacent to the Cheyenne River and Angostura Reservoir and to make the unit boundary more easily identifiable for hunters.

4. Only unfilled "antlerless deer" and "antlerless whitetail deer" tags are valid during the antlerless deer season extension beginning the Saturday after Christmas.
5. West River antlerless deer tags are not valid during the firearms antelope hunting season in their respective units.

Motion by Knippling with second by Sather TO FINALIZE THE WEST RIVER HUNTING SEASON 41:06:20 AS PROPOSED. Motion carried unanimously.

Black Hills Hunting Season 41:06:19

Kirschenmann presented proposed changes offering fewer licenses with no recommended changes.

1. Offer residents 200 and nonresidents 16 fewer "Any" deer licenses than 2011.
2. Offer residents 500 and nonresidents 40 fewer "Any Whitetail" deer licenses than 2011.
3. Offer residents 50 and nonresidents 4 fewer "Antlerless Whitetail" deer licenses than 2011.

Motion by Knippling with second by Spies TO FINALIZE THE BLACK HILLS HUNTING SEASON 41:06:19 AS PROPOSED. Motion carried unanimously.

Archery Deer Hunting Season 41:06:22 and 41:03:01

Chief Kirschenmann presented the proposed changes with a recommended change to clean up or clarify language regarding types of licenses available.

41:06:22:01.01. Open units -- Number and type of licenses available. The following is a description of the open units and the number and type of licenses available in each unit:

- (1) Unit ARD-ST1: Statewide; unlimited "any deer" licenses, and unlimited "antlerless deer" licenses, ~~and unlimited two-tag "antlerless deer" licenses~~ may be issued. One single tag statewide "any antlerless deer" license may be purchased. However, the licenses are valid only for "antlerless deer" from January 1 to January 15, inclusive;

Motion by Cooper with second by Jensen TO AMEND PROPOSAL AS RECOMMENDED. Motion carried unanimously.

1. Add Brookings, Deuel, Hamlin, and McCook counties to the restricted area where only one (1) single tag antlerless deer license is valid.
2. "Any antlerless deer" licenses are not valid for the Sand Lake NWR.
3. Modify rule to allow 45 "antlerless deer" and 5 "any deer" resident licensees to hunt deer at the Adams Homestead and Nature Preserve and 5 "antlerless deer" and 5 "any deer" resident licensees to hunt deer at the Blood Run Nature Area through the issuance of "Access Permits" issued via lottery drawing by the Department.
4. Modify existing rule to allow an individual to possess an uncased bow and to allow the use of bow and arrow to hunt deer and turkey within the Blood Run nature Area.
5. Unit ARD-ST1: Statewide; unlimited "any deer" licenses, and unlimited "antlerless deer" licenses, ~~and unlimited two-tag "antlerless deer" licenses~~ may be issued. One single tag statewide "any antlerless deer" license may be purchased. However, the licenses are valid only for "antlerless deer" from January 1 to January 15, inclusive;

Motion by Cooper with second by Spies TO FINALIZE THE ARCHERY DEER HUNTING SEASON 41:06:22 AND 41:03:01 AS AMENDED. Motion carried unanimously.

Muzzleloader Deer Hunting Season 41:06:45 and 41:06:04

Kirschenmann presented the proposed changes with no recommended changes to proposal.

Add Brookings, Deuel, Hamlin, and McCook counties to the restricted area where only one (1) single tag antlerless deer license is valid.

Motion by Cerny with second by Peterson TO FINALIZE GENERAL MUZZLELOADING DEER HUNTING SEASON 41:06:45 AND 41:06:04 AS PROPOSED. Motion carried unanimously.

Youth Deer Hunting Season 41:06:44

Kirschenmann presented the proposed change with no recommended changes to proposal.

Add Brookings, Codington, Deuel, Grant, Hamlin, Lake, Lincoln, McCook, Minnehaha, Moody, Roberts, Turner and Yankton counties to the restricted area where only one youth deer license is valid.

Motion by Knippling with second by Peterson TO FINALIZE THE YOUTH DEER HUNTING SEASON 41:06:44 AS PROPOSED. Motion carried unanimously.

Archery Antelope Hunting Season 41:06:24

Chief Kirschenmann presented the proposed changes with no recommended changes to proposal.

1. Eliminate the two-tag license valid for one "any antelope" and one "doe-fawn" antelope.
2. Include those portions of Custer and Pennington counties within the Black Hills Fire Protection District (except Custer State Park) and issue 5 access permits via lottery drawing to those licensees who possess a valid "any antelope" resident archery license.

Motion by Cooper with second by Jensen TO FINALIZE THE ARCHERY ANTELOPE HUNTING SEASON 41:06:24 AS PROPOSED. Motion carried unanimously.

Fall Turkey Hunting Season 41:06:14

Kirschenmann presented the proposed changes with a recommended change with additional reduction of the number of tags in the Black Hills. Discussion indicated a need to harvest turkeys in some areas of the Black Hills and continue to provide hunter opportunity.

Reduce the number of Black Hills fall turkey hunting licenses to 2,000 resident and 160 nonresident one-tag "any turkey" licenses.

Motion by Jensen with second by Sather TO AMEND PROPOSAL TO FURTHER REDUCE THE NUMBER OF TAGS IN THE BLACK HILLS AS RECOMMENDED. Motion carried unanimously.

1. Offer 490 more one-tag licenses and 1,630 fewer two-tag licenses for resident hunters on the East River Prairie Units.

2. Reduce the number of Black Hills fall turkey hunting licenses to 2,000 resident and 160 nonresident one-tag "any turkey" licenses.
3. Close Harding and Turner counties to fall turkey hunting.

Motion by Peterson with second by Jensen TO FINALIZE FALL TURKEY HUNTING SEASON 41:06:14 AS AMENDED. Motion carried unanimously.

Bobcat Hunting and Trapping Season 41:08:01

Keith Fisk presented the proposed change with no recommended changes.

Allow a limited season in certain counties east of the Missouri River with a limit of one bobcat per trapper or hunter.

Motion by Cerny with second by Jensen TO FINALIZE THE BOBCAT HUNTING AND TRAPPING SEASON 41:08:01 AS PROPOSED. Motion carried unanimously.

Trapping Prohibitions 41:08:02

Fisk presented the proposed changes with no recommended changes.

1. Change the date that traps may be placed prior to the mink season to be consistent with other administrative rules (i.e. sunrise of opening day).
2. Clarify the dimensions of colony traps used for muskrat trapping as round and square traps are now being used and current rule only addresses round traps.
3. Require on public lands and public road rights-of-ways statewide, that body grip traps with an opening greater than 36 sq. inches (larger than 160 Conibears) when used in conjunction with any bait, lure, or scent be recessed a minimum of seven inches in cubbies, baited box traps, or bucket traps.

Motion by Cooper with second by Peterson TO FINALIZE TRAPPING PROHIBITIONS 41:08:02 AS PROPOSED. Motion carried unanimously.

Muskrat Hunting Season 41:08:01

Fisk presented the proposal for a muskrat hunting season with a recommended change to include language for School and Public land lease holders to address muskrats damaging roads next to property owned by School and Public Lands.

Only landowners and/or operators on their own property or property they operate and state, county, or township highway officials within public road right-of-ways, may shoot muskrats.

Motion by Spies with second by Knippling TO AMEND PROPOSAL TO ALLOW LEASE HOLDERS OF SCHOOL AND PUBLIC LANDS TO PROTECT ROADS AS RECOMMENDED. Motion carried unanimously.

1. The season would be open from April 1 - August 31 statewide.
2. Only landowners and/or operators on their own property or property they operate and state, county, or township highway officials within public road right-of-ways, may shoot muskrats.
3. Nontoxic shot is required for shotguns.

Motion by Cooper with second by Knippling TO FINALIZE THE MUSKRAT HUNTING SEASON 41:08:01 AS AMENDED. Motion carried unanimously.

August Management Take Goose Season 41:06:16

Chief Kirschenmann presented the proposed change to expand the counties for the August management season with no recommended changes and reported that nest work does provide results. Keith Fisk reported on depredation efforts.

Expand the open area to include the counties of Brown, Hutchinson, Spink and Turner.

Motion by Sather with second by Spies TO FINALIZE THE GOOSE HUNTING SEASON 41:06:16 AS PROPOSED. Motion carried unanimously.

Administrative Rules Reduction

Chief Tom Kirschenmann presented the many proposed changes due to the administrative rule reduction initiative. Legislative Research reviewed the changes and suggested changes to action items 11 and 13. Kirschenmann indicate no public comment was received regarding the proposed changes.

Motion by Cerny with second by Spies TO AMEND PROPOSED CHANGES AS RECOMMENDED. Motion carried unanimously.

Uses of Parks and Public Lands	41:03:01:06	Repeal
Uses of Parks and Public Lands	41:03:01:10	Modify
Uses of Parks and Public Lands	41:03:01:22	Repeal
Uses of Parks and Public Lands	41:03:01:28	Repeal
Park Licenses	41:03:03:06:01	Modify
George S. Mickelson Trail user service fees	41:03:05:05	Repeal
Motorboats and Watercraft	41:04:05:07	Repeal
Application for License	41:06:01:10	Modify
License Forms and Fees	41:06:02:01:05	Modify
License Forms and Fees	41:06:02:02	Repeal
License Forms and Fees	41:06:02:04	Modify
License Forms and Fees	41:06:02:05	Repeal
Custer State Park restrictions	41:06:07:07	Repeal
Spring Wild Turkey Hunting Season	41:06:13:02	Modify
Spring Wild Turkey Hunting Season	41:06:13:03	Repeal
Spring Wild Turkey Hunting Season	41:06:13:04	Modify
Fall Wild Turkey Hunting Season	41:06:14:02	Modify
Fall Wild Turkey Hunting Season	41:06:14:03	Repeal
Fall Wild Turkey Hunting Season	41:06:14:04	Modify
Fall Wild Turkey Hunting Season	41:06:14:05	Modify
Custer State Park Spring Turkey Season	41:06:15:03	Repeal
Black Hills Deer Hunting Season	41:06:19:02	Modify
Black Hills Deer Hunting Season	41:06:19:04	Modify
Black Hills Deer Hunting Season	41:06:19:07	Repeal
West River Prairie Deer Season	41:06:20:02	Modify
West River Prairie Deer Season	41:06:20:03	Repeal
West River Prairie Deer Season	41:06:20:04	Repeal
East River Deer Season	41:06:21:03	Repeal
East River Deer Season	41:06:21:04	Repeal

Archery Deer Hunting Season	41:06:22:03	Repeal
Archery Deer Hunting Season	41:06:22:06	Repeal
Antelope Hunting Season	41:06:23:02	Modify
Antelope Hunting Season	41:06:23:03	Modify
Antelope Hunting Season	41:06:23:04	Repeal
Antelope Hunting Season	41:06:23:05	Repeal
Archery Antelope Hunting Season	41:06:24:03	Repeal
Custer State Park Antelope Season	41:06:25:01	Modify
Custer State Park Antelope Season	41:06:25:03	Repeal
Black Hills Elk Hunting Season	41:06:26:03	Repeal
Black Hills Elk Hunting Season	41:06:26:04	Repeal
Custer State Park Elk Hunting Season	41:06:27:03	Repeal
Custer State Park Elk Hunting Season	41:06:27:05	Repeal
CSP Early Archery Elk Season	41:06:28:03	Repeal
CSP Early Archery Elk Season	41:06:28:05	Repeal
Mountain Goat Hunting Season	41:06:29:04	Modify
CSP Bighorn Sheep Hunting Season	41:06:30	Repeal (Chapter)
National Wildlife Refuge Deer Seasons	41:06:36:02	Modify
National Wildlife Refuge Deer Seasons	41:06:36:02.01	Modify
National Wildlife Refuge Deer Seasons	41:06:36:02.02	Modify
National Wildlife Refuge Deer Seasons	41:06:36:03	Repeal
National Wildlife Refuge Deer Seasons	41:06:36:04	Repeal
Custer State Park Fall Turkey Season	41:06:38	Repeal (Chapter)
Custer State Park Deer Season	41:06:41:03	Repeal
Archery Elk Hunting Season	41:06:43:03	Repeal
Archery Elk Hunting Season	41:06:43:04	Repeal
Youth Deer Season	41:06:44:03	Repeal
General Muzzleloading Deer Season	41:06:45:03	Repeal
General Muzzleloading Deer Season	41:06:45:04	Modify
Depredation Permits	41:06:46:08	Repeal
Special CSP antlerless elk season	41:06:47:03	Repeal
Special CSP antlerless elk season	41:06:47:04	Repeal
CSP Late Archery Elk Season	41:06:48:03	Repeal
CSP Late Archery Elk Season	41:06:48:04	Repeal
Prairie Elk Hunting Season	41:06:59:03	Repeal
Prairie Elk Hunting Season	41:06:59:04	Repeal
Mountain Lion Hunting Season	41:06:61:05	Repeal
Furbearer Seasons	41:08:01:02	Modify
Furbearer Seasons	41:08:01:03	Repeal
Furbearer Seasons	41:08:01:04	Repeal
Furbearer Seasons	41:08:01:08.02	Modify
Furbearer Seasons	41:08:01:08.04	Repeal
Protected Furbearing Animals	41:08:04	Repeal (Chapter)
Bait	41:09:04:08	Repeal
Bait	41:09:04:09	Repeal
Bait	41:09:04:10	Repeal
Bait	41:09:04:13	Repeal
Private Fish Hatcheries	41:09:07:01	Repeal
Private Fish Hatcheries	41:09:07:02	Modify
Private Fish Hatcheries	41:09:07:03	Repeal
Private Fish Hatcheries	41:09:07:03.01	Repeal
Nursing Home Group Fishing	41:09:14:03	Repeal

Motion by Peterson with second by Cerny TO FINALIZE CHANGES FOR THE ADMINISTRATIVE RULES REDUCTION INITIATIVE AS PROPOSED AND AMENDED. Motion carried unanimously.

Hunting Season Proposals

Antelope Hunting Seasons

Kirschenmann presented recommendations to reduce the number of antelope licenses for a total reduction of 28% and to limit the licenses to residents only. The aerial population survey is almost complete and a report will be provided at the July meeting prior to finalization with possible adjustments recommended at that time. Discussion included the closing of the season to allow the herd to rebound. Kirschenmann believes the northwestern herd is stable with good recruitment while the central herd appears to be decreasing.

1. Offer resident hunters 145 less one-tag licenses (145 tags) and 1,015 less two-tag licenses (2,030 tags) than 2011.
2. Antelope hunting season open to residents only.

Motion by Cooper with second by Knippling TO PROPOSE CHANGES AS RECOMMENDED. Motion carried unanimously.

East River Deer Hunting Season

Chief Kirschenmann presented recommended changes with a reduction in tags and a change that only unfilled antlerless tags be filled in the extended season. These recommendations were presented following the population status report presented by Andy Lindbloom.

1. Offer 170 more one-tag, 1,740 less two-tag licenses, and 4,350 less three-tag licenses (overall decrease of 16,360 tags) than 2011.
2. Only unfilled "antlerless deer" and "antlerless whitetail deer" tags are valid during the antlerless deer season extension beginning on the Saturday after Christmas.

Motion by Jensen with second by Peterson TO PROPOSE CHANGES AS RECOMMENDED. Motion carried unanimously.

Refuge Deer Hunting Season

Kirschenmann presented recommended changes to the refuge deer season indicating the recommendations came following discussions with refuge staff.

1. Issue zero licenses for the 4th deer season for the Sand Lake NWR rifle season.
2. Replace the 150 "any deer + any antlerless deer" licenses and the 50 2-tag "any antlerless deer" licenses issued in 2011 with 80 "any deer" licenses and 40 "any antlerless deer" licenses for resident hunters hunting at Sand Lake NWR.
3. Replace the 15 "any deer + any antlerless deer" licenses and the 5 2-tag "any antlerless deer" licenses issued in 2011 with 8 "any deer" and 4 "any antlerless deer" licenses for nonresident hunters hunting at Sand Lake NWR.
4. Offer resident hunters 10 more "antlerless whitetail deer + antlerless whitetail deer" for Lacreek NWR than 2011.
5. Offer resident hunters 15 less "any deer" licenses for Waubay NWR than 2011.

Motion by Cerny with second by Spies TO PROPOSE CHANGES AS RECOMMENDED. Motion carried unanimously.

Early Fall Canada Goose Hunting Season

Kirschenmann presented recommended changes to increase the daily bag limit and possession limit for Canada geese in anticipation the Central Flyway's request to increase these limits are granted by the US Fish and Wildlife Service between now and the July 9th meeting. Kirschenmann is also working at getting permission to allow the geese harvested during this season could be donated to Sportsmen Against Hunger and will provide an update at the July meeting.

Increase the daily bag limit from 8 to 10 and the possession limit from 16 to 20. This recommendation will need approval from the U.S. Fish and Wildlife Service.

Motion by Cooper with second by Spies TO PROPOSE CHANGES AS RECOMMENDED. Motion carried unanimously.

Youth Waterfowl Hunting Season

Chief Kirschenmann presented a recommended change to adjust the start date for the Youth Waterfowl Hunting Season in mid-September.

Adjust the start date from the Saturday prior to the last Saturday of September to 12 days after Labor Day.

Motion by Cooper with second by Spies TO PROPOSE THE CHANGE AS RECOMMENDED. Motion carried unanimously.

Sage Grouse Hunting Season

Kirschenmann presented the season requirements and restrictions indicating 12-13 grouse were harvested by 25-27 hunters during the 2011 season and have no recommended changes to the season. The US FWS is working with many western states to improve sage grouse habitat especially in western South Dakota.

Division of Parks and Recreation

Pet Prohibition - Uses of Parks and Public Land

Assistant Director Bob Schneider indicated a dog training area will be developed at the Big Sioux Recreation Area property to allow for the training of bird dogs. He presented a recommended change allowing dogs be unleashed in areas that are developed for dog training within the park system. Discussion included reasonable control and penalties.

A person may allow or possess a dog or dogs that are not on a leash, while maintain reasonable control of the dog(s), within any designated dog training area.

Motion by Jensen with second by Sather TO PROPOSE THE CHANGE AS RECOMMENDED. Motion carried unanimously.

Sheps Canyon Campground Fees and Park Entrance License

Schneider provided information about the improved campground at Sheps Canyon on Angostura Recreation Area including electricity at the campsites, a modern comfort station, garbage facilities, and security lighting. Schneider recommended changes to require a park entrance license and camping fees for this area.

1. Require park entrance license at Sheps Canyon located in the Angostura Recreation Area.
2. Adding Sheps Canyon to the list of campgrounds requiring camping fees.

Motion by Knippling with second by Spies TO PROPOSE CHANGES AS RECOMMENDED. Motion carried unanimously.

Fort Randall Concession Amendment

Sean Blanchette provided background information on the Fort Randall Marina Concession lease that was transferred from the US Corps of Engineers in 2002. Blanchette reviewed the First Amendment and shared corrections and clarifications since the May Commission meeting. Hofer complimented Blanchette for the hard work and creativity used to develop this amendment.

Motion by Cooper with second by Cerny TO APPROVE THE FIRST AMENDMENT TO CONCESSION LEASE AGREEMENT FORT RANDALL MARINA AS PRESENTED (Appendix A). Motion carried unanimously.

Revenue and Visitation Report

Director Doug Hofer presented the year-to-date revenue and visitation reports showing 21% revenue increase over the same time last year which was before the flood event. So far this year camping is up 38%, visitation is up 22%, and Hofer believes this could be the best year ever in the state park system in terms of visitation and camping numbers. Fisher Grove is the only campground not open as a result from flooding last year because the bridge will not accommodate large vehicles and campers to access the campground.

Campground Reservation/Point of Sale System

Hofer provided history about the reservation system and point-of-sale system indicating an RFP was issued with five proposals received for consideration. Interviews with the companies, in-depth review of their products and services, and complete background checks led to the selection of Leisure Interactive. The transition to Leisure begins in November with reservations for the 2013 camping season. The call center will continue to be based in South Dakota and will operate 24/7. The software, website, reports, and ease of use by the public were features attractive during the selection process and reflected a lower annual cost than the current system or those proposed by other competitors.

Wildlife Division

Sportsmen Against Hunger Resolution

Chief Tom Kirschenmann presented the Resolution 12-07 for Commission approval authorizing Director Leif to enter into a Memorandum of Agreement with Sportsmen Against Hunger for a seventh year to assist with payment of processing and distribution of wild game to families and distribution centers.

Motion by Peterson with second by Knippling TO APPROVE RESOLUTION 12-07 AS PRESENTED (Appendix B). Motion carried unanimously.

Elk License Raffle

Chief Kirschenmann presented a recommended change to create a rule allowing the elk license raffle winner to hunt within the Black Hills where "any elk" licenses are issued as this would expand the opportunity for the winner to fill the tag. This change would begin with the 2013 hunting season, if approved. Currently the winner can only hunt within Custer State Park.

Create a rule within the Black Hills Elk Hunting Season that would validate the winner of the annual Elk License Raffle to also hunt in any unit within the Black Hills where "Any Elk" licenses are issued.

Motion by Knippling with second by Spies TO PROPOSE THE CHANGE TO BLACK HILLS ELK SEASON AS RECOMMENDED. Motion carried unanimously.

Dog Training

Andy Alban presented a change to create allowances for game bird challenge events that take place during the regular pheasant season. These hunting contests do not utilize wild pheasants and event organizers have pointed out that 41:09:13:04 impedes their ability to take more than three captive pheasants once the regular pheasant hunting season has begun. The changes will allow for accountability to be retained, yet provide additional flexibility to organizers in regards to event dates.

Eliminate dog training daily bag and possession limit requirements that are currently imposed during hunting seasons and amend additional rules to differentiate between captive game birds that are taken by hunters and those taken during dog training, field trials, and similar events/contests.

Motion by Jensen with second by Spies TO PROPOSE CHANGES TO DOG TRAINING AS RECOMMENDED. Motion carried unanimously

Hunting Requirements and Prohibitions

Andy Alban presented recommended changes to define bait stations for attracting big game and creating additional restrictions. Conservation Officers receive numerous calls each year on the legality of bait stations. In its current form, 41:06:04:03 allows for hunters to bait big game with corn piles, apple piles, and other bait stations provided all of the materials are cleaned up prior to hunting. There is no waiting period involved once the bait station is removed. Bait stations

tend to alter the natural movement patterns of big game animals, often causing them to go nocturnal. They can also cause a delay in the dispersal from wintering grounds, concentrate herds on the property of those maintaining a bait station, and create refuges that can hamper population control efforts. Bait stations are not necessary to sustain healthy big game populations and can create vulnerability for opportunistic poaching of big game animals. Discussion included archery hunters and mineral or salt blocks for cattle.

Amend 41:06:04:03 to further define "bait station" and place additional restrictions on the times when they are prohibited for attracting big game for the purpose of hunting.

Motion by Cooper with second by Jensen TO PROPOSE CHANGES TO HUNTING REQUIREMENTS AND PROHIBITED METHODS AS RECOMMENDED. Motion carried unanimously.

Wall Lake GPA

Paul Coughlin presented Resolution 12-08 requesting Commission approval to declare Wall Lake GPA as property no longer serving the purpose it was acquired for and no longer needed thus allowing the Department to sell the property. Landowners have been contacted and are aware of the Department's desire to sell the property.

Motion by Peterson with second by Spies TO APPROVE RESOLUTION 12-08 AS PRESENTED (Appendix C). Motion carried unanimously.

Land acquisition report

Coughlin provided information for acquisition of the Zdenek property in Bon Homme County as part of the Tony Dean Acres project. The 199 acres will be managed for wildlife habitat, public hunting, and fishing access as two ponds were created from gravel mining. Federal aid dollars will match Tony Dean dollars and \$40,000 has been pledged from conservation groups. Discussion included access, gravel rights, buildings, water in the ponds, and improvements needed. It is anticipated this will be an action item at the August meeting.

Chairman Olson called a recess at 5:03 PM indicating the meeting will resume at 8:30 AM the next morning. Meeting resumed at 8:36 AM on Friday, June 8th at same location with all Commissioners present along with Secretary Vonk and media, staff, and public numbering approximately thirty.

East River Deer Population Status

Andy Lindbloom gave a PowerPoint presentation prior to finalization for the east river deer season. Lindbloom indicated the 2011 harvest was 35,400 deer 5,000 less than 2010 with a 44% overall success rate. Lindbloom provided a breakdown for each license type and success rates of each. Surveys indicated a decrease in harvest, a decrease in hunter success and satisfaction, and received comments and concerns from landowners and sportsmen that the population is declining.

Lindbloom indicated future work will include a landowner deer survey, aerial surveys, survival estimates using collared deer, and research evaluation of fall herd composition surveys for deer and antelope. Discussion included west river tick issues and blue tongue or EHD disease.

Hill Game Production Area follow-up

Director Leif indicated an agronomist in Huron has agreed to visit the Hill Game Production Area this week and will provide recommendations following his onsite visit. Staff have reviewed management practices and access plans. Commissioners were provided a map showing locations of different crops and which are irrigated. Additional options for irrigation are being considered. This is the second year for the management of this area with much to be learned while considering cost effective efforts.

Coughlin indicated crops are in the ground, 65 acres are irrigated, an agronomist has been consulted, no-till is being considered, and crops are for wildlife not production and are not sold. Haying or cutting the alfalfa would be used within the Department possibly to feed buffalo in Custer State Park. Chemical is used for all agriculture production whether it is no-till or not and used widely across the state and wildlife remain abundant. Habitat management is the priority and in the future will need to consider timber and grazing management.

Present and future trail options were discussed to provide additional opportunity for different users. Management of the area is continually updated and reviewed and will take time to develop and utilize all the opportunities available. The different stakeholders are considered as well as users and there may be a need or opportunity to educate the public why areas are being managed as they are. The trail on the north end of the GPA should be open to hikers and there may be an opportunity to provide better access to the north trail. The trail on the south end is beautiful and should be open to hikers and improvements will be completed in time for the fall hunting season. Discussion included staffing to manage and oversee the area, establishing of a pheasant population, irrigation systems, and current condition of planted crops.

Olson requested the report from the agronomist be provided to the Commissioners when it becomes available and he would like to see a management plan in order to answer questions he receives from the public.

Bighorn Sheep follow-up

Director Leif indicated we had two herds of sheep ten years ago and another herd was established on Elk Mountain making three herds. A revived effort of the bighorn sheep management has begun and staff have identified areas for potential herds. On May 17th Secretary Vonk and Director Leif and other staff met with the bighorn sheep group that brought the bighorn sheep raffle forward to the Commission at the May meeting and shared ideas. A survey is being developed to solicit public sentiment and will be sent to all past applicants for bighorn sheep tags in June before bringing any recommendations to the Commission for consideration in August. The auction tag could provide additional revenue to assist with establishing any new herd; there are two very important issues to maintaining a herd

in the Black Hills. One being proper habitat and the other is disease issues. Leif reviewed what is currently being done to manage the bighorn sheep herd. Discussion included number of sheep in the Black Hills, disease, personnel, habitat, and finances to grow the herd. Vonk indicated an updated management plan with actions needs to be developed and that will determine personnel needed to accomplish the objectives of the management plan.

Pheasant Lead Study update

Travis Runia gave a PowerPoint that included background and history of lead ingestion by birds particularly pheasants. Runia provided an overview for the process of the ongoing research study and current results of lead in soil on walk-in areas thru 350 soil samples and from the gizzards of pheasants.

Lead shot is most available in the current year on the landscape and after one year the shot was no longer on the surface. Runia provided an outline for the research project that will continue for two years. The pilot study is in Lyman County where 115 roosters were collected from the study site and eight had ingested one or two lead pellets and one pheasant had nine lead pellets in his gizzard and still walking around when harvested.

Deer, Turkey, Antelope License Allocation System

Director Leif provided a PowerPoint outlining the statues for landowner preference for residents of South Dakota and explained the criteria, different types of landowner tags, allocation, and which are obtained thru the lottery system. Scott Simpson provided license drawing information for deer, antelope, and turkey thru the lottery system.

Asian Carp update

Chief Lott briefed the Commission about Asian carp below Lake Mitchell and below Lake Vermillion and the need for a teleconference in the next couple of weeks to adopt an emergency rule preventing the take of bait in the waters below these dams. Mike Smith gave a PowerPoint presentation about the types of carp and where located in South Dakota, ways the carp move into new waters, and current preventive measures and ongoing efforts.

Goose Depredation Update

Keith Fisk presented a PowerPoint about the Wildlife Damage Management Program efforts to alleviate or reduce damage to property from geese while allowing reasonable free public access to hunt the geese. In 2010, after a public meeting, the management goal of 80-90,000 geese was established. Since 2006, the three year average has been well above the management goal. The 2012 numbers are not known at this time; however, the number of complaints are up from last year and will continue for a few more weeks. The nesting conditions are favorable this year and geese are just starting to molt. Fisk outlined techniques, prevention, and staffing, as it has been a big year for complaints and this may be due to the high prices of commodities.

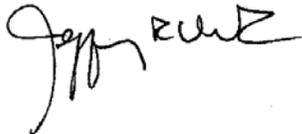
Research continues at SDSU for chemical on crops as deterrents and will have two new chemicals available for this year. Kirschenmann indicated hunting is the most effective technique to harvest geese and outlined the current season rules and regulations and the Sportsmen Against Hunger program to accept geese from hunters for needy families.

The elk collaring study update from Tom Kirschenmann indicated 30 calves are on the ground with eight cows yet to calf. Two calves were taken by lions and one slipped a collar in the new study in Unit 2 near Jewel Cave. Brundige indicated 27 calves were collared in the park, one died due to birth complications, two calves were taken by coyotes, and seven were taken by three different lions with one male lion taking three newborn calves. Discussion began regarding removal of the one lion targeting the calves and Vonk indicated staff will determine the appropriate action as there continues opportunity for research with this situation.

Secretary Vonk advised the Commission the Department is conducting a survey of pheasant hunters to gauge the level of support for generating funding for additional habitat and access by selling permits that allow hunters to increase their daily bag limit. This concept was brought forward during the last legislative session. The bill's sponsor agreed to hold off on introducing the bill so that the department could do some more background work on the concept.

Motion by Jensen with second by Knippling to adjourn the meeting. Meeting adjourned at 11:07 AM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey R. Vonk". The signature is fluid and cursive, with the first name "Jeffrey" being the most prominent part.

Jeffrey R. Vonk, Department Secretary

Public Hearing Minutes of the Game, Fish, and Parks Commission
June 7, 2012

Public Hearing Officer Chuck Schlueter began the hearing at 2:02 PM at the Ramkota RiverCenter with Commissioners Olson, Knippling, Cooper, Spies, Jensen, Peterson, Sather, and Cerny present. Schlueter indicated public comment would follow the agenda items listed under Finalizations items 5-16 on the agenda. Written comments received prior to this week have been provided to the Commissioners prior to the meeting and written comments received this week will be read followed by oral testimony from the audience. Schlueter asked that oral testimony be kept to three minutes.

West River Deer Hunting Season

Allen Herzog of Bonesteel, SD, wrote: "Down here in south central Gregory County there certainly seems to be enough deer to handle the early hunt. Mitchell's newspaper stated that one of the reasons the SDGF&P was opposed to the early season was that it interfered with the bow hunters. That did not seem to be the case for me or for my friends."

Chris Braley of Parkston, SD, emailed: "What is the reasoning behind this decision/position? I see no difference if a tag is filled in October, November, December, or January. In my experience, it allows greater access to private ground for those of us who are willing to fill antlerless tags. During the regular rifle season, landowners that hunt or have family members that hunt, deny access of their property until such time as these hunters have filled their tags. Rightfully so. They should have the primary access. However, I have had the privilege to hunt antlerless deer on this type of property during the antelope season because it doesn't interfere with the landowner/family hunters season. We have been welcomed by the landowners. I think it is a mistake to eliminate this provision."

Mike Jarding of Hot Springs, SD, emailed: "I have hunted deer in the North Fall River Co. Unit 27a all my life and I would like to tell you the deer population is extremely low. I would like to thank you for lowering the tags from 300 to 150. We have great mule deer habitat and there are some large public areas that have no deer. I do believe lowering the tags will bring back the deer, so thank you."

Ross Swedeen of Rapid City, SD, emailed: "The only item of the proposed changes for the West River Deer Season that I have a concern about is the closure of hunting antlerless deer during the Antelope Firearms Season... The weather is ideal for the young kids that hunt with us. The season allows me to put delicious deer meat in my family's freezer a little earlier in the year. I really enjoy hunting this period because it allows me to avoid most of the hunter orange army present during the regular West River Deer Season, as I hunt mostly public land...I would be very disappointed if we were no longer able to hunt antlerless deer during the Antelope Firearms season. I truly enjoy hunting antlerless deer during that time frame. Please do not make any changes to this aspect of the West River Deer Season."

John Simpson of Pierre, SD, emailed: "I agree with all these changes EXCEPT increasing W river deer tag #'s. I understand the reducing 3 tag licenses, but believe they should be totally eliminated, and NO increases in other license #'s. Based on what I've seen in Stanley & Butte counties, and what I've heard about Jones (all from landowner input) deer herd #'s need to rebuild. Tough to do that when most tag #'s are increased. Personal opinion is at this point in time it's wrong to increase tag #'s when herd was hit so hard by 3 consecutive tough winters."

Steven Nash of Prairie City, SD, emailed: "thank you for the opportunity to voice my opinions on these amendments to the hunting seasons, especially, those of the West River deer season...I think more antlerless licenses could be issued with fewer "any" (buck) licenses. I believe this to be especially true in the mule deer population. On the topic of late season licenses; I feel that if antlerless licenses are the only tags eligible, more hunters are going to harvest immature bucks on the last weekend of the regular season. Two years ago I did not find a mature buck, so I decided not to take a buck but rather wait till the late doe season and harvest does when the weather was cooler. Finally, I think the late season may be a little "too late". In our area the many of the buck had shed their horns by December 26, therefore my brother harvested a buck who had shed two years in a row."

Brian Reynolds of Monroe, SD, emailed: "I am writing to comment on the proposed changes to the west river deer regulations. I have no objections to the proposed changes, however, I do have a comment regarding the ability of a new resident to South Dakota being able to apply for resident big game licenses in two states, while a lifelong resident of South Dakota may only apply for resident tags in one state."

Robert D. Keeler of Douglas, WY, emailed: "With regards to deer season specifically West River. I as a non-resident landowner of just over 3000 acres in central SD take the Lyman County Herald a nice small town newspaper that reports weekly accidents that involve deer around Lyman County that law enforcement responds to. I also have a pretty good idea of the deer that I have on my property in Lyman and Tripp counties. My observation is that you would do the public a favor by trying to keep the deer herd more under control. Reducing your three tag licenses in my observation is not doing anyone any favors. Even with the die off of a number of deer last year I saw no decline of numbers. Putting the driving public at such a risk of striking a deer with their vehicle only puts their lives at risk with tremendous expense to property. I would suggest someone should challenge why you keep such high deer numbers when they cause so much damage to the public. Allowing the people the chance to shoot a couple extra doe per buck license just makes good sense for what I have seen."

Jared Petersen of Tea, SD, emailed: "Please keep the doe antlerless season (in October) closed to rifle hunters. Over the last few years, my son's and I hunt has been severely messed up because of rifle doe hunters. Areas where we bowhunters think are to ourselves become full of rifle hunters on their way home trying to pop a doe! Several times we have even had rifle hunters shoot at doe deer that we stalking, which created a real safety hazard! Please do away with the early doe season!"

John D. Taylor of Columbia, PA, emailed: "I'd like to voice my opinion **against** eliminating West River antlerless deer hunting during rifle antelope season."

Jim Dahleberg of Hot Springs, SD, emailed: "am definitely in favor of eliminating firearms antlerless deer season during the firearms antelope season. Mule deer in several of the areas I hunt in the southwest corner of the state have been impacted by this season in the past. I see fewer mule deer every year in these areas. Eliminating the antlerless deer season during antelope season would help rectify this problem. I am also in favor of the proposed unit boundary for unit 27L in south Fall River County."

Stanley Fischer emailed: "just wanted to offer my opinion on the elimination of antler deer hunting during rifle antelope season. For me, this has been a great bonus to my trip to SD. Most important, the landowner where I hunt, simply loves the idea of me shooting some doe deer! Why would you eliminate a season that doesn't seem to have any downside and only good!"

Brett Barnes of Mitchell, SD, emailed: "I'm not sure of the reasoning behind this but I would like to express my feelings on leaving it the way it is. At this time of the year the fawns are big enough to survive on their own and in most counties (all that I hunt) keeping the doe population in check is a very big deal. This is a great time of year to harvest doe, unlike the January season you don't have to worry about the weather and if it's going to be so cold you can't get your son or wife out to hunt because they won't enjoy it. Thanks for reading this and please consider my plea to leave the season in place."

Tim Alley of Parkston, SD, emailed: "I don't understand why you are eliminating the opportunity to take an antlerless deer during the antelope season! The number of tags is already set, so what difference does it make when they are harvested. The landowners that we hunt on have more than welcomed us to shoot a doe during the antelope season the past several years. It has been a great experience for my son the past four years to go with a group of us on our antelope and or grouse hunts. He looks forward to this every year, as do a couple of the older gentlemen that go along with us. I realize we can still harvest a doe during the regular season, but like a large majority of the other hunters out there, we like to concentrate on harvesting a buck during the regular season."

Brady Howe of Rapid City, SD, emailed: "I agree that the number of deer in the Black Hills should be increase through various management tools. I believe that the number of tags sold is one tool to use but that the season should also be shortened as well to help reach management objectives, decrease the strain put on Conservation Officers and thus increase compliance with hunting laws, and to increase success and safety for archery hunters."

Mike Wilson of Custer, SD emailed: "One of my dreams as a bow hunter is to harvest a nice mule or whitetail buck in velvet. Would you please consider letting tag holders hunt for two weeks in late August (perhaps in conjunction with the antelope bow hunting season) or the first two weeks in September for velvet bucks. I not requesting more tags...just an opportunity for hunters to hunt a little earlier if they choose."

Carl J. Prahl of Sioux Falls, SD, emailed: "I would like to suggest having the West River antlerless open as proposed on 10 November but leave it open until 6 January 2013."

William Speck of Whitewood, SD, emailed: "I just wanted to comment in support of the opening of the antlerless doe season during the firearm antelope season. I don't hunt for horns so this option gives me more opportunity to fill my freezer. Before this option I never filled all my tags. Now I can fill my tags and purchase leftover licenses that almost never get purchased. Thank you so much for this option and I appreciate your efforts to keep this option open."

Richard Otten of Sturgis, SD, emailed: "I would like to see the Oct antler less deer season stay. Last fall I harvested 18 deer from area 49A. I saw more than twice that number at one time (95% does) in Jan 2012 in the same area I hunted. To harvest as many deer next fall in one 2 week season would be a hardship on my family and income. We rely heavily on deer meat to keep food costs down the rest of the year. Also there is a staggering number of road-kill deer here in Meade county during the year. I would much rather see those deer in my freezer than splattered on the side of the road."

Del Bartels, of Phillip, SD emailed: "I believe that recommended changes #4 and #5 should be discussed further. For #4, any unfilled license – including buck licenses – should be allowed for the later "doe" season. As in the past, these buck licenses should automatically convert to antlerless tags. For #5, I am not a wealthy person and have to count my pennies for my hunting (entertainment and freezer) expenses, especially gasoline in getting to the hunting areas. I appreciate the possibility of filling a deer doe tag while I am hunting antelope."

Loren Christensen of Spearfish, SD, emailed: "Us landowners that have 100 plus acres but not 160 acres in the black hills, but border state and fed land, and help feed all the deer in that area, should be eligible for land owners preference license!"

Dana R. Rogers of Box Elder, SD, emailed a letter with comments about the different seasons and encourage the elimination of the January deer seasons all together.

Ernest Getty of Rapid City, SD, emailed: "My comments concern the "new limited draw" in the Slim Buttes. My suggestion to the Commission would be to hold a SEPARATE DRAW, similar to the Special Limited Private Land Draw. This would allow hunters to apply for the Buttes tag (and/or gain preference points) and still be on equal footing the rest of the West River deer tag drawings. Thank you for your time and consideration on the matter."

Gene Cox of Mobridge, SD, emailed: "I would like to voice an opposition to the elimination of the west river antlerless deer tag season during the prairie firearm antelope season (Number 5 of the West River Deer Recommendations). If nothing more than a personal reason was this: That time of year actually provided good weather for taking my young children on a deer hunt (They came with me as they are too young to hunt themselves). As most Octobers are the days were not too hot nor too cold. As you can see there is no scientific reason but I beg the question: Is there a difference in October harvest and November harvest of a doe in the overall season besides the month?"

Sheree Alexander of Newell, SD, emailed: "In my opinion the recommended change...4. Only unfilled "antlerless deer", "antlerless whitetail deer", or "antlerless mule deer" tags are valid during the antlerless deer season extension beginning the Saturday after Christmas. ...should NOT be put into effect."

No oral testimony was received.

Black Hills Deer Hunting Season

Monte Hartel of Rapid City, SD, emailed: "I would like to suggest some sort of qualifying draw for hunting BH deer or West river deer for those under the age of 18. Hunting begins at a age where it will become installed into the child's life, however in my sons case, he has only had the opportunity to hunt deer in the Black Hill (gun)twice since he started hunting and as he goes off to college next year, his hunting opportunities which me (his dad) become very limited. We have did the youth hunting but I think you should be able to harvest any deer rather than a doe. Once again, hunting is family time and the limited license are taking away that. I would give up my license in the last 10 years in order to teach and witness my son or daughter harvest their first couple of deer."

Brady Howe of Rapid City, SD, emailed: "I am writing in regards to the proposed decrease in the number of tags sold for Black Hills Deer to help increase the size of the deer herd. I believe that this is a good idea, but that it should not be the only step taken. I believe that the current reduction rate is a little on the high side though. By cutting a large number of tags you are decreasing the amount of revenue that you bring in to support your agency. Many business in the Black Hills as well will feel an impact from large numbers of decreased tag sales, such as motels and restaurants that rely on hunters coming during the "off" tourist season. I believe that in addition to a decrease in tags (though not as many as proposed) that the hunting season for the Black Hills be reduced from four weeks to two or three weeks.

I also feel that that by shortening the season you will be increasing the success rate and safety for archery hunters. I believe that the number of tags sold is one tool to use but that the season should also be shortened as well to help reach management objectives, decrease the strain put on Conservation Officers and thus increase compliance with hunting laws, and to increase success and safety for archery hunters."

Randy Mink emailed: "I feel you as a commission have made several mistakes over the last few years." And gave reasons for them.

Sam Huewe emailed: "Please take a hard second look at number of licenses for big game and make sure there are enough in the right categories."

John Wrede of Rapid City, SD, emailed: "I would like to recommend that all antlerless deer harvest in the Black Hills be suspended for not less than 3 years. I would also suggest that buck harvest be further reduced and a 3 point or better regulation attached to insure that more breeding age class bucks are added to the population to improve breeding and reproductive success and encourage the population to respond more quickly. I would also ask the Commission to consider restoring the limited entry draw management system for all big game hunting in South Dakota. After witnessing the damage that random, arbitrary and public land

oriented, unlimited licensed, youth, archery and muzzleloader deer hunting strategy can do to populations, it is long past time to restore some order and precision in managing big game.

Originally, archery antlerless deer hunting, muzzleloader antlerless deer hunting and youth antlerless deer hunting seasons were promulgated to assist in managing localized depredation issues that could not be regulated any other way. Licenses issued for those seasons were carefully allocated by management unit and were designed specifically to compliment primary rifle season harvest quotas. It appears that that sensible management approach has been entirely abandoned in favor of providing uncontrolled recreational opportunity that unmistakably tends to over exploit and abuse our resources.

Lastly, is it fair and reasonable for youth deer hunters to take advantage of unlimited licensing opportunities and hunt antlerless deer in the Black Hills while a regular rifle hunter must compete for a limited number of the same type of license.”

No oral testimony was received.

Archery Deer Hunting Season

Ryan Biel of Britton, SD, emailed: “i would like to bring up. Archery Deer season last year got cut by 15days in jan. so archery hunters would'nt shoot bucks that dropped there antlers, or push them around when the winters are so bad. Have you guy ever thought about opening the season at the end of aug. or 1st of sept. and closing it dec 31. This would ensure that people are not pushing the deer around in the worst time in the there life, due to recoupeing from the rut and buck that dropped there antler won't be gettting shot. Even though i think all good archery hunter know in jan if its a buck or a doe.”

Jared Petersen of Tea, SD, emailed: “I have seen a tremendous increase of nonresident bowhunters and I am asking the GFP Commission to reduce or limit the nonresidents the way that other states do.”

Andy Carlson of Volga, SD, emailed: “Suggested Change: Start season September 1st - Reasons:

1. Give sportsman opportunity to harvest a buck in velvet.
2. Increase time when weather is more desirable for archery hunting.
3. Increase desire of out of state archery hunters.
 - a. Hunters may choose SD over other states if they can get a hunt in earlier in the year (ie First Opportunity = First Choice).
 - b. Hunters may choose SD over other states if they can get a SD velvet buck compared to a less desirable state velvet buck.
4. Bring season more in line with other Western states.”

Stan Mozak of Elk Point, SD, emailed: “5 tags is WAY too many. i met a union county resident last year who got five tags, and his two sons got 5 each. they harvested 15 deer during archery season and then went rifle hunting. These people were not poor hunters, shooting meat in order to feed a family, they are farmers. the family obviously has issues but YOU allowed them to kill 15 deer. no wonder the population in union county is down. suggest limit license to total season, archery, muzzleloader, and rifle. after all this is supposed to be sport not genocide.”

No oral testimony was received.

Muzzleloader Deer Hunting Season

Gale Paulson, of Sioux Falls, SD, emailed: "I would like to suggest that you make it easier for landowners to get a muzzleloader deer license for any deer—even if it is just on their own land. This would allow landowners to hunt for any deer after the regular rifle season has ended---and compete with all the archery hunters. Therefore it would be nice if landowners could get a muzzleloader license to hunt any deer after the rifle season has closed. This license could and should even be restricted to muzzleloader hunting on only their own land. Many archery hunters are able to get licenses to shoot many deer. Why not let landowners have the ability to shoot at least two (2) any deer (rifle and muzzleloader) on their own land."

Louis Vaughn of Rapid City, SD, emailed: "Make the Muzzleloader Any Deer Tags be valid for the entire season."

Stan Mozak of Elk Point, SD, emailed: "please allow optics for hunting. a scope does not increase the range of the bullet or affect its ballistics in any way, it does allow a cleaner shot and a more humane harvest of the deer. suggest, low powered optics, like a fixed 2 power would help greatly jan when the sun is down early and weather conditions are never great."

No oral testimony was received.

Youth Deer Hunting Season

No oral or written testimony was received.

Antelope Hunting Season

No oral or written testimony was received.

Fall Turkey Hunting Season

Jerry Miller of Grand Junction, CO, emailed: "It is my understanding that your department might give consideration to closing the fall turkey season to allow the population to rebound. I would just like to offer my support to that proposal."

John Rozell of Sioux Falls/Hill City, SD, emailed: "Visited with Tom Kuck about the lack of turkeys in the hills...specifically near Moon Camp.....it is our thought your department might give consideration to closing the Fall Season on turkeys for a couple of years until the population rebound. We have a place between Hill City and Deerfield Lake – from my observation the population is down considerably the past two years."

Rick Hiltunen of Howard, SD, emailed: "A few years back when the fall season was suspended the effect on the spring season was immediate and very positive. In the fall turkeys do not respond well to calling thus the off the road hunting results in a very high percentage kill of hens. Reduce season length and the number of tags a person can get in the fall and the results will be positive."

No oral testimony was received.

Bobcat Hunting and Trapping Seasons

No oral or written testimony was received.

Trapping Prohibitions

Kenny Konechne of Kimball, SD, emailed: "I would like to give some input to the above. I have been a trapper for over 50 years. I think caution should be taken on these issues and not create a bigger problem than muskrats raising havoc with the roads. A road is repairable, a life is not.

1. Muskrat season does not end till May1 on most years so I think the season opening should be May 1 instead of April 1. Reason...Many trappers are still trapping right of ways, road ditches in April. We do not need gun happy County or township officials or landowners, blowing our catch to bits. At \$11.00 for a finished muskrat (prices quoted April of 2012), it could be a sizable detriment to a trapper. It could create lawsuits if not other problems. Moving the date ahead to May 1 would eliminate many now unforeseen problems.
2. I think that should be changed to read. Only qualified permit carrying officials, limited to 2 per county or two per township/ depending on the size of the county, may shoot muskrats. If you let every county official carry a gun and shoot muskrats, you are going to have some real idiots in the field creating other problems and other wildlife will suffer.
3. I think it should be mandatory that shotguns only with shot shells be used. Rifles or slugs can ricochet when shooting on water and so endanger other people, livestock, and wildlife."

Paul Draper of Bristol, SD, emailed: "I am a serious trapper. A member of the NATA and SDTA. I applaud banning baited #220 conibear on public lands. All conscientious trappers agree accidental dead-dogs are not acceptable collateral damage. Sadly, some inconsiderate trappers ignore potential hazards."

Jared Petersen of Tea, SD, emailed: "Please do not allow 220s to become restricted on public land. About 5 years ago there was a bill in the Capitol that was very similar to what is going on here. It was defeated by a large number! I believe that the GFP Commission needs to honor the intent of the folks that represent our state as was done in the Legislature several years ago. The people spoke at that time, and the message was --do not restrict 220s!!!! Who cares about a feral cat? I see hundreds of them every year, which eat our birds and other wildlife. GFP needs to honor the folks decision in the Capitol and leave our 220s alone!"

Brian Reynolds of Monroe, SD, emailed to express opposition to the restricted use of body grip traps on public land and ROW's.

No oral testimony was received.

Muskrat Hunting Season

Al Knippen of Big Stone City, SD, emailed: "it is not proper to shoot muskrats on the eastern part of South Dakota, as it is taking the sport away from those that enjoy trapping. Please take this into consideration before making this decision."

Jarrold Johnson, State Land Commissioner wrote two letters asking for the surface lessees of School and Public Lands to have authority to shoot muskrats upon the respective access roads leading to State Trust lands.

Doug Bonen of Java, SD, emailed: "Its a bad Idea please Make the area as small as possible .. The trappers got control of the population in my area.. JUst my opinion THANKS."

Dave Huls of Humboldt, SD, emailed: "Not in favor of this hunting season. If it passes may see if I can get a part time job for the state, county or township to shoot muskrats."

Richard Howard of Pierre, SD, emailed: "I am writing on behalf of the SD Association of Towns and Townships in support of the proposed new rule establishing a limited hunting season on muskrats. Townships are responsible for maintenance of approximately 34,000 miles of rural roads in South Dakota. These roads serve to provide access (often the only access) to rural residences, school bus routes, mail routes, farm-to-market roads for agricultural production, access for hunting and fishing, and other uses; all of which are important to South Dakota's economy and quality of life. Many of the Supervisors are elderly and have physical limitations which restricts their ability to hunt or shoot. Therefore, we propose that language be added to include "Township officials and representatives designated by a resolution of the Board of Supervisors" to be eligible to shoot muskrats within the public highway right-of-way."

Jim White of Huron, SD, emailed: "I just read through your muskrat hunting regulations and wondered if it would be possible for a landowner/operator to appoint a person or persons to shoot muskrats on his or her property. There are many landowners who don't hunt yet experience damage to lagoons, stockdams, and other property adjacent to standing water."

No oral testimony was received.

August Management Take Goose Season

Jamie Mertins of Carpenter, SD, emailed: "This is regarding to the August goose management take, I feel august 11th is a week to early, and i would like to see opening day be on the 18th of august. This will give the geese time to grow a little more and also more time so ALL the geese can fly."

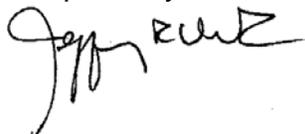
No oral testimony was received.

Administrative Rule Reduction

No oral or written testimony was received.

The public hearing concluded at 2:21 PM.

Respectfully submitted,



Jeffrey R. Vonk, Department Secretary

(Appendix A)
**FIRST AMENDMENT TO CONCESSION
LEASE AGREEMENT FORT RANDALL MARINA**

This FIRST AMENDMENT TO CONCESSION LEASE AGREEMENT FORT RANDALL MARINA between the South Dakota Department of Game, Fish and Parks ("Department") 523 East Capitol, Pierre, South Dakota, 57501 and Fort Randall Marina, Inc, a South Dakota corporation, hereinafter referred to as the ("Concessionaire").

WHEREAS, the Department was assigned a concession lease with the Concessionaire upon transfer of lands from the U.S. Army Corps of Engineers to the Department on February 8, 2002; and

WHEREAS, the Department and Concessionaire entered into a Concession Lease Agreement on August 12, 2003, for the operation of Fort Randall Marina located in North Point Recreation Area; and

WHEREAS, Marina boat slips are currently assigned through long term exclusive use rights which can only be transferred from **slip owner to a buyer based on sale terms and price set by slip owner** ~~slip holder to slip holder~~; and

WHEREAS, the terms of slip ownership and transfer that were developed while the concession lease was under the responsibility of the Corps of Engineers and carried over to the Concession Lease Agreement provided little opportunity for the general public to rent boat slips at the Marina on a seasonal first-come, first-served basis; and

WHEREAS, the Concession Lease Agreement will expire on December 31, 2013, and the Concessionaire is desirous of an extension of the lease term; and

WHEREAS, the Department and Concessionaire are agreeable to an incremental series of lease extensions for the conversion of marina slips from their current long term exclusive use rights to seasonal rental on a first-come, first served basis open to the general public; and

WHEREAS, The Department and Concessionaire agree to modify terms of the Concession Lease Agreement regarding authorized services and facilities development options; and

WHEREAS, the Department and Concessionaire desire to set forth the marina slip conversion requirements with which the Concessionaire must be determined to be in compliance to be eligible for the extension(s) of the lease term and other lease term modifications.

IT IS THEREFORE AGREED that the Concession Lease Agreement between the Department and the Concessionaire dated August 12, 2003, is amended as follows:

1. Concessionaire is provided the option of meeting the terms and conditions of a phased plan for converting marina slips from their current long term exclusive use rights to seasonal rental by the general public on a first-come, first-served basis in exchange for a series of no more than three extensions of the lease term, each extension to be for a period of 5 years. The terms and conditions for slip conversion to which the Department's granting of the extension(s) of the lease term is subject to the following:

Phase 1.

The Concessionaire shall assume physical ownership and relinquish the long term exclusive use rights of 12 marina slips and designate them as seasonal rental available to the public by no later than December 31, 2012. Successful completion of Phase 1 to the satisfaction of the Department will extend the term of the Concession Lease Agreement until December 31, 2018.

Phase 2.

If and after Phase 1 has been completed to the satisfaction of the Department, the Concessionaire shall assume physical ownership and relinquish the long term exclusive use rights of 7 additional marina slips and designate them for seasonal rental available to the public for a total of 19 by no later than December 31, 2016. Successful completion of Phase 2 to the satisfaction of the Department will extend the term of the Concession Lease Agreement until December 31, 2023.

Phase 3.

If and after Phase 2 has been completed to the satisfaction of the Department, the Concessionaire shall assume physical ownership and relinquish the long term exclusive use rights of an amount of slips and designate them for seasonal rental available to the public which results in a total of either 26 or an amount equal to 50% of the total existing marina slips at that time, whichever is greater, by no later than December 31, 2021. Successful completion of Phase 3 to the satisfaction of the Department will extend the term of the Concession Lease Agreement until December 31, 2028.

2. All slips converted and designated as available for seasonal rental by the general public pursuant to the terms and conditions of this First Amendment shall be subject to the following operational requirements:
 - a. The Concessionaire shall establish slip rental rates and issue annual slip rental contracts for those slips designated for rental by the public. The lease shall be for one year and the terms and conditions of the lease are subject to approval by the Department. The Concessionaire shall not require or impose membership in or assess any dues or other membership fees associated with the Fort Randall **Marina, Inc. Boat Club** to any customer renting a slip.
 - b. Those persons who currently occupy slips which are relinquishing their exclusive use rights shall have the first option to rent their respective slip under the terms of the annual lease as required by section 2(a) above.
 - c. All rates and prices established for slips designated for public rental shall be in accordance with Section 3.a. of the Concession Lease Agreement.
 - d. The boat slip allocation process shall be as follows:
 - (i) By the first of each calendar year slip lease contracts will be sent out to all slip holders of record from the previous season. The concessionaire may refuse issuance of a new slip contract only if the slip holder has materially breached its Department-approved slip rental contract with the Concessionaire. It is required that the previous slip holder return the slip lease with full payment by no later than February 15 to reserve the same slip for the new season. Immediately after that date, changes to slip type or location (requested by returning slip holders) are made if available.
 - (ii) Once the process described in Section 2(d)(i) is complete with the previous year's slip holders, assignment of vacant slips begins. New slip lease contracts are sent out to any person requesting a slip in writing for the new season on a first come, first served basis. In the case of an over demand for a particular size or location of slips the oldest written request will be honored first.
 - (iii) The Department shall have access to all slip rental documentation and correspondence upon request.

- e. All boat slips converted and designated along with all associated hardware and equipment shall become property of the Concessionaire and designated as Concessionaire Facilities. Concessionaire shall obtain a possessory interest in said docks for the purposes of compensation by a successor concessionaire as per concession rules A.R.S.D. 41:13.
3. The following will be added to Section 2, subsection (b) "Additional Authorized Accommodations, Facilities and Services" of the Concession Lease Agreement:
 13. Licensed off-sale beer sales between 7 a.m. and 11 p.m.
4. Section 2 of the Concession Lease Agreement will be amended to add subsections (c) and (d) as follows:
 - c. ***The Department retains the right to authorize additional accommodations, facilities, services and merchandise within the Park. The Department shall give the Concessionaire first opportunity to provide such additional accommodations, facilities, services and merchandise. If Concessionaire does not desire to provide such additional accommodations, facilities, services and merchandise, or if the Department and Concessionaire are unable to agree upon the terms under which Concessionaire would provide such additional accommodations, facilities, services and merchandise, the Department shall be entitled to contract with a third party to provide said additional accommodations, facilities, services and merchandise within the Park under terms acceptable to the Department.***
 - d. ***The Department reserves the right to establish reasonable standards as to the nature, type and quality of Concessionaire's services and merchandise. The Department retains the right to disapprove types of services and merchandise that do not meet these standards.***
5. The Department agrees to evaluate the performance of the floating tire wave attenuator and make any repairs, adjustment or modifications as it deems necessary. The Concessionaire agrees and understands that funding of any work associated with the floating tire structure is subject to budget approval by the State Legislature.
6. The Department will consider hard surfacing the marina access road as shown in Exhibit A to this First Amendment attached hereto and made a part

hereof by this reference during the term of the Agreement or the extension(s) thereof as provided for in this First Amendment contingent on the following:

- a. The Concessionaire agrees and understands that funding the access road hard surfacing project is subject to future proposed budget approval by the State Legislature.
 - b. At such time that the project has been proposed in a future budget and said budget is subsequently approved by the Legislature, the Concessionaire must assume physical ownership and relinquish the long term exclusive use rights of one-hundred percent (100%) of the Fort Randall Marina slips and designate them for seasonal rental available to the public before the Department will proceed with the project.
 - c. Hard surfacing options shall include but not be limited to asphalt, blotter coating, seal coating, or other methods designed to prevent the penetration of water in to the road bed. The Department reserves the right to determine the method or combination of methods of hard surfacing to be utilized.
7. The Department and Concessionaire agree that the granting of any extension(s) of the lease term as provided for in this First Amendment shall result in the Concession Lease Agreement as amended being subject to and governed by the requirements of ARSD Article 41:13 subtitled "Park Concession Leases" which went into effect on October 17, 2005.
8. In accordance with ARSD 41:13:03:01, the Commission may extend the Concession Lease Agreement in its discretion. It is further understood that one of the primary factors for which future extensions beyond those contained in this First Amendment will be considered is the conversion of all marina slips to seasonal rental available to the public.
9. Except as modified by this First Amendment to Concession Lease Agreement, all other terms and conditions of the Concession Lease Agreement dated August 12, 2003, shall continue to remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment
To Concession Lease Agreement Fort Randall Marina on this _____ Day of
_____, 2012

SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS

BY: _____ DATE: _____
Douglas Hofer, Director, Division of Parks and Recreation

FORT RANDALL MARINA, INC.
(CONCESSIONAIRE)

BY: _____ DATE: _____
Its President

Appendix B
RESOLUTION 12 – 07

WHEREAS, in a continued effort to meet harvest objectives of deer and resident Canada geese in South Dakota, the South Dakota Game, Fish, and Parks Department (Department) staff are recommending that the South Dakota Game, Fish, and Parks Commission (Commission) and Department enter into a Memorandum of Agreement (a true and correct copy of which is attached to this Resolution) for a seventh year with an incorporated non-profit organization entitled Sportsmen Against Hunger, Inc. (a South Dakota corporation referred to as SDSAH) for the joint and mutual purpose of managing the antlerless deer and Canada goose population and providing assistance in facilitating payment towards expenses incurred in processing, packaging, and freezing of antlerless deer and Canada goose meat donated by hunters for distribution to needy persons and families free of charge; and

WHEREAS, the Commission and Department desire to participate in this worthwhile program in conjunction and alliance with SDSAH.

NOW, THEREFORE, BE IT RESOLVED, that in an effort to assist in the management of antlerless deer and resident Canada goose populations in South Dakota, the Commission endorses the Department's participation in this program with SDSAH for a seventh year and hereby authorizes the Department, acting by and through Anthony P. Leif, Wildlife Division Director, to execute the Memorandum of Agreement in substantially the same form as is attached to this Resolution. In providing this endorsement, the Commission recognizes the Department's participation in this program will involve providing partial financial assistance utilizing Division of Wildlife license revenue and implementing a voluntary check-off on license applications whereby applicants could elect to financially participate therein by donating money towards the program.

BE IT FURTHER RESOLVED that the Department negotiate with and participate with SDSAH in efforts of the Commission and the Department to assist in the management of antlerless deer and resident Canada geese and the efforts of SDSAH to encourage and facilitate delivery of harvested antlerless deer and Canada geese by hunters to meat processors in South Dakota for donation, processing of the donated deer and goose meat, and distribution of the processed meat to needy families through charitable food distributors.

BE IT FURTHER RESOLVED that the Department shall, from time to time, report to the Commission and furnish information and results of the program as the same relates to over-all success of the program, data, statistics, and information regarding harvest of antlerless deer and Canada geese, donations of antlerless deer and Canada geese for the stated purpose, monetary donations received from the license application check-off, and expenses incurred therein. The Commission shall during the seventh year of the program fund the Department's agreed contribution to the project (if required and deemed necessary), make budget adjustments thereto, and make recommendations to the Department relative to administration of the program.

BE IT FURTHER RESOLVED, that prior to the conclusion of the seventh year of the program the Department shall report to the Commission which report shall include a review of the over-all success of the program and any recommendations that the Department might have as to continuation of the program.

Appendix C

RESOLUTION 12-08

Whereas, the State of South Dakota (for the use and benefit of the Department of Game, Fish, and Parks) owns property described as:

N1/2NW1/4 of Section 16, Township 109 North, Range 68 West of the 5th P.M., Hand County South Dakota (GFP PROPERTY); and

Whereas, SDCL § 41-2-29.1 provides that the Department of Game, Fish, and Parks shall sell real property owned by the state and held by the department if such real property is no longer needed for game, fish, or parks purposes, with such sale to be conducted pursuant to the procedure more fully set out in SDCL § 41-2-29.1; and

Whereas, the 80 acre GFP PROPERTY was acquired in March 1963 with Pittman-Robertson Wildlife Restoration Act program funds and is owned by the South Dakota Department of Game, Fish, and Parks – Wildlife Division to provide game production habitat, wildlife refuge, and public hunting opportunities; and

Whereas, the GFP PROPERTY is an isolated, nearly inaccessible tract, separated from other GPAs in the area and provides little to no wildlife habitat management opportunities, and presents public access and use challenges for South Dakota Department of Game, Fish, and Parks – Wildlife Division; and

Whereas, the GFP Commission hereby determines that GFP PROPERTY no longer serves the purposes for which it was originally acquired and is no longer needed for Game, Fish, and Parks purposes;

NOW, THEREFORE, BE IT RESOLVED, that the GFP Commission hereby directs the Department to sell and transfer title to the GFP PROPERTY according to the procedures provided in SDCL § 41-2-29.1, and that the Department is authorized to execute and consummate an agreement relative to the sale deemed appropriate by the Department.

Minutes of the Game, Fish, and Parks Commission Teleconference
June 18, 2012

Chairman Jeff Olson called the teleconference to order at 1:02 PM Central Time and Noon in Mountain Time. Commissioners answering roll call were: Jeff Olson at the Rapid City office, John Cooper at the Pierre office, Duane Sather at the Sioux Falls office, Susie Knippling, Cathy Peterson, Barry Jensen, Jim Spies, and Bill Cerny. Also present were Arden Peterson, Chad Tussing, Tony Leif, Richard Neill, John Lott, Geno Adams, Mike Smith, Will Sayler, Tom Kirschenmann, Chuck Schlueter, and Debra Ascher.

Director Tony Leif shared the Mina Lake Property Owners Association's request to establish a fourteen inch size limit for walleye on Mina Lake has been withdrawn and no action is needed today. The Association's request was for the 2013 fishing season and consideration for this request will happen when making fishing regulation recommendations later this year.

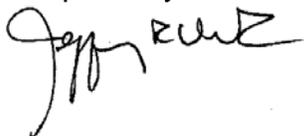
Fisheries Chief John Lott briefed everyone regarding the need to close certain waters to the taking of bait in order to limit the distribution of Asian Carp to other waters in South Dakota. Discussion included the effect on boaters and the plan to notify bait dealers and the public. Lott indicated press releases are drafted, signs will be placed in the areas affected, and local bait shops and state parks will be notified as well.

Motion by Spies with second by Knippling TO AMEND ARSD 41:09:04:03 TO CLOSE THE EAST VERMILLION RIVER, WEST VERMILLION RIVER, AND FIRESTEEL CREEK BELOW LAKE MITCHELL TO THE COMMERCIAL TAKING OF BAIT AND NONCOMMERCIAL TAKING OF BAIT BY LAWFUL ANGLERS AS PRESENTED. Motion carried by roll call vote: Cerny-yes; Cooper-yes; Jensen-yes; Knippling-yes; Peterson-yes; Sather-yes; Spies-yes; and Olson-yes. Motion carried unanimously.

Motion by Peterson with second by Sather TO ADJOURN THE TELECONFERENCE. Roll Call vote: Cerny-yes; Cooper-yes; Jensen-yes; Knippling-yes; Peterson-yes; Sather-yes; Spies-yes; and Olson-yes. Motion carried unanimously.

Teleconference meeting adjourned at 1:12 PM.

Respectfully submitted,



Jeffrey R. Vonk, Department Secretary