

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

A Public Hearing will be held at the Plains Ballroom, 960 4<sup>th</sup> Street NE, Huron, South Dakota, on Thursday, December 5, 2013, at 2:00 o'clock P.M. (CST), to consider adoption, amendment and repeal of Rules pertaining to:

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

Effect: The proposed amendments would convert license types in 10 units from 2-tag “any turkey” licenses to 2-tag “male turkey” licenses, convert license type in 8 units from 2-tag “any turkey” licenses to 1-tag “male turkey” licenses, and adjust the number of licenses in 5 units, resulting overall in 186 fewer licenses and 2,976 fewer tags for residents than authorized in 2013, and in 15 fewer licenses and 207 fewer tags for nonresidents than authorized in 2013; establish Unit PST-58B: Stanley County, including the U.S. Army Corps of Engineers land and the Oahe Downstream Recreation Area, and allow 4 resident “male turkey” licenses and 1 nonresident “male turkey” license to persons who use a wheelchair for mobility with the licenses to be valid from April 5 through April 30, inclusive; and change the reference in subparagraph (5) of ARSD § 41:06:13:04 from “Blood Run Nature Area” to “Good Earth State Park”.

Reason: Provide hunting opportunity consistent with wildlife management objectives. The name change in ARSD § 41:06:13:04(5) is the result of legislation enacted during the 2013 legislative session which created “Good Earth State Park” which was formerly known as “Blood Run Nature Area”.

2. ARSD 41:03:01 – Uses of Parks and Public Lands.

Effect: The proposed amendments would modify subparagraph (5)(a) of ARSD § 41:03:01:16 to create an exception to the prohibition against uncased firearms and bows in Oahe Downstream Recreation Area for persons who possess a valid turkey license for Unit PST-58B as described in ARSD Chapter 41:06:13 (see paragraph 1 of this Notice), and

change the reference in subparagraph (5)(a) from “Blood Run Nature Area” to “Good Earth State Park”.

Reason: It is necessary to remove the prohibition against uncased firearms and bows in in the Oahe Downstream Recreation Area in order to allow spring wild turkey hunting in Unit PST-58B being established in Chapter 41:06:13. The name change in ARSD § 41:03:01:16(5)(a) is the result of legislation enacted during the 2013 legislative session which created “Good Earth State Park” which was formerly known as “Blood Run Nature Area”.

### 3. ARSD 41:09:01 – Private Shooting Preserves.

Effect: The proposed amendment would remove the current rule restriction on releasing only chukar partridge on private shooting preserves and allow any species of partridge to be released on a private shooting preserve.

Reason: The Department has received requests from individuals to release other species of partridge and the department has determined there is no biological reason to retain this restriction in existing rule. The deletion of “chukar” would allow for the release of any species of partridge.

### 4. ARSD 41:09:02 – Captive Game Birds.

Effect: The proposed amendments would remove the current rule restrictions on propagating, possessing, selling, offering for sale, or releasing from captivity only “Chukar” or “Hungarian” partridge and make the rule applicable to any species of partridge.

Reason: The Department has determined there is no biological reason to retain this restriction in existing rules. The deletion of “Hungarian” and “Chukar” would allow for the propagation, possession, sale, offering for sale, or release from captivity of any species of partridge.

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 Wildinfo@state.sd.us. All persons who desire to submit written data, opinions, arguments, and their views by mail or email are encouraged to mail or transmit the same in sufficient time so that it is received by and in the office of the Secretary of the Department of Game, Fish, and Parks on or before 12:00 o'clock Noon three (3) days prior to the date of 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.

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. Persons with disabilities may contact the undersigned for assistance.

Dated this 6th day of November, 2013.

(SEAL)

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Jeffrey R. Vonk, Secretary

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