Minutes of the Game, Fish, and Parks Commission
November 3-4, 2016

Chairman Peterson called the meeting to order at 1:00 p.m. CDT at the Holiday Inn Express in Brandon, South Dakota. Commissioners Barry Jensen, Mary Anne Boyd, H. Paul Dennert, Gary Jensen, W. Scott Phillips, Russell Olson and Jim Spies were present. Secretary Kelly Hepler was present along with approximately 35 public, staff, and media.

DIVISION OF ADMINISTRATION

Conflict of Interest Disclosure

Chairperson Peterson called for conflicts of interest to be disclosed. None were presented.

Approval of Minutes

Chairperson Peterson called for any additions or corrections to the October 6-7, 2016, minutes or a motion for approval.

Motion by Boyd with second by G. Jensen TO APPROVE THE MINUTES OF THE OCTOBER 6-7, 2016, MEETING WITH MINOR REVISIONS. Motion carried unanimously.

Additional Commissioner Salary Days

No additional salary days were requested.

License List Requests

Chris Petersen, Administration Division Director stated that no new license list requested have been received.

2017 Commission Meeting Schedule

Petersen presented the 2017 Commission meeting calendar. Secretary Hepler noted meetings will be held in the central part of the state when action will be taken finalizations for game species to accommodate constituents. Staff are working with concessionaires to include them in the 2018 meeting schedule.

Motion by B. Jensen with second by Spies TO APPROVE THE 2017 COMMISSION MEETING SCHEDULE AS PRESENTED. Motion carried unanimously.

Tribal MOU's

Special Assistant Arden Petersen provided the Commission with an overview of the GFP-Tribal Memorandums of Understanding that have been developed to date with Lower Brule and Rosebud Sioux Tribes. The MOUs do not commit the Tribes or GFP to specific actions of funding commitments; rather they serve as a guiding document designed to promote improved communication and increase interaction and cooperation between the Department and the respective Tribe.

Public Hearing

The Public Hearing began at 2:07 p.m. and concluded at 2:15 p.m. Minutes of the Public Hearing follow the regular meeting minutes.

PROPOSALS

Park Entrance License Exemption

Parks and Recreation Division Director Katie Ceroll presented the proposal to remove the state park entrance license exemption for persons visiting campers assigned to the Youth Forestry Camp in Custer State Park and to add an exemption for members and guests of a South Dakota veterans organization or group, South Dakota National Guard or military reserve unit and guests or patients and their attendants of a veterans hospital in South Dakota from the state park entrance license requirement while participating in a non-competitive special event hosted by the organization, group, unit or hospital if a special event permit has been obtained from the park manager.

Motioned by Olson with second by G. Jensen TO APPROVE THE CHANGES TO THE PARK ENTRANCE LICNESES EXEMPTIONS AS PROPOSED. Motion carried unanimously

FINALIZATIONS

Spring Turkey Hunting Season

Assistant Director Tom Kirschenmann presented the proposed season dates, requirements and restrictions as well as the recommended changes from the previous year as specified below.

1. 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.
2. 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 (see attached maps).
3. Offer 10 more archery turkey access permits for Adams Homestead and Nature Preserve than 2015 for a total of 20 access permits.
4. Remove the language in administrative rule depicting the license type and number of licenses from each hunting unit.

Kirschenmann recommended on change from proposal to offer nonresidents 6 less one-tag “male turkey” licenses and 48 less two-tag “male turkey” licenses for the Prairie Units than 2016 for an overall decrease of 90 tags.

Motioned by Dennert with second by B. Jensen TO MODIFY THE PROPOSAL AS PRESENTED. Motion carried unanimously

Motioned by Spies with second by Boyd TO FINALIZE THE SPRING TURKEY HUNTING SEASON 41:06:13 AS MODIFIED. Motion carried unanimously

Kirschenmann explained this administrative action is to accept the license types and number of licenses for each turkey hunting unit. These allocations will be placed in the official Commission meeting minutes. This is in response to the standard approach of removing license type and numbers from administrative rule, as described and

proposed as the #4 rule change outlined in the spring turkey season proposal. Kirschenmann asked the Commission to accept these license allocations via Administrative action.

Motioned by Olson with second by Spies TO FINALIZE THE SPRING TURKEY HUNTING SEASON ADMINISTRATIVE ACTION AS PRESENTED. Motion carried unanimously.

Removal of Shed Antlers on Department Lands

Kirschenmann presented the recommendation to amend current administrative rule to allow for the removal of shed antlers from state owned lands. He explained that this would allow shed hunting on GFP Game Production Area's

Motioned by Spies with second by B. Jensen TO ALLOW THE REMOVAL OF SHED ANTLERS FROM STATE OWNED LANDS 41:03:01. Motion carried unanimously.

Fish Possession Restrictions While Fishing

John Lott, Fisheries Chief presented the Departments recommendations to add language to rules allowing legally caught fish as specified below.

1. Add language that would allow ice anglers to keep a legally caught possession limit of fish while on the ice.
2. Add language that would allow ice anglers to clean fish species, while on the ice, that do not have water-specific size restrictions.
3. Add language that dictates fish possessed on the ice must adhere to the transportation rule that requires fish to be readily countable.

Motioned by Dennert with second by Olson TO APPROVE THE FINALIZTION TO ALLOW ANGLERS TO POSSESS MORE THAN ONE DAY'S LIMIT WHILE ON THE ICE 41:07:03 . Motion carried unanimously.

Aquatic Invasive Species

Fisheries Chief John Lott presented the recommendation to modify rules on aquatic invasive species as specified below.

1. Add Red Swamp Crayfish to the list of invertebrate aquatic invasive species.
2. Allow for the transport of aquatic invasive species by:
   - **a.** An employee of a business that has been approved by the department to transport a boat or motorboat to a facility for the purposes of aquatic invasive species removal.
   - **b.** A person that has been authorized by the Department to transport their own watercraft to a Department-approved facility for immediate decontamination.

3. Remove the exception in the 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.
4. Remove the exception in the 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.

Lott also provided the recommended change from proposal that the commission not adopt portions of the proposed changes that would allow for transport of aquatic invasive species by approved businesses or authorized individuals for the purpose of invasive species removal and decontamination

Motioned by Dennert with second by B. Jensen TO MODIFY THE PROPOSAL FOR ACQUATIC INVASIVE SPECIES RULES AS PRESENTED. Motion carried unanimously.

Motioned by Spies with second by G. Jensen TO FINALIZE THE ACQUATIC INVASIVE SPECIES RULES 41:10:04 AS MODIFIED. Motion carried unanimously.

DIVISION OF PARKS AND RECREATION
Bureau of Reclamation Angostura/Shadehill Permit Rate Increase

Concessionaires Manager Sean Blanchette presented the proposed annual exclusive use permit rates for Angostura and Shadehill Cabins and Trailers for finalization. Blanchette indicated that these rates were based on the market rent survey conducted by the Bureau of Reclamation (BOR) who owns the property that GFP manages through terms of a memorandum of understanding. He noted the increase from the appraisal would change the Shadehill rate from $435 to $2,100, Angostura cabins would increase from $835 to $2,400 and the Angostura trailers would increase from $2,100 to $2,700. The Angostura trailers are not included in the proposal as they are managed by the concessionaire and under terms of the concession agreement they have authority to change rates subject to Department approval. Blanchette noted BOR requires all managing partners implement these rates at least in-part by 2017. The Department has negotiated a three year phase plan. The Department also sent detailed correspondence to permit holder explaining the survey and rates and conducted public meetings noting that they could challenge the rates by conduction their own survey. The letters and public comments were then provided to the Commission. Blanchette displayed the number of units at each location and what the revenue would be at the determined rates beginning in 2016 through 2021 when the rate per the survey will be met.

It was discussed that managers are working with permit holders and have acknowledged that with a significant amount of revenue increase it should allow for some improvements. Managers will gather comments and input from permit holders with the intention to put money back in for improvements for permit holders and the public users. Blanchette also noted that BOR plans to conduct it next appraisal in 2020 with the adjustments from the new rates after that time to ensure fair market value is charged and the Department will not be requesting annual adjustments.

Motioned by B. Jensen with second by Spies TO APPROVE THE FIVE YEAR RATE INCREASE SCHEDULE FOR THE ANGOSTURA AND SHADEHILL PRIVATE USE PERMITS AS PROPOSED. Motion carried unanimously.

Parks Revenue, Camping and Visitation Reports

Parks Director Katie Ceroll provided the year to date comparison of parks revenue with an overall increase of 8 percent from 2015. The camping unit comparison by district indicates an overall increase of 4 percent and visitation increased 2 percent.

DIVISION OF WILDLIFE

Depredation Pool Hunt Resolution

Kirschenmann presented a resolution for Commission approval that would authorize the Secretary of the Department or his designee to issue no more than 600 permits plus an additional 200 landowner/operator permits to address depredation situations for big game species (deer, antelope and turkey) and no more than 100 elk depredation permits in each calendar year for 2016 and 2017.

Motioned by B. Jensen with second by Dennert TO ADOPT RESOLUTION 16-13 AUTHORIZING GFP DEPARTMENT SECRETARY TO ISSUE DEPREDATION PERMITS AS PRESENTED (Appendix A). Motion carried unanimously.

Land Acquisitions

Paul Coughlin, Habitat Program Administrator explained the land acquisition process noting that each acquisition allows for a public comment period and few comments were received.

Smith Addition to Helgeson GPA - Clark County

Coughlin presented a request to acquire the Smith Addition to the Helgeson GPA located 3 miles northwest of Vienna, SD in Clark County consisting of 2.12 acres at a cost of $3,1800 to be utilized for wildlife habitat management and public hunting access.

Motion by Boyd with second by Phillips TO ADOPT RESOLUTION 16-18 (Appendix D) AUTHORIZING AND CONFIRMING THE PURCHASE OF 2.12 ACRES IN CLARK COUNTY. Motion carried unanimously.

Schneiderhan Property - Miner County

Coughlin presented a request to acquire the Schneiderhan property located 6 miles southwest of Carthage, SD in Miner County consisting of 160 acres at a cost of $552,000 to be utilized for wildlife habitat management and public hunting access.

Motion by G. Jensen with second by Olson TO ADOPT RESOLUTION 16-17 (Appendix C) AUTHORIZING AND CONFIRMING THE PURCHASE OF 160 ACRES IN MINER COUNTY. Motion carried unanimously.

Northwestern Engineering Property Addition to Outdoor Campus West-Pennington County

Coughlin presented a request to acquire the Northwestern Engineering property located in Rapid City, SD in Pennington County consisting of 13.22 acres at a cost of $289,800 to be utilized for administrative and outdoor education facilities.

Motion by Phillips with second by G. Jensen TO ADOPT RESOLUTION 16-16 (Appendix B) AUTHORIZING AND CONFIRMING THE PURCHASE OF 13.22 ACRES IN PENNINGTON COUNTY. Motion carried unanimously.

DOT Addition to Spring Creek GPA - Pennington County

Coughlin presented a request to acquire the Department of Transportation property located seven miles south of Hill City, SD in Pennington County consisting of 4.86 acres at a cost of $18,225 to be utilized for wildlife habitat management and public hunting access.

Motion by Dennert with second by Boyd TO ADOPT RESOLUTION 16-19 (Appendix E) AUTHORIZING AND CONFIRMING THE PURCHASE OF 4.86 ACRES IN PENNINGTON COUNTY. Motion carried unanimously.

Land Acquisition Projects

Coughlin provided the list of proposed land acquisition projects in the early development stage. These properties include the Southeast Beadles county property consisting of 320 acres to be used a GPA, the Lynbye GPA project consisting of a 4.4 acre parcel to be exchanged with 4.4 acres of private property to consolidate ownership boundaries and the Payne Water Access Area addition consisting of 1 acre in Lake county to allow for additional public water access at Lake Madison. Coughlin invited the Commissioners to visit the properties.

Farm Bill Habitat Biologist Activities Update

Coughlin and Matt Morlock, Pheasants Forever Acting Director in South Dakota presented an update on the activities of the farm bill habitat biologists. Coughlin stated the importance of the programs for private landowners not only by the state and federal agencies, but nongovernment agencies that deliver habitat work on private lands for farmers and ranchers.

Morlock detailed the partnerships between that began with Pheasants Forever, GFP, and USDA Natural Resources Conservation Services in South Dakota to landowner assistance working through the application process for private lands habitat programs specifically the CRP program. The Pheasants Forever biologists are stationed in the office and assist landowners with their contracts and development wildlife plans to ensure landowner needs are met, wildlife is taken into consideration and habitat is developed. Morlock indicated the program began in South Dakota with 4 positions and is now in 20 states with 135 biologists 10 of which are in South Dakota and continued diversification of programs.

Deer EHD Update

Kirschenmann provided handouts with 2016 Epizootic Hemorrhagic Disease (EHD) reports specifically noting the counties with confirmed EHD results, the numbers reported dead per county units effected. The second handout specifically noted, licenses removed and tags removed by unit. The Department will provide a full report at the December meeting. Kirschenmann explained disease is common in white-tailed deer and is typically detected in late summer or early fall. The virus is spread by a biting midge and causes extensive internal hemorrhaging. Many deer exhibit no clinical

signs and appear perfectly healthy, while others may have symptoms such as respiratory distress, fever, and swelling of the tongue. With highly virulent strains of the virus, deer can be dead within one to three days. Affected deer are often found near low lying areas or near water like a river or a pond. This is due to the deer attempting to go to the water to combat the high fever. EHD is not infectious to humans. He noted that results were higher than seen in the last couple of years.

Deer License Drawings and Preference Points

Wildlife Administration Chief Scott Simpson provided a power point explaining how deer, antelope and turkey licenses are issued. He detailed landowner license, preference points and the drawing process. Simpson noted the qualifications for landowner licenses for owned land and free landowner antlerless deer licenses and how landowner preference applies in general license draws. He also explained how the system is a weighted lottery ensuring those with the most accrued preference points has an advantage over those with fewer points, but does not guarantee a license. Simpson also detailed the general drawing sequence and how landowners and preference points factor in.

Fishing Regulation Fundamentals

Fisheries Biologist Dave Lucchesi provided overview of how fishing regulations are utilized as a tool to reach fish management goals. Lucchesi noted factors in fish management are habitat, people and fish. He detailed the population dynamics, recruitment, growth, and mortality and explained the impact of overfishing and purpose of regulations.

Juvenile Largemouth Bass Stocking Evaluation

Lucchesi provide an update on a study he has been doing in a few lakes in eastern South Dakota to show how stocking is used to enhance fishing. The study utilizes a new hatchery product the juvenile largemouth bass that are stocked in the spring. Beginning in 2002 they gathered fish from the western portion of the state by including a local bass club to have youth catch the fish for stocking. These fish comprised over half the bass population then a year or two later the fish were gone. Lucchesi speculates these fish overate. In 2008-2009 Blue Dog produced bass 11 inches long for a study done by SDSU and it was noted that survival was better than that of the fingerlings. It was also noted that by using a warm water environment the fish produce better resulting in 18 community ponds in the southeast being stocked using these practices.

Missouri River Reservoir Management Plans

Lott provided a one page fact sheet for each of the Missouri Rivers waters management plans. He noted the information will also be available on the Departments website for public comment to be adopted at the December meeting.

Fisheries Biologist Hilary Meyer provided detail on the 2017-2021 fisheries plan timeframe. Meyer noted the history of river and fisheries, the current management plan and issues facing four main reservoirs. Meyer noted the Missouri River fish management area consists of Lakes Oahe, Sharpe, Lake Francis Case and Lewis and Clark and the 69 mile river reach. She detailed current stocking practices and issues

facing fisheries management such as limited access, habitat, water management, knowledge gaps, user group conflicts, AIS threats, lack of public and government interactions related to management. Meyer brief the Commission on the plans strategies to accomplish the key objectives including increased partnerships on access, and funding and surveys, and work on specific species population for spawning, stocking and survival.

License Sales Update

Simpson provided the license sales report as of October 31 for resident and nonresidents. At this time, it appears the sale of nonresident small game licenses is approximately 6 percent behind sales for the same timeframe in 2015.

Adjourn

Motioned by G. Jensen with second by Phillips TO ADJOURN THE MEETING. Motion carried unanimously and the meeting adjourned at 9:45 a.m.

Appendix A

RESOLUTION 16-13

BIG GAME DEPREDATION HUNTS

WHEREAS, pursuant to SDCL 41-6-29.1, the Game, Fish and Parks Commission may authorize the Secretary of the Department of Game, Fish and Parks to issue a specific number of depredation permits to respond to property damage by game animals that cannot be resolved by any other method, and the Commission has promulgated rules to provide for big game depredation hunts designed to assist in reducing wildlife damage to property by big game species (deer, elk, antelope, and turkey); and

WHEREAS, applications for depredation permits have been received and a random drawing held to establish the lists of depredation pool hunters for each county or area; and

WHEREAS, it is anticipated that high populations of big game animals may cause property damage which in some instances cannot be resolved by any other method except by reducing the number of animals in a specific geographic area;

NOW, THEREFORE BE IT RESOLVED, that for the next two years (2016 and 2017) the Game, Fish and Parks Commission authorizes the Secretary of the Department of Game, Fish and Parks or his designee to issue no more than 600 permits plus an additional 200 landowner/operator permits) for each species (deer, antelope and turkey) per year and no more than 100 elk depredation permits per year, as the Secretary may deem necessary to respond to property damage caused by big game animals.

BE IT FURTHER RESOLVED, that in issuing all big game depredation permits, the Secretary of the Department of Game, Fish and Parks or his designee is authorized to establish when and where each permit is valid and the number, species, and sex of the big game animals permitted to be taken by the holder of each big game depredation permit.

BE IT FURTHER RESOLVED, this resolution shall replace in their entirety Resolutions Nos. 15-06 and 15-07 previously adopted by this Commission to authorize the Secretary to issue depredation permits to respond to property damage caused by big game animals.

Appendix B

RESOLUTION 16 - 16

WHEREAS, the Department of Game, Fish, and Parks (GFP) has expressed an interest in acquiring real property presently owned by Northwestern Engineering Company, a South Dakota Corporation, Rapid City, SD 57709, which property is described as:

> Lots two (2) and three (3) of Tract B of Meadowwood, in the City of Rapid City, as shown by the plat recorded in Book 4 of Plats on page 95 in the Office of the Register of Deeds, Pennington County, South Dakota; and Lot one (1) of GFP subdivision, in the City of Rapid City, as shown by the plat recorded in Book 35 of Plats on page 95 in the Office of the Register of Deeds, Pennington County, South Dakota, containing 13.22 acres, more or less, and hereto referred to as the NWE PROPERTY; and

WHEREAS, said property is to be acquired by and utilized by GFP for administrative and educational purposes associated with the Outdoor Campus West; and

WHEREAS, SDCL 41-4-1.1 requires that before GFP acquires and purchases property, GFP must notify owners of land located adjacent to the property sought to be acquired by publishing notice of the same once in each legal newspaper of the county in which the property to be purchased is located; and

WHEREAS, GFP has published the required legal notice at least thirty (30) days prior to the date of action by the Commission authorizing the intended purchases, which notice included the time and location of the meeting at which Commission action is expected and by giving notice of instructions for presenting oral and written comments to the Commission; and

WHEREAS, the Commission has reviewed any and all comments that may have been received relative to the intended purchase and after consideration of the same, the Commission approves the purchase of said property for administrative and educational purposes associated with the Outdoor Campus West;

NOW, THEREFORE, BE IT RESOLVED, that GFP is authorized to complete negotiations for the purchase of the NWE PROPERTY and execute and consummate an agreement with Northwestern Engineering Company, which is acceptable to GFP to acquire by purchase, at the price of $289,800.00, the NWE PROPERTY for administrative and educational purposes associated with the Outdoor Campus West.

Appendix C

RESOLUTION 16 - 17

WHEREAS, the Department of Game, Fish, and Parks (GFP) has expressed an interest in acquiring real property presently owned by Daniel J. Schneiderhan and Carol D. Schneiderhan, husband and wife, as joint tenants with right of survivorship and not as tenants in common (an undivided one-half interest), and Daniel J. Schneiderhan, aka Daniel John Schneiderhan, Jayne Marie Schneiderhan, Mary Kathryn Bradshaw and Susan Jean Helwig, as tenants in common and not as joint tenants (an undivided one-half interest), 20430 SD Highway 1806, Ft. Pierre, SD 57532, which property is described as:

> The Southeast Quarter (SE¼) of Section Nineteen (19), Township One Hundred Eight (108) North, Range Fifty-eight (58), West of the Fifth P.M., Miner County, South Dakota, containing 160, acres more or less and hereto referred to as the SCHNEIDERHAN PROPERTY; and

WHEREAS, said property is to be acquired by and utilized by GFP as a Game Production Area; and

WHEREAS, SDCL 41-4-1.1 requires that before GFP acquires and purchases property, GFP must notify owners of land located adjacent to the property sought to be acquired by publishing notice of the same once in each legal newspaper of the county in which the property to be purchased is located; and

WHEREAS, GFP has published the required legal notice at least thirty (30) days prior to the date of action by the Commission authorizing the intended purchases, which notice included the time and location of the meeting at which Commission action is expected and by giving notice of instructions for presenting oral and written comments to the Commission; and

WHEREAS, the Commission has reviewed any and all comments that may have been received relative to the intended purchase and after consideration of the same, the Commission approves the purchase of said property for use as a Game Production Area;

NOW, THEREFORE, BE IT RESOLVED, that GFP is authorized to complete negotiations for the purchase of the SCHNEIDERHAN PROPERTY and execute and consummate an agreement with Daniel J. Schneiderhan, Carol D. Schneiderhan, Jayne Marie Schneiderhan, Mary Kathryn Bradshaw, and Susan Jean Helwig, which is acceptable to GFP to acquire by purchase, at the price of $552,000.00, the SCHNEIDERHAN PROPERTY for use as a Game Production Area.

Appendix D

RESOLUTION 16 - 18

WHEREAS, the Department of Game, Fish, and Parks (GFP) has expressed an interest in acquiring real property presently owned by Daniel K. Smith and Paula Smith, husband and wife, as joint tenants with right of survivorship and not as tenants in common, 18156 SD HWY 25, Vienna, SD 57271, which property is described as:

> Clark County W.A. No. 16 Parcel 3 in the West Half of the Northeast Quarter of Section Twenty-seven (27), Township One Hundred Fifteen (115) North, Range Fifty-six (56) West of the 5th P.M., Clark County, South Dakota, containing 2.12, acres more or less and hereto referred to as the SMITH PROPERTY; and

WHEREAS, said property is to be acquired by and utilized by GFP as a Game Production Area; and

WHEREAS, SDCL 41-4-1.1 requires that before GFP acquires and purchases property, GFP must notify owners of land located adjacent to the property sought to be acquired by publishing notice of the same once in each legal newspaper of the county in which the property to be purchased is located; and

WHEREAS, GFP has published the required legal notice at least thirty (30) days prior to the date of action by the Commission authorizing the intended purchases, which notice included the time and location of the meeting at which Commission action is expected and by giving notice of instructions for presenting oral and written comments to the Commission; and

WHEREAS, the Commission has reviewed any and all comments that may have been received relative to the intended purchase and after consideration of the same, the Commission approves the purchase of said property for use as a Game Production Area;

NOW, THEREFORE, BE IT RESOLVED, that GFP is authorized to complete negotiations for the purchase of the SMITH PROPERTY and execute and consummate an agreement with Daniel K. Smith and Paula Smith, which is acceptable to GFP to acquire by purchase, at the price of $3,180.00, the SMITH PROPERTY for use as a Game Production Area.

Appendix E

RESOLUTION 16 - 19

WHEREAS, the Department of Game, Fish, and Parks (GFP) has expressed an interest in acquiring real property presently owned by State of South Dakota – Department of Transportation, Pierre, SD 57501, which property is described as:

> Tract Dennis Reinke in the Southwest quarter of the Northeast quarter (SW¼NE¼) of Section twenty-two (22), Township two South (T2S), Range four East (R4E) of the Black Hills Meridian, as shown by the plat recorded in Book 20 of Plats on page 102, excepting the area in conflict with Lot 2 of the Southwest quarter of the Northeast quarter (SW¼NE¼) of Section twenty-two (22), Township two South (T2S), Range four East (R4E) of the Black Hills Meridian and also excepting therefrom Lot H3 as shown by the plat recorded in Book 8 of Hwy Plats on page 49 in the Office of the Register of Deeds, Pennington County, South Dakota, containing 4.86, acres more or less and hereto referred to as the DOT PROPERTY; and

WHEREAS, said property is to be acquired by and utilized by GFP as a Game Production Area; and

WHEREAS, SDCL 41-4-1.1 requires that before GFP acquires and purchases property, GFP must notify owners of land located adjacent to the property sought to be acquired by publishing notice of the same once in each legal newspaper of the county in which the property to be purchased is located; and

WHEREAS, GFP has published the required legal notice at least thirty (30) days prior to the date of action by the Commission authorizing the intended purchases, which notice included the time and location of the meeting at which Commission action is expected and by giving notice of instructions for presenting oral and written comments to the Commission; and

WHEREAS, the Commission has reviewed any and all comments that may have been received relative to the intended purchase and after consideration of the same, the Commission approves the purchase of said property for use as a Game Production Area;

NOW, THEREFORE, BE IT RESOLVED, that GFP is authorized to complete negotiations for the purchase of the DOT PROPERTY and execute and consummate an agreement with State of South Dakota – Department of Transportation, which is acceptable to GFP to acquire by purchase, at the price of $18,225.00, the DOT PROPERTY for use as a Game Production Area.

Public Hearing Minutes of the Game, Fish and Parks Commission
November 3, 2016

The Public Hearing Officer Scott Simpson began the public hearing at 2:07 p.m. at the Holiday Inn Express in Brandon, South Dakota with Commissioners Peterson, Boyd, B. Dennert, Jensen, G. Jensen, Phillips, Olson and Spies present. Simpson indicated written comments were provided to the Commissioners prior to this time and will be reflected in the Public Hearing Minutes. Simpson then invited the public to come forward with oral testimony.

Land Acquisitions

Jan Nicolay, Sioux Falls, SD" Representing the 29/90 Sportsman Club spoke in support of land acquisitions to allow the public to enjoy the outdoors. Nicolay also thanked the Commission for the time they spend in their role and Commissioners. She thanked Secretary Hepler for implementing the Department wide strategic planning process and conducting stakeholder focus groups as part of the process noting the sessions were diverse and provided some great suggestions. She also complemented the Department on their collaboration efforts with the Department of Agriculture stating she is excited to see what can happen with positive efforts like habitat pays.

William Pierson, HuntSafe instructor, Hartford, SD," Explained the need for accessibility near urban areas. Pierson recommend the Commission consider designating specific hunting areas for youth and family only near larger communities. He is willing to help with this effort and recommended working with organizations such as pheasants forever and ducks unlimited.

Spring Turkey Hunting Season

No oral testimony was received.

Mike Lembke, Herrick, SD, "As a land owner in Gregory County the turkey population is extremely healthy and expanding. I would like more opportunities for out-of-state hunters to have tags. As a resident, i don't see any need for a multiple tag for residents. Is there biological data supporting this proposed reduction of tags in our zone? Any opportunity to bring out-of-state money into SD should be explored. Those hunters are going to NE with over the counter tags and easier licensing regulations. We are missing something here. Reduced tag numbers?

Removal of Shed Antlers on Department Lands

No oral testimony was received.

Gerald Shaw, Aurora, SD, "My name is Gerald Shaw. I currently live in Aurora, South Dakota. I hunt, fish, hike, camp in South Dakota more days of the year than I sit at home. That being said as an avid outdoorsman, I am also a member of the South Dakota Big Game Coalition. I unfortunately will not be able to attend many of the meetings in person. I work in graphic design and animation field as well as run my own company. Football season and the time leading up to kick off is typically a very hectic time of year for us and time off is very limited. First off, I would like to thank you all for the work that you do. I do not envy the stress that a position as this must put you under, not to mention the lives you must live outside of the Commission. I appreciate the time

you take away from your family and friends, and would like to make that time the most beneficial as possible. I would like to express my opinions on a few of the many of the matters we have here in South Dakota. Shed Hunting:I would urge the commission to remove the ban of Shed Hunting on public lands. Shed Hunting is the activity of finding the "shed" antlers of deer, elk, and moose. As winter sets in, ungulates need essential minerals to survive. As such, the strength and bodily minerals the animal uses to keep their antler attached is diverted to elsewhere in the body, thus causing their antlers to drop off at no harm to the animal. In the late winter, early spring / summer months, most animals have dropped their antlers and begin to grow their new set. Currently, the law is written as such...Destruction or removal of natural or cultural features prohibited — Exception. A person may not destroy, damage, or remove a living or dead tree, shrub, or vegetation; disturb any earth, rocks, minerals, natural formations, or cultural resources; or destroy, damage, or remove any antlers, skulls, or other parts of animal carcass located on lands owned or leased by the department without written permission from the secretary or a designated agent. However, a person participating in religious activities in Bear Butte State Park or on department land owned or leased adjacent to the Missouri River may use grasses and forbs taken from these lands for ceremonial purposes. For purposes of this rule, a cultural resource includes historic properties, archaeological resources, and Native American cultural items (including human remains, associated funerary objects, unassociated funerary objects, sacred objects, and objects of cultural patrimony, as defined in the Native American Graves Protection and Repatriation Act of 1990. So by this wording, all the rock collectors I see out in Indian Creek near Scenic looking for Agates are, by the way this is written, in violation of the law, just as much as some one shed hunting. If I kick a rock down a ravine on public land, I am in violation. Also if my neice finds a stick while hiking in the Hills, she is now in violation. The law is poorly written overall. In many western states, shed hunting has become a very popular hobby. I myself, love to shed hunt with my dog. We have a small chunk of property in Tripp County that we manage for deer. So going on hikes thru our woods and fields is a fun activity that we can do. I would love to hike the Black Hills and find elk and mule deer sheds some day too! I would suggest that we open a "season" on sheds, much like the current seasons we have for hunting. It should be open to residents only, only after such a date as to not pressure the animals and not cause undue stress on the animal. I would look towards Utah, Montana, and Idaho for input on season dates and duration. I could see people being stupid and chasing and pressuring animals in hopes of trying to get them to drop their sheds early and by setting a date later in the season could prevent this issue. Shed Hunting could be a $5 - $10 permit, with access permits being required to access certain areas potentially. That would add revenue to the GFP directly thru permits and licenses, but also indirectly to the state as well with fuel, lodging, and food that people will buy when heading out. Open up campgrounds in the late spring for people to use as well. As an avid outdoorsman, there is a time frame between seasons that there is little to do. Getting outside and enjoying nature is essential to my happiness, as you know the winters in South Dakota can be brutal and seemingly never ending. With shed hunting, I am able to go out, stretch my legs, hike around, and be able to "hunt" and study the animals that might be around.

Josh Baumann, Pierre, SD, “My name is Josh Baumann from Pierre, SD and I support the opportunity for the public to look for shed antlers on state-owned land. It is a great

individual or family Pastime that can connect the hunting seasons with something that is fun, recreational, and gets people outdoors and moving. Thank you for the opportunity to voice my thoughts and support for this proposal to open up state owned lands to shed hunting. I have really enjoyed the sport and would find it very helpful to have opportunities closer to Pierre rather than having to drive to my private land opportunities over an hour away. Thank you again so very much!

Fish Possession Restrictions While Fishing

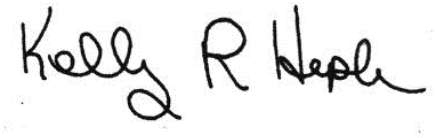
No oral or written testimony was received.

Aquatic Invasive Species

No oral or written testimony was received.

The public Hearing concluded at 2:15 p.m.

Respectfully Submitted,



Kelly R. Hepler, Department Secretary