



## **AGENDA**

### **Game, Fish and Parks Commission**

November 2-3, 2017

McCrary Gardens

631 22nd Avenue, Brookings, SD

Livestream link <http://www.sd.net/home/>

**Brookings Shooting Range Facility Tour November 1<sup>st</sup> 3:30 PM**

**Contested Case Hearing November 2<sup>nd</sup> 8:00 AM**

**Call to order 1:00 PM**

#### **Division of Administration**

Action Items:

1. Conflict of Interest Disclosure
2. Approve Minutes of the 2017 October Meeting <http://gfp.sd.gov/agency/commission/docs/2017/october/minutes.pdf>
3. Additional Commissioner Salary Days
4. License List Request

Information Items:

5. Brookings Convention and Visitors Bureau
6. Non-meandered Waters Update

**2:00 PM Public Hearing**

#### **Finalizations**

7. Use of Dogs to Hunt Mountain Lions
8. Marking of Non-meandered Waters
9. Bighorn Sheep Hunting Season
10. CSP Antlerless Elk Hunting Season
11. Threatened and Endangered Species
12. Aerial Hunting Permits
13. Walleye Length Limit on Lake Poinsett
14. Bait Dealer Application Requirements
15. Park Entrance and Camping Fee Changes

**Open Forum**

### **Division of Parks and Recreation**

Action Items:

16. Roy Lake Resort Prospectus

Information Items:

17. Park Prescription Program Overview
18. Statewide Comprehensive Outdoor Recreation Plan (SCORP) Update
19. Parks Revenue, Visitation and Camping Report

### **Division of Wildlife**

Action Items:

20. Land Acquisition Projects
  - a. Tobin/Tvinnereim Trust Property
  - b. Worthing GPA Addition Donation

Information Items:

21. Land Acquisition – Ambruster property
22. DU Projects and Partnership
23. EHD Update
24. Monarch Summit Update
25. Lake Sturgeon Stockings
26. Distinguished Achievement Award
27. Pheasant Opener
28. License Sales Update

### **Solicitation of Agenda Items from Commissioners**

#### **Adjourn**

Next meeting information:

December 14-15, 2017  
RedRossa Convention Center  
808 W. Sioux Ave., Pierre, SD

GFP Commission Meeting Archives

<http://gfp.sd.gov/agency/commission/archive/2017/October/default.aspx>

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

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

**DIVISION OF ADMINISTRATION**

**Conflict of Interest Disclosure**

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

**Approval of Minutes**

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

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

**Additional Commissioner Salary Days**

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

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

**Election of Officers**

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

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

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

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

**Rapid City Convention Center & Visitors Bureau**

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

### **Black Hills Fly Fishers**

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

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

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

### **Club for Boys Recognition**

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

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

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

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

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

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

Robling said they can be with a regular air compressor.

Olson asked how many land based signs are anticipated.

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

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

Robling noted the need to maintain a consistent sign look.

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

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

Robling said the department would replace damaged or deteriorating signs.

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

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

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

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

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

Robling indicated that is an option.

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

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

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

### **EXECUTIVE SESSION**

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

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

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

## **OPEN FORUM**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **PETITION FOR RULE CHANGE**

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

#### **Mountain Lion – Use of Hounds**

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

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

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

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

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

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

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

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

### **Mountain Lion – Legal Lions**

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

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

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

Leif responded yes and if multiple tracks.

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

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

## **PROPOSALS**

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

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



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

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

**Bighorn Sheep Hunting Season**

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

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

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

**CSP Antlerless Elk Hunting Season**

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

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

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

**Elk Hunting Seasons Hunting Unit License Allocation**

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

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

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

### Threatened and Endangered Species

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

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

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

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

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

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

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

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

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

### Aerial Hunting Permits

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

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

### Walleye Length Limit on Lake Poinsett

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

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

### Bait Dealer Application Requirements

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

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

**Requirements and Restrictions:**

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

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

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

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

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

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

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

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

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

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

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

**Park Entrance and Camping Fee Changes**

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

Olson, how do we compare with other state parks?

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

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

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

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

Dennert asked how state parks compare to private campgrounds.

Schneider said state park rates are considerably lower.

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

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

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

**Other fee changes proposed include:**

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

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

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

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

**DIVISION OF PARKS AND RECREATION**

**Custer State Park Project Update**

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

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

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

Phillips asked what group makes decisions for upgrades.

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

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

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

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

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

### **DIVISION OF WILDLIFE**

#### **Land Acquisition Projects**

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

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

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

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

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

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

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

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

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

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

#### **WDM Work Group Report**

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

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

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

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

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

Kirschenmann said testing for CWD is also being done.

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

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

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

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

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

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

### **Rapid Creek Hydrology Modeling**

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

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

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

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

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

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

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

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

### **License Sales Update**

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

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

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



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

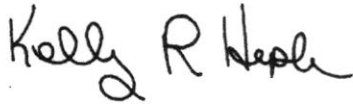
**Solicitation of Agenda Items from Commissioners**

No new agenda items were requested at this time.

**Adjourn**

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

Respectfully Submitted,



Kelly R. Hepler, Department Secretary

Appendix A

**RESOLUTION 17-12**

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

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

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

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

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

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

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

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

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

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

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

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

GAME, FISH, AND PARKS COMMISSION ACTION  
FINALIZATION

**Use of Dogs to Hunt Mountain Lions**  
Chapter 41:06:61

Commission Meeting Dates:	Proposal	October 5-6, 2017	Rapid City
	Public Hearing	November 2, 2017	Brookings
	Finalization	November 2-3, 2017	Brookings

**COMMISSION PROPOSAL**

Proposed change from last year:

Modify existing rule that allows for pursuit of a mountain lion by dogs that originates on private land to cross over or culminate on property owned by the Office of School and Public Lands or the United State Bureau of Land Management to allow hunts that originate on private land to culminate on any public land.

**DEPARTMENT RECOMMENDATION**

Recommended change from proposal:

Exclude Fort Meade Recreation Area from this proposed rule change and continue to prohibit use of dogs to hunt mountain lions on this area.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_

**GAME, FISH, AND PARKS COMMISSION ACTION  
FINALIZATION**

**Public Waters – Nonmeandered Waters**

Chapter 41:04:06

Commission Meeting Dates:	Proposal	October 5-6, 2017	Rapid City
	Public Hearing	November 2, 2017	Brookings
	Finalization	November 2-3, 2017	Brookings

**COMMISSION PROPOSAL**

NEW RULE. Nonmeandered water closures shall be indicated by signs or buoys.

1. Nonmeandered water closures shall be marked with buoys or Department-supplied signs.
2. Signs and buoys must be placed no further apart than 660 feet.
3. Signs and buoys shall be installed so they are conspicuous.
4. Buoys shall be of polyform design.
5. Buoys shall be red with contrasting 3 inch minimum letters stating: "Closed".
6. Buoy size shall be a diameter of not less than 14.5 inches and a length of not less than 19.5 inches.
7. Signs and buoys are to be installed, removed and maintained by the owner or their designee of the private property.

**DEPARTMENT RECOMMENDATION**

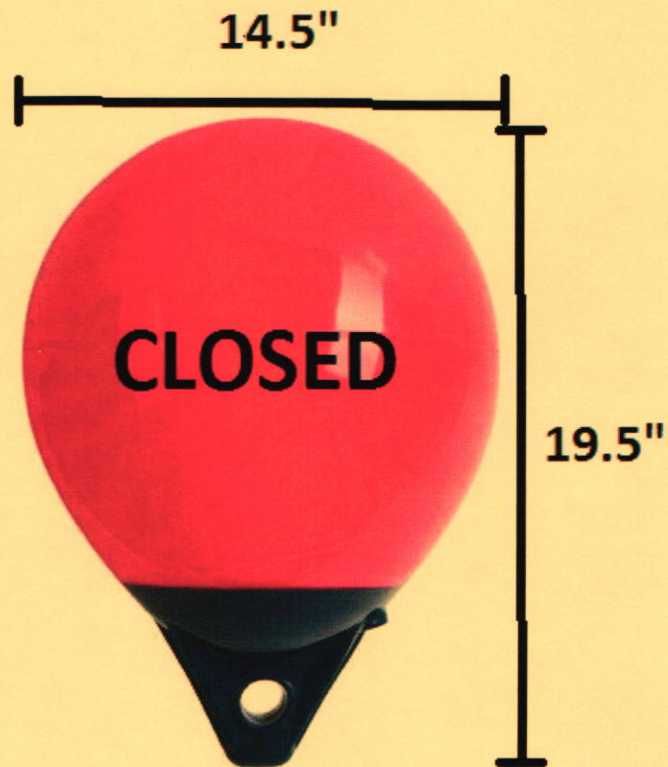
Recommended change from proposal:

Property corner boundaries located in the water must be marked by signs or buoys.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_



12" X 18"  
HIGH INTENSITY REFLECTIVE SHEETING  
WHITE LETTERING WITH RED BACKGROUND



MINIMUM SIZE: 14.5" X 19.5"  
RED IN COLOR  
CONTRASTING 3 INCH LETTERING: "CLOSED"

**GAME, FISH AND PARKS COMMISSION ACTION  
FINALIZATION**

**Black Hills Bighorn Sheep Hunting Season  
Chapter 41:06:56**

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>October 5-6, 2017</b>	<b>Rapid City</b>
	<b>Public Hearing</b>	<b>November 2, 2017</b>	<b>Brookings</b>
	<b>Finalization</b>	<b>November 2-3, 2017</b>	<b>Brookings</b>

**COMMISSION PROPOSAL**

**Duration of Proposal:** 2018 and 2019 hunting seasons

**Season Dates:** September 1 – December 31, 2018  
September 1 – December 31, 2019

**Open Area:** Unit 1: That portion of Pennington County within an area beginning at Hwy. 385 and the Pennington County line, then south on Hwy. 385 to Sheridan Lake Rd., then east on Sheridan Lake Rd. to Hwy. 79 in Rapid City, then north on Hwy. 79 to the Pennington County line.  
Unit 2: Custer County west of Highway 79, except Custer State Park, Wind Cave National Park, and Jewel Cave National Monument.

**Licenses:** No more than 5 "ram bighorn sheep" licenses

One of the 5 licenses shall be an auction "ram bighorn sheep" license if a minimum of three total bighorn sheep licenses are allocated.

**Requirements and Restrictions:**

1. All licensees are required to attend an orientation meeting prior to the opening day of the season at the regional office in Rapid City.
2. Except for the auction license, application for a license may be made by any resident hunter who has not been previously issued a bighorn sheep license in South Dakota.
3. Hunters can only apply for one of the two Black Hills bighorn sheep units.
4. Land operator preference is not applicable to these licenses.
5. One bighorn sheep license shall be allocated as an auction license if a minimum of three bighorn licenses are approved by the Commission. The Commission shall determine in which unit or units the auction license if valid.
6. All successful hunters must submit their bighorn sheep to a conservation officer or Department representative for inspection and permanent marking within 24 hours after the kill.

**Proposed changes from last year:**

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

**DEPARTMENT RECOMMENDATION**

Recommended changes from proposal: None.

**SUPPORTIVE INFORMATION**

**APPROVE** \_\_\_\_\_ **MODIFY** \_\_\_\_\_ **REJECT** \_\_\_\_\_ **NO ACTION** \_\_\_\_\_

GAME, FISH, AND PARKS COMMISSION ACTION  
FINALIZATION

**Special Custer State Park Antlerless Elk Hunting Season**  
Chapters 41:06:04 and 41:06:47

Commission Meeting Dates:	Proposal	October 5-6, 2017	Rapid City
	Public Hearing	November 2, 2017	Brookings
	Finalization	November 2-3, 2017	Brookings

**COMMISSION PROPOSAL**

Duration of Proposal: 2017/2018 hunting seasons.

Season Dates:

- CAE-CU1: October 7-15, 2017
- CAE-CU2: October 21-29, 2017
- CAE-CU3: December 2-10, 2017
- CAE-CU4: December 16-24, 2017
- CAE-CU5: December 30, 2017 – January 7, 2018
- CAE-CU6: January 13-21, 2018

Licenses: No more than 60 antlerless elk licenses.

Proposed changes from last year:

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

**DEPARTMENT RECOMMENDATION**

Recommended changes from proposal: None.

**SUPPORTIVE INFORMATION**

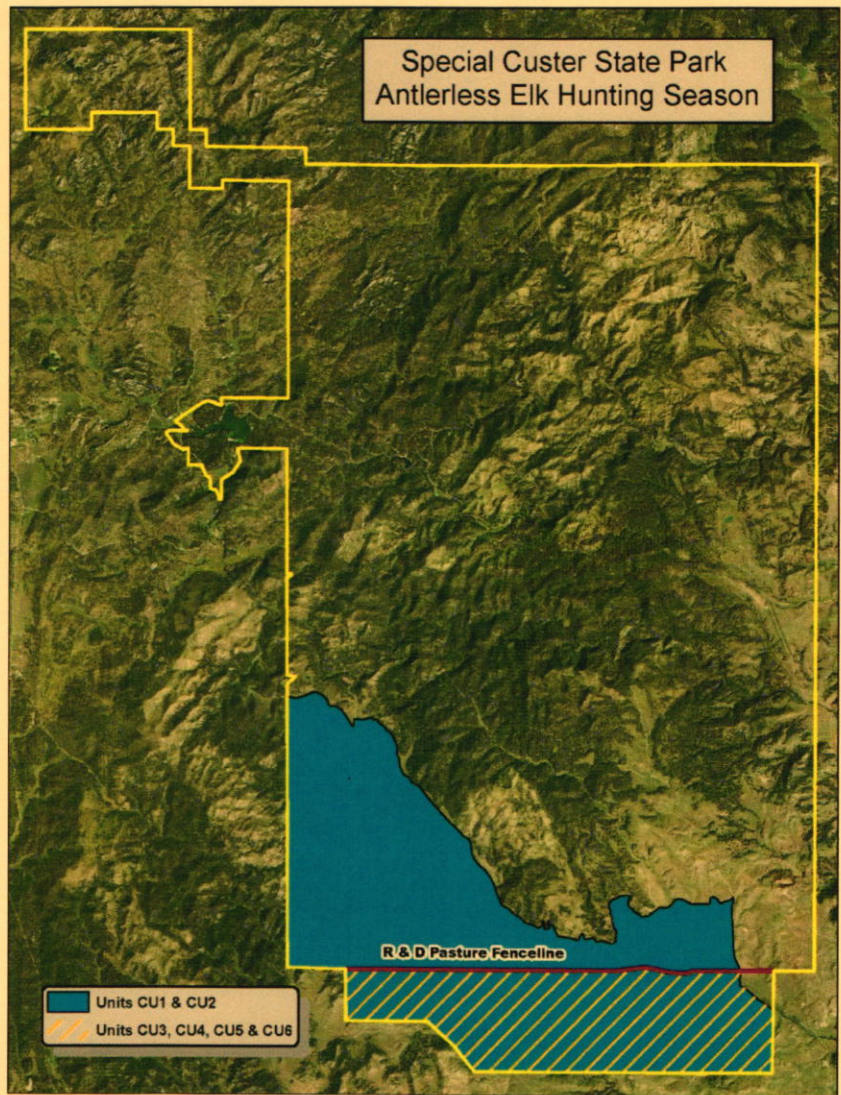
New information on chronic wasting disease (CWD) prevalence rates from both CSP (2016 season) and WICA (2016/2017 culling program) warrants adaptive management to learn more about the infection rate of CSP elk, begin managing at a lower population density in identified area, and to evaluate and respond accordingly for future management actions. CWD positive prevalence rate of 15% from hunter-harvested elk during the 2016 CSP elk hunting season is a concern, both short and long-term for elk population. Department staff will evaluate disease test results and structure of season and adapt as needed for the 2018 elk season.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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Year	Licenses	Applicants	Success
2006	100	4,105	73%
2007	60	4,339	57%
2008	40	4,383	59%
2009	20	4,546	95%
2010	5	4,420	80%
2011	CLOSED		
2012	CLOSED		
2013	CLOSED		
2014	CLOSED		
2015	CLOSED		
2016	20	3,138	90%
2017	20	3,035	NA

**Proposed Boundary**



APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_

GAME, FISH AND PARKS COMMISSION ACTION  
FINALIZATION

11

**Endangered and Threatened Species**  
Chapter 41:10:02

Commission Meeting Dates:	Proposal	October 5-6, 2017	Rapid City
	Public Hearing	November 2, 2017	Brookings
	Finalization	November 2-3, 2017	Brookings

**COMMISSION PROPOSAL**

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

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

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

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

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

Change Northern redbelly dace (*Phoxinus eos*) to Northern redbelly dace (*Chrosomus eos*).  
Change Pearl dace (*Margariscus margarita*) to Northern pearl dace (*Margariscus nachtriebi*).

**DEPARTMENT RECOMMENDATION**

Recommended changes from proposal: None.

**SUPPORTIVE INFORMATION**

Least tern: This change reflects updated taxonomic changes to the scientific and common names of this species.

Finescale dace: This change reflects updated taxonomic changes on the appropriate scientific name.

Northern redbelly dace: This change reflects updated taxonomic changes on the appropriate scientific name.

Northern pearl dace: This change reflects updated taxonomic changes on the appropriate common and scientific names.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_

GAME, FISH, AND PARKS COMMISSION ACTION  
FINALIZATION

**Aerial Hunting**  
**Chapter 41:08:06**

Commission Meeting Dates:	Proposal	October 5-6, 2017	Rapid City
	Public Hearing	November 2, 2017	Brookings
	Finalization	November 2-3, 2017	Brookings

**COMMISSION PROPOSAL**

Amend 41:08:06:02. Applications—Contents--Submission.

1. Amend current administrative rule to allow nonresidents to obtain an aerial hunting permit from the Department.

**DEPARTMENT RECOMMENDATION**

Recommended changes from proposal: None.

**SUPPORTIVE INFORMATION**

Currently in administrative rule, only residents are allowed to obtain an aerial hunting permit from the Department. There has been interest from some landowners to bring in nonresident pilots to assist with aerial predator control needs on their livestock operations. This change would allow nonresident pilots to obtain an aerial hunting permit.

APPROVE <input type="checkbox"/>	MODIFY <input type="checkbox"/>	REJECT <input type="checkbox"/>	NO ACTION <input type="checkbox"/>
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**FISH LIMITS**  
**Chapter 41:07:03**

Commission Meeting Dates:	Proposal	October 5 – 6, 2017	Rapid City
	Public Hearing	November 2, 2017	Brookings
	Finalization	November 2 – 3, 2017	Brookings

**COMMISSION PROPOSAL**

Modify 41:07:03:03. "Daily, possession, and length limit restrictions on special management waters -- Additional restrictions described." to: remove the 15 inch minimum size restriction for walleye on Lake Poinsett.

**DEPARTMENT RECOMMENDATION**

Recommended changes from proposal:

No changes from proposal.

**SUPPORTIVE INFORMATION**

The Lake Poinsett walleye population has a large year class present. Fish growth is slow and walleye are succumbing to natural mortality prior to attaining 15 inches in length and becoming available for anglers to harvest. The current walleye regulation has been ineffective at improving size structure.

APPROVE       MODIFY       REJECT       NO ACTION

GAME, FISH AND PARKS COMMISSION ACTION  
FINALIZATION

BAIT  
CHAPTER 41:09:04

Commission Meeting Dates:	Proposal	October 5-6, 2017	Rapid City
	Public Hearing	November 2, 2017	Brookings
	Finalization	November 2-3, 2017	Brookings

COMMISSION PROPOSAL

Amend 41:09:04:02 to include agents/employees of bait dealers as persons eligible to take bait.

Create a new rule to require all bait dealers to list employees/agents on their application who will engage in trapping, transporting, delivering, raising or seining bait and allow the department to refuse the issuance of a license to a bait dealer with an employee/agent who has received a suspension or revocation of their bait dealer license.

DEPARTMENT RECOMMENDATION

Recommended changes from proposal: Place agent/employee eligibility inclusion in the new rule, instead of amending 41:09:04:02.

SUPPORTIVE INFORMATION

**41:09:04:17. Conviction for violation may be cause for revocation and non-renewal of bait dealer license.** A conviction for a violation of any of the provisions of this chapter or of SDCL 41-6-44 to 41-6-45.1, inclusive, by a bait dealer, or a bait dealer's agent, or employee, may be cause for immediate revocation of the bait dealer's current license and serve as the basis for the department's refusal to issue a license to the bait dealer for the calendar year following the year of conviction.

**41-6-66. Commission or department to direct form of licenses.** Any license permitted or provided for in this title and § 32-20A-15.1 shall be in such form as the Game, Fish, and Parks Commission or department directs.

2017 Resident Wholesale Bait Dealers: 21  
2017 Resident Retail Bait Dealers: 132

APPROVE       MODIFY       REJECT       NO ACTION

**GAME, FISH AND PARKS COMMISSION ACTION  
FINALIZATION**

**Park License and Trail Use Pass  
Chapter 41:03:03  
and  
Park Facility Use Fees  
Chapter 41:03:04**

Commission Meeting Dates:	<b>Proposal</b>	October 5-6, 2017	Rapid City, SD
	<b>Public Hearing</b>	November 2-3, 2017	Brookings, SD
	<b>Finalization</b>	November 2-3, 2017	Brookings, SD

**COMMISSION PROPOSAL**

**Recommended changes:**

**41:03:03:06. Park entrance license fees.** The park entrance license fees are as follows:

(4) Except at Custer State Park, the daily park entrance license fee is \$4 for each person in the motor vehicle who is 12 years old or older or \$6 a vehicle;

**41:03:04:01. Definitions.** Terms used in this chapter have the following meanings:

(10) "Preferred campground," a modern campground with weekend occupancy of exceeding 80 percent to 89 percent from the Friday before Memorial Day to Labor Day, inclusive, on non-equestrian and electrical campsites;

(11) "Prime waterfront ~~campsite~~ campground," a modern ~~campsite~~ campground adjacent to the waterfront at Lewis and Clark Recreation Area and Chief White Crane Recreation Area with weekend occupancy of and greater than 90 exceeding 95 percent from the Friday before Memorial Day to Labor Day, inclusive, on non-equestrian and electrical campsites;

(12) "Primitive lodging ~~campsite~~," a ~~campsite~~ where a canvas teepee or wall tent with a wooden floor is provided by the department;

**41:03:04:03. Camping permit fees.** The daily fee for the use of a campground site by one camper unit is as follows:

(2) Modern campground fee, \$13. Campgrounds included are Fort Sisseton, ~~except during the Fort Sisseton Festival (see subdivision (6) of this section); Union Grove; Platte Creek; Swan Creek; Fisher Grove; West Whitlock; Indian Creek; Pease Creek; Okobojo Point; Cow Creek; Buryanek; and West Pollock;~~

(8) Camping cabin fee, ~~\$40~~ \$45. Campgrounds included are those in all state parks and recreation areas where camping cabins are located. ~~However, at Lewis and Clark Recreation Area, Pierson Ranch Recreation Area, and Chief White Crane Recreation Area the camping cabin fee is \$45.~~ except at At Custer State Park where the camping cabin fee is \$50;

(10) Preferred campground fee, \$15. Campgrounds included are Fisher Grove; Buryanek; Oakwood Lakes; Angostura, including Shep's Canyon; Lake Vermillion; Lewis and Clark, except those campsites designated as prime waterfront campsites; Newton Hills; Snake Creek; Palisades; Roy Lake; Lake Herman; Lake Poinsett; Walker's Point; Pickerel; Shadehill-Ketterlings Point; Sandy Shore; Lake Cochrane; Farm Island; Lake Louise; Lake Thompson; Mina; Chief White Crane, except those campsites designated as prime waterfront campsites; Pierson Ranch; North Point; Oahe Downstream; Big Sioux; Hartford Beach; Richmond; Springfield; Rocky Point; West Bend; and and Randall Creek; and South Pelican;

(11) Prime campsite fee, \$17. Sites included are: all campsites furnished with sewer, water, and electrical service; Lewis and Clark; campsite numbers 117P to 161P, inclusive; 163P; 164P; 166P; 213P to 223P, inclusive; 317P to 334P, inclusive; and 384P to 409P, inclusive; and Chief White Crane campsite numbers 111P to 145P, inclusive; Angostura including Sheps Canyon; Palisades; Big Sioux; Lake Vermillion; Rocky

**GAME, FISH AND PARKS COMMISSION ACTION  
FINALIZATION**

**Point; Mina Lake; Lake Herman; North Point; Walker's Point; Lake Poinsett; Oakwood Lakes; South Pelican; Newton Hills; Shadehill Ketterlings Point; Pickerel Lake; Lake Cochrane; Sandy Shore; Pierson Ranch; Union Grove; Richmond Lake; Pease Creek; Lake Thompson; Roy Lake; Farm Island; Snake Creek; Lake Louise; Hartford Beach; and Fort Sisseton, except during the Fort Sisseton Festival (see subdivision (6) of this section);**

~~(12) Primitive lodging campsite fee, \$23. The campground included is Fort Sisseton State Park;~~

(14) The group lodging fee at: Mina Lake State Recreation Area is ~~\$185~~ **\$205** and Shadehill State Recreation Area is ~~\$185~~ **\$205** a night for the first eight persons plus \$10 for each additional person with a maximum occupancy of ten persons; Lake Thompson State Recreation Area, Palisades State Park, Sheps Canyon State Recreation Area, and Newton Hills State Park is ~~\$240~~ **\$280** a night for the first 12 persons plus \$10 for each additional person with a maximum occupancy of 15 persons;

(15) Custer State Park, French Creek Horse Camp fee, \$26 **\$31**;

**41:03:04:13. Park facility use fees.** The fee for the use of the following state park facilities is:

(2) Fort Sisseton south barracks, ~~\$300~~ **\$500** for a period from 10:00 a.m. Friday to 6:00 p.m. Sunday, inclusive;

(5) Lewis and Clark catamaran dry slip storage, ~~\$300~~ **\$325** for a period from May 1 to September 30, inclusive. For seasonal slip rental beginning on or after July 15, the fee is \$60 plus two dollars per day. Temporary slip rental is five dollars per day;

(6) Angostura catamaran dry slip storage, ~~\$150~~ **\$175** or a period from May 1 to September 30, inclusive. For seasonal slip rental beginning on or after July 15, the fee is \$30 plus two dollars per day. Temporary slip rental is five dollars per day;

#### DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None

#### SUPPORTIVE INFORMATION

Inflationary increases in operating costs, deferred maintenance and road improvement project costs necessitate periodic fee increases in order to provide a high quality state park system. We have been successful in doing so, without negatively impacting the public's willingness to support state parks, by incrementally adjusting fees and avoiding large one-time increases.

Seventy three percent of park visitors that choose to purchase a daily entrance license buy a \$6 per vehicle license versus the \$4 per person license. Eliminating the \$4 license will reduce the license inventory needed at park entrance booths, make the fiscal audit process more efficient, satisfy the majority of park users and generate an estimated \$67,400 in new revenue.

Camping fees are set based on demand. Prices are higher for parks that have higher campground occupancy. Campgrounds equipped with individual camping pads, and either flush toilets and lavatories without showers or a shower house and vault toilets are classified as "modern". Based on weekend occupancy between Memorial Day weekend and Labor Day, modern campgrounds are further defined as Prime, Preferred or Modern. To generate needed revenue, the rule change would move more campgrounds into the Prime price category. Campsite prices would remain at \$21-Prime, \$19-Preferred and \$17-Modern. Other lodging and rental fees are being incrementally increased in recognition of demand and the need for new revenue to support the state park system. In total, these changes are projected to generate \$624,000. See the attached spreadsheet.

APPROVE

MODIFY

REJECT

NO ACTION

# State Park Fee History 2008-2017 and proposed 2018 changes

	2008	2009	2010	2011	2012	2013	2014	2015	2016	Units Sold CY 2016	2017	Proposed 2018 Fee Increase	Potential New Revenue Generated
<b>Park Entrance License</b>													
Annual	\$23.00	\$28.00	\$28.00	\$28.00	\$28.00	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00	54,295	\$ 30.00	\$ -	\$ -
Second Vehicle	\$11.50	\$14.00	\$14.00	\$14.00	\$14.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00	13,801	\$ 15.00	\$ -	\$ -
Combo			\$42.00	\$42.00	\$42.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	26,856	\$ 45.00	\$ -	\$ -
Transferable	\$60.00	\$60.00	\$60.00	\$60.00	\$60.00	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00	1,646	\$ 65.00	\$ -	\$ -
Daily/Person	\$3.00	\$4.00	\$4.00	\$4.00	\$4.00	\$ 4.00	\$ 4.00	\$ 4.00	\$ 4.00	33,700	\$ 4.00	eliminate	
Daily/Vehicle	\$5.00	\$6.00	\$6.00	\$6.00	\$6.00	\$ 6.00	\$ 6.00	\$ 6.00	\$ 6.00	87,227	\$ 6.00	\$ -	\$ 67,400
George S. Mickelson Trail Annual Pass	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00	4,050	\$ 15.00	\$ -	\$ -
George S. Mickelson Trail Daily Pass	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$ 3.00	\$ 3.00	\$ 3.00	\$ 4.00	16,411	\$ 4.00	\$ -	\$ -
Motorcoach	\$2.00	\$2.00	\$3.00	\$3.00	\$3.00	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00	19,467	\$ 3.00	\$ -	\$ -
CSP 7-Day/Vehicle	\$12.00	\$15.00	\$15.00	\$15.00	\$15.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 20.00	165,756	\$ 20.00	\$ -	\$ -
CSP Motorcycle Band/Motorcycle - 7-Day			\$10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00		47,178	\$ 10.00	\$ -	\$ -
<b>Camping Fees</b>													
** Prime	\$17.06	\$17.06	\$17.06	\$18.96	\$18.96	\$18.96	\$21.00	\$21.00	\$21.00	208,236	\$21.00		\$ 416,472
*** Preferred Campgrounds	\$15.17	\$15.17	\$15.17	\$17.06	\$17.06	\$17.06	\$19.00	\$19.00	\$19.00	2,809	\$19.00		\$ 5,618
Modern Campgrounds	\$13.27	\$13.27	\$13.27	\$15.17	\$15.17	\$15.17	\$17.00	\$17.00	\$17.00	24,409	\$17.00		\$ -
Basic campgrounds	\$11.37	\$11.37	\$11.37	\$13.27	\$13.27	\$13.27	\$15.00	\$15.00	\$15.00	4,692	\$15.00	\$ -	\$ -
Basic Equestrian CG except CSP	\$9.48	\$9.48	\$9.48	\$11.37	\$11.37	\$11.37	\$13.00	\$13.00	\$13.00	377	\$13.00	\$ -	\$ -
Semi-modern Equestrian CG except CSP	\$15.17	\$15.17	\$15.17	\$17.06	\$17.06	\$17.06	\$19.00	\$19.00	\$19.00	1,436	\$19.00	\$ -	\$ -
CSP Modern Campgrounds	\$20.86	\$20.86	\$20.86	\$22.75	\$22.75	\$22.75	\$25.00	\$25.00	\$25.00	34,970	\$25.00	\$ -	\$ -
CSP Equestrian Campground	\$23.70	\$23.70	\$23.70	\$25.59	\$25.59	\$25.59	\$30.00	\$30.00	\$30.00	3,614	\$30.00	\$ 5.00	\$ 18,070
CSP Center Lake Campground	\$15.17	\$15.17	\$15.17	\$17.06	\$17.06	\$17.06	\$19.00	\$19.00	\$19.00	7,117	\$19.00	\$ -	\$ -
CSP French Creek Natural Area	\$3.80/person	\$3.80/person	\$3.80/person	\$5.69/person	\$5.69/person	\$5.69/person	\$7/person	\$7/person	\$7/person	-	\$7/person	\$ -	\$ -
CSP Game Lodge & Stockade Group Areas	\$3.80/person	\$3.80/person	\$3.80/person	\$5.69/person	\$5.69/person	\$5.69/person	\$7/person	\$7/person	\$7/person	139	\$7/person	\$ -	\$ -
Youth Group Camping Statewide	\$ .47/person	\$ .47/person	\$ .47/person	\$ .47/person	\$ .47/person	\$ .47/person	\$ .50/person	\$ .50/person	\$ .50/person	75	\$ .50/person	\$ -	\$ -
Camping Cabin except CSP and L&C	\$33.18	\$33.18	\$33.18	\$35.07	\$35.07	\$35.07	\$40.00	\$40.00	\$40.00	17,778	\$40.00	\$ 5.00	\$ 88,890
L&C Camping Cabin	\$37.91	\$37.91	\$37.91	\$39.81	\$39.81	\$39.81	\$45.00	\$45.00	\$45.00	2,378	\$45.00		\$ -
CSP Camping Cabins	\$42.65	\$42.65	\$42.65	\$44.55	\$44.55	\$44.55	\$50.00	\$50.00	\$50.00	7,031	\$50.00		\$ -
Group Lodge - Mina	\$127.96	\$127.96	\$127.96	\$151.66	\$151.66	\$151.66	\$185.00	\$185.00	\$185.00	95	\$185.00	\$ 20.00	\$ 1,900
Group Lodge - Shadehill	\$127.96	\$127.96	\$127.96	\$151.66	\$151.66	\$ 175.36	\$185.00	\$185.00	\$185.00	188	\$185.00	\$ 20.00	\$ 3,760
Group Lodge - Lake Thompson	\$189.57	\$189.57	\$189.57	\$213.27	\$213.27	\$ 227.49	\$240.00	\$240.00	\$240.00	95	\$240.00	\$ 40.00	\$ 3,800
Group Lodge - Newton Hills	\$189.57	\$189.57	\$189.57	\$213.27	\$213.27	\$ 227.49	\$240.00	\$240.00	\$240.00	108	\$240.00	\$ 40.00	\$ 4,320
Group Lodge - Palisades	\$189.57	\$189.57	\$189.57	\$213.27	\$213.27	\$ 227.49	\$240.00	\$240.00	\$240.00	113	\$240.00	\$ 40.00	\$ 4,520
Group Lodge - Sheps Canyon							\$240.00	\$240.00	\$240.00	108	\$240.00	\$ 40.00	\$ 4,320
Group Meeting Lodge - Oahe Downstream	\$118.48	\$118.48	\$118.48	\$118.48	\$118.48	\$118.48	\$125.00	\$125.00	\$125.00	81	\$125.00	\$ -	\$ -
<b>Miscellaneous</b>													
Picnic Reservation	\$10.43	\$10.43	\$10.43	\$18.96	\$18.96	\$18.96	\$18.96	\$20.00	\$20.00	556	\$20.00	\$ -	\$ -
Firewood	\$2.84	\$2.84	\$2.84	\$3.79	\$3.79	\$3.79	\$4.74	\$4.74	\$5.00	33,742	\$5.00	\$ -	\$ -
Non-Resident on-line Reservations	\$5.00	\$7.70	\$7.70	\$7.70	\$7.70	\$7.70	\$7.70	\$7.70	\$7.70	23,511	\$7.70	\$ -	\$ -
Non-Resident call center Reservations	\$5.00	\$7.70	\$7.70	\$7.70	\$7.70	\$7.70	\$7.70	\$7.70	\$ 9.70	12,793	\$9.70	\$ -	\$ -
Resident on-line Reservations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	54,326	\$0.00	\$ -	\$ -
Resident call center Reservations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$ 2.00	12,938	\$2.00	\$ -	\$ -
Fort Sisseton S. Barracks per weekend							\$300.00	\$300.00	\$300.00	20	\$300.00	\$ 200.00	\$ 4,000
Fort Sisseton event tent - off site							\$1,000.00	\$1,000.00	\$1,000.00	8	\$1,000.00	\$ -	\$ -
Fort tent transport fee - per mile over 25							\$2.00/mile	\$2.00/mile	\$2.00/mile	3	\$2.00/mile	\$ -	\$ -
Fort grounds - outdoor wedding if benches used							\$125.00	\$125.00	\$125.00	3	\$125.00	\$ -	\$ -
Lewis & Clark catamaran dry storage							\$300.00	\$300.00	\$300.00	30	\$300.00	\$ 25.00	\$ 750
Angostura catamaran dry storage							\$150.00	\$150.00	\$150.00	7	\$150.00	\$ 25.00	\$ 175
<b>Boat License Fees</b>													
1-year under 19 ft motorized	\$15.00	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	\$ 25.00	40,010	\$ 25.00	\$ -	\$ -
1-year 19 & over motorized	\$30.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$ 45.00	14,832	\$ 45.00	\$ -	\$ -
1-year non-motorized/electric	\$10.00	\$12.50	\$12.50	\$12.50	\$12.50	\$12.50	\$12.50	\$12.50	\$ 15.00	4,885	\$ 15.00	\$ -	\$ -

All camping fees are for sites with electricity. Non-electric sites are \$4.00 less.

Most recent fee adjustment

Proposed for 2018 fee adjustment

\* Potential New Revenue Generated is based on 2016 Units Sold.

\*\* and \*\*\* New revenue results from moving 28 high demand campgrounds from Preferred to Prime pricing and two campgrounds from Modern to Preferred.

**Total New Revenue \$ 623,995**



## SETTLEMENT AGREEMENT

This Settlement Agreement is made and entered into this 24<sup>th</sup> day of October, 2017, by and between the State of South Dakota, Department of Game, Fish and Parks (hereinafter "GFP"), of 523 East Capitol, Pierre, SD 57501, and Roy Lake Resort, LLC (hereinafter "Concessionaire") of 11571 Northside Drive, Lake City, SD 57247.

WHEREAS, Concessionaire is the concessionaire under an existing concession lease agreement with GFP, for the operation of resort facilities and concessions at Roy Lake State Park, which said concession lease will expire on December 30, 2018; and

WHEREAS, the Parks and Recreation Division of GFP is presently in the process of developing a Prospectus for the issuance of a new ten year concession lease at Roy Lake State Park (hereinafter "New Concession Lease"); and

WHEREAS, the parties desire to enter into an agreement in advance to resolve issues that may arise in connection with the Prospectus, solicitation of bids and awarding of the New Concession Lease and to anticipate the possibility of transfer of the operations and assets at Roy Lake Resort to a new concessionaire;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter made by and between the parties hereto, the parties agree as follows:

1. The parties hereby agree that the Prospectus which is currently being developed in connection with soliciting bids for the new Roy Lake State Park concession lease will provide for the following:
  - a. That a new concessionaire shall be required to purchase the following at a price of \$975,000:
    - i. Concessionaire's interest in Concessionaire Facilities and associated personal property as more fully explained and itemized on the "Asset List" attached hereto as Exhibit "A" and incorporated herein by this reference; and
    - ii. Concessionaire's intangibles used in providing concession services as itemized on the "Intangible Listing" attached hereto as Exhibit "B" and incorporated herein by this reference
  - b. Closing is anticipated to take place prior to December 31, 2018. The closing site shall be a neutral site such as a title insurance company or bank in South Dakota. Any escrow closing costs shall be the expense of the new concessionaire. Concessionaire shall cooperate with all reasonable closing requirements which are necessary to close the transaction in a business-like manner. Concessionaire will upon full payment for all such

property on the appraisal, provide a Bill of Sale to the new concessionaire at closing.

- c. All payments required under this Agreement and under the Prospectus to Concessionaire by the new concessionaire or GFP shall be made in full at the time of closing.
2. The parties agree that upon transition of management and operations from Concessionaire to a new, as yet to be identified or selected concessionaire at the termination of the current concession agreement, it may be necessary for purposes of purchase by a new concessionaire to conduct an inventory of equipment, personal property and perishable items maintained in stock and in the possession of Concessionaire at the termination of the concession agreement. Values and compensation for inventoried items shall be inventoried and valued as agreed upon by Concessionaire and the new Concessionaire.
3. The parties agree that upon transition of management and operations from Concessionaire to a new, as yet to be identified or selected concessionaire at the termination of the current concession agreement, it will be necessary for new concessionaire to obtain licenses for various services such as food service, lodging, etc. Current licenses held by Concessionaire may be transferred to or purchased by new concessionaire, where allowable, as agreed upon by Concessionaire and the new concessionaire. In any event, it shall be the responsibility of the new concessionaire to obtain and secure all applicable licenses.
4. Concessionaire agrees to cooperate with GFP in scheduling and providing staff to assist with an initial site visit by prospective prospectus bidders. The Concessionaire may conduct site visits for interested parties on a walk-in basis only, provided, however, that GFP shall be provided immediate notice of such site visit as well as contact information for the party involved and a listing of any information or documentation disclosed by Concessionaire to the party involved which is not already disclosed in the prospectus. Concessionaire acknowledges that any information it discloses to any such walk-in party shall also be disclosed by GFP to all identified interested parties of record. Additional site visits may be coordinated by either GFP or Concessionaire, and arrangements for such additional site visits shall be made by mutual written agreement at least twenty-four (24) hours in advance to keep to a minimum any disruption to Concessionaire or resort guests. Concessionaire agrees to waive any claim for compensation for the time of its principals or staff in participating in site visits of the premises. Concessionaire agrees that it will not independently respond to information inquiries or documentation requests received from potential prospectus bidders. In the event it receives such inquiries, Concessionaire agrees to advise any potential prospectus bidders that any inquiries must be made in writing directed to GFP. If GFP is unable to provide a satisfactory response to such inquiries, it will forward such inquiries to Jan Pitzl as Concessionaire's designated representative, who shall within seven (7) days of his receipt thereof provide GFP with Concessionaire's reasonable written response to

such inquiries. Upon its receipt of Concessionaire's responses, GFP will forward responses to inquiries to all Prospectus bidders. In addition, Concessionaire agrees to waive any claim for compensation for the time of its principals or staff spent in participating in a tour of the premises and reasonable review of the property with a prospective or new concessionaire.

5. Concessionaire agrees to cooperate with GFP in compiling any pertinent financial information and statements as may be reasonably requested by potential bidders. Concessionaire further understands that any information provided pursuant to a request from a potential bidder will be provided to all potential bidders who have made an information request. Existing financial information provided to and on file with GFP as required by the existing Concession Agreement may be disclosed to potential bidders. Any financial information disclosed to potential bidders will be under letter of confidentiality.
6. Concessionaire, its officers, and authorized representatives, agrees to take no actions or make representations of any kind which are designed or intended to discourage or influence interested parties from bidding for the new Roy Lake State Park Concession Lease or to influence the amount of the bid by a prospective concessionaire. Concessionaire will not misrepresent any matters concerning the resort facilities or concessions to a prospective concessionaire.
7. Following selection of the new concessionaire, Concessionaire shall provide the new concessionaire and GFP with a lodging reservation summary as of the last day of the month prior to the selection of the new concessionaire and thereafter update it on a monthly basis. The reservation summary shall include, for each lodging facility, a summary of the dates of stay, estimated rates, and amounts of advanced deposits received. The names of the guest, guests' addresses, contact information and dates of stay by guests or slip renters will be held by the Concessionaire until closing unless an earlier agreement is reached between Concessionaire and a new concessionaire. At closing, Concessionaire shall provide a new concessionaire with a complete accounting of receipts for advance reservations and advance deposits received prorated to the date of possession. Concessionaire shall retain an amount equal to the lodging fee for the first night's stay for each customer reserved in advance by Concessionaire. The remainder of the advanced deposits will be paid over to the new concessionaire at the time of closing. Concessionaire agrees not to make any reservations at an amount less than the full normal rate.
8. The parties agree that upon execution of a new concession lease and transfer of Concessionaire's Possessory Interest in Concessionaire Facilities and intangibles to a successor, the Concessionaire shall be required to provide GFP with satisfactions of all collateral assignments, financing statements and mortgages which Concessionaire has provided to any financial institution in connection with the property interests being sold and transferred to the new concessionaire.

9. This Agreement reflects the complete and final expression of the parties' agreement, superseding all prior negotiations or agreements, whether written or oral. This agreement may not be modified or amended except in writing executed by both parties.
10. Any reference in this agreement to a party shall be construed to include that party and its officers and directors, shareholders, members, successors, assigns, heirs, devisees, administrators, parents and subsidiaries, affiliates, employees, and agents. This Agreement is binding upon and inures to the benefit of each party to this agreement, and to all officers, directors, shareholders, members, successors, assignees, devisees, administrators, parents and subsidiaries, affiliates, employees, and agents.
11. This Agreement may be executed in identical counterparts. Each counterpart shall be deemed an original of this Agreement.
12. The parties agree to execute, file and deliver such additional documents and instruments, and to perform such additional acts as are necessary, appropriate, or reasonably requested to effectuate, consummate, or perform any of the terms, provisions or conditions of this agreement.
13. The parties each warrant and represent that they have read this Agreement and have been fully informed and have full knowledge of the terms, conditions, and effects of this Agreement, and they have either personally or through their attorneys, fully investigated to their full satisfaction the facts surrounding the various issues and matters sought to be addressed and resolved herein, and understand and are satisfied with the terms and effects of this Agreement, which are contractually binding. The parties agree that no promise or inducement had been offered or made except as herein set forth, and that this Agreement is executed of their own free act and deed without reliance on any statement or representation except as herein set forth.
14. Any interpretation or construction of the terms and conditions set forth in this agreement shall be governed by the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.
15. Concessionaire hereby designates Jan Pitzl as its authorized representative for all purposes under this Agreement including but not limited to the authority to execute same on behalf of Concessionaire. GFP hereby authorizes Katie Ceroll as its authorized representative for all purposes under this Agreement including but not limited to the authority to execute same on behalf of GFP. The parties warrant that they have taken or will take within a reasonable period of time, all action necessary in order to authorize and/or ratify the making and execution of this Agreement and will verify the same with authenticated copies of corporate and commission resolutions appropriate for the same.

16. Both parties agree that a copy of this executed Agreement will be made a part of the Prospectus.

**END OF AGREEMENT TEXT**

Dated this 17<sup>th</sup> day of October, 2017.

ROY LAKE RESORT, LLC

By:   
Jan Pitzl

THE STATE OF SOUTH DAKOTA,  
DEPARTMENT OF GAME, FISH AND PARKS

By:   
Katie Ceroll, Director, Division of Parks and  
Recreation

EXHIBIT A  
SETTLEMENT AGREEMENT ROY LAKE RESORT  
"ASSET LIST"  
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Roy Lake Resort and Lodge

**Asset List "A"**

**Broad breakdown of Value for Roy Lake Resort Including Purchase Price & Options**  
Roy Lake Resort is a 14 Unit Multi Service Resort: Lodging, Restaurant, Retail, Boat Rentals

**Tangible Assets (4 Main Categories)**

Main Lodge "Building A" (including Condos 14 & 15, Manager Residence, Restaurant, Housekeeping, FF&E, tools and inventory) ~6200 Sqft  
 Condominium Building "Building C" (Includes 4 condos and 2 laundry rooms with common furnace/utility room, hallways, FF&E) ~4200 Sqft  
 Cabins 1-8 "Building B" (8 Individual/Stand Alone buildings- 6 directly on the water, 2 park and lake view, all FF&E)... ~3600 Sqft  
 Outdoor Assets- Floating Dock Systems, Vehicles, Boats & Motors (including lifts and trailer(s))

**Intangible Assets**

(all intangible assets are included with sale and are shown to show worth)

Website & Social Media Accounts + Ownership of www.roylakeresort.com domain including e-mail @roylakeresort.com domain  
 6,500+ person Customer list (including addresses and phone numbers)  
 1,000+ Customer Marketing E-mailing list  
 Digital Logo, Business Card designs and hundreds of documents, templates associated w/RLR- including digitized photos  
 Use of Roy Lake Resort/Roy Lake Lodge/Roy Lake Resort & Lodge name, reputation goodwill  
 Point of Sale Reports for last 10 years

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SETTLEMENT AGREEMENT ROY LAKE RESORT  
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Roy Lake Resort and Lodge

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**Asset List "B"**

**FF&E Breakdown of the four (4) Main Tangible Asset Categories: Main Lodge, Condos, Cabins, Vehicles and Boats**  
List of major items that are included with the sale and their respected value minus building value

**Main Lodge (Building A)**

Restaurant, Front Desk, Retail, Housekeeping Dept., Maintenance Dept., Condos 14 & 15, Manager Residence, Office

**Office**

**Item**

Computer Desk  
Document Shredder  
Computer Battery-Up  
Dell Multi-Function Laser Printer/Fax/Scanner/Copier  
3-5 Drawer Vertical, Locking Filing Cabinets  
Bookcases  
2 Compartment Heavy Duty Digital Fire Safe w/Employee Drop  
19 inch Flat Screen TV  
Various Office Supplies (Staplers, Copy Paper etc.)

**Office Total**

**Notes:**

*Office Computer will be exempt from sale and retained by current owner. All agreed upon files will be copied to a flash drive for buyer.*

**Retail & Retail Inventory**

**Item**

Grocery Shelving Unit  
Dell Public All-In-One Windows 8.2 Computer and Printer  
Stand up, Adjustable Computer Work Station  
Slot Wall Display Prongs/Hooks  
RLR Promotional Items i.e. shirts, mugs, hats etc...  
RLR Promotional Item Display Case  
Angled Hanger Rack Display  
120 Gal Fresh Water Aquarium w/Roy Lake Pan Fish & all tools  
Glass/Stainless Steel Custom Sneeze Guard  
3 Size Disposable cup dispenser  
S/S Refrigerated Countertop Topping Merchandiser  
Food Warming Merchandiser  
Various Food/Display Racks  
Douwe Egbert Coffee Extract Machine  
Countertop Cabinets  
Custom Aquarium Stand  
50" Flat Screen Plasma TV & DVD player  
2 RLR Logo signs displayed on the side of building  
2 Highway RLR Logo Signs displayed on Hwy. 27 and Roy Lake Rd.  
Storage Room Shelving Units  
All Retail Inventory for sale  
Corner Shelving Unit  
New LED Track Lighting Systems & Ceiling Fans  
Self-Contained 80 gal Freshwater Built Aquarium for Retail Bar

Roy Lake Resort Asset List "B"



EXHIBIT A  
 SETTLEMENT AGREEMENT ROY LAKE RESORT  
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Roy Lake Resort and Lodge  
 Retail & Retail Inventory continued from previous page

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- Vinyl Plank Floors
- Mini-Fridge for Retail Ball
- Taxidermy Proud Angler Fish- Yellow Perch, Bluegill,
- 17lb Northern Pike, Largemouth Bass

**Notes:**

*Taxidermy Deer Buck Head is on a no-cost loan from Dana Nelson Lake City, SD*  
*A&W Single door and double door cooler merchandisers are owned by American Building Co. On loan*  
*Good Humor Ice Cream Bar Freezer is owned by Cass City Creamery On loan*  
 Following items are exempt from sale and will be retained by current owner:  
 Vintage Coca Cola Cooler  
 Custom Metal Work- Walkers  
 Some Personal Photos at owner's discretion, Custom Painted Saws

**Front Desk**

- | Item  |
|---|
| Point of Sale Computer, Software & HP Printer |
| Front Desk                                    |
| Baked Goods Merchandiser                      |
| Key Tags for Unit Keys/Keys                   |
| Brochures Inventory                           |
| Misc. Supplies and Equipment                  |
| 2- Wet Stone Countertop Water Features        |
| 2- Computer Battery Back-ups                  |

**Notes**

*POS Software is setup for CC Processing under current owner's Account, buyer will need to have their own account previously set up for seamless transaction at date of sale or determined date. Current Software is ComCash*

**Restaurant: Commercial Kitchen, Dining Room/Lounge, Outside Dining/Patio & Deck**

Dining Room	Item
	2 Couches w/matching pillows, Couch & Love Seat
	Taxidermy Mounts- Bass & Bluegill, 2- Walleye Mounts, Deer Butt Mount
	Unautographed TV Fishermen photos taken at RLR
	High Quality Synthetic Plants
	Geraniums
	Fireplace Bookshelf w/heat
	55" Phillips Flat Screen TV
	2- 10 Gal Freshwater Aquariums w/small aquarium fish
	5- 4 top Cherry Finished Tables (3 more in storage in Condo Utility Room)
	20 matching chairs with black leather and cherry wood (12 more in storage)
	Washed stone/exposed stone concrete patio designed with footings in place
	Patio Furniture
	Wooden Deck <span style="float: right;"><i>Included w/patio</i></span>

**Notes**

*Exempt from sale are the following personal items on loan and will be retained by owner:*  
*Autographed photos and military photos/flags, aloe plant, jade plant, coyote & pheasant mount, crowfoot mount, 2- duck mounts, paintings & painted saws, 2 vintage lounge chairs, 2 cherry narrow corner cabinets*

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SETTLEMENT AGREEMENT ROY LAKE RESORT  
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Roy Lake Resort and Lodge

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Restaurant- Commercial Kitchen, Dining Room/Lounge, Outside Dining/Patio & Deck

Commercial Kitchen	Item
	Commercial Range (48" Flat top/4 burner range/double oven) (LP)
	Vulcan 40 Gal Deep Fryer (LP)
	Countertop Charbroiler (LP)
	Broiler/Salamander (220V Infrared)
	Soft-Serve Ice Cream Machine
	2- Ice Cream Cone Dispenser
	2- Dry Topping Dispenser
	Microwave
	72" 3 door Beverage Counter Cooler
	48" 2 door cold prep/sald/pizza prep Beverage cooler
	Double Door Subzero S/S Reach-In Freezer
	Double Door Refrigerated Reach In Cooler
	72" Deep Freeze Chest Freezer
	48" Deep Freeze Chest Freezer
	Single Door Upright Reach-In Freezer
	Residential Refer/Freezer
	S/S French Door Refer w/ bottom Double Drawer freezer
	Commercial Dry Storage Rack
	72" Double Overhead Shelf w/Vulcan Infrared Warmer
	1000+lb Scotsman Ice Maker/Bin
	18/0 Silverware and Servingware
	Plates, Misc. Holioware, platters, containers
	Baking and Cutlery
	12" Blade Power Meat Slicer
	Pots & Pans
	18" Deck Lincoln Impinger Conveyor Oven (LP)
	S/S Equipment Stand/Work Table
	S/S Shelving Units
	Hobart S/S Sanitizing Dish Washer (90 second wash)
	All Dry & Cold Storage Inventory <span style="float: right;"><i>Revolving Value</i></span>
	Misc. Equipment (i.e. food processor, immersion blender etc..)
	Wine Glass Dishwashing racks
	Approx. 50 Red and White Long Stemmed Wine Glasses
	Employee Time Clock & Time Cards
	10ft Exhaust Hood w/Grease Traps and Exhaust Fan
	Commercial [Grease-Rated] Fire Suppression System

**Notes**

*Exempt from sale are the following personal items on loan and will be retained by owner:  
Previously discounted from the above totals- Misc. Equipment, cooking wares, pots & pans.*

Continued on next page-

Roy Lake Resort Asset List "B"

EXHIBIT A  
SETTLEMENT AGREEMENT ROY LAKE RESORT  
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Roy Lake Resort and Lodge

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HousekeepingItem

2 Front Loading Washing Machines- Main Building  
2 Front Loading Dryers- Main Building  
Supplies & Inventory- All Buildings  
Bedding for all units (Comforters, Blankets, Pillows, Sheets, Pads Etc.)  
2- Top Loading Washing Machines- Condo Building  
2- Front-Loading Dryers- Condo Building  
2- Extra-Deep Utility Sinks- Condo Building  
Dyson Animal Complete 65 Vacuum  
~4 Panasonic Commercial Vacuums  
Storage Shelving Systems  
Rug Doctor Carpet Cleaner/Shampooer

Notes:

Maintenance/GroundsItem

Tools (Hand tools and power tools, wrenches, sockets, saws etc.)  
2- Briggs & Stratton Motor Mowers 21inch decks  
Weed/Edge Trimmer  
14- Heavy-Duty Commercial Picnic Tables  
Touch Up Paints/Stain  
Instant Hot Water Furnace (Electric) Heating Source  
Main Lodge Hot Water Heater (LP)  
1- Garbage Dumpster  
4- Underground Septic Tanks & Lift Station  
Briggs & Stratton Power Washer

Notes:

All power tools and hand tools marked with "Thames" or "Charles Thames" are personal property and are not included in the sale

Manager's ResidenceItem

3 bedroom/1 bath residence with private walkout balcony and backyard. Public and Private/Internal Server and Networks  
Battery Backup System for Networks  
Corner Cabinet and Network supplies

Notes:

All property located in the Manager's Residence is exempt from sale with the exception of the items listed above.

Condos 14 & 15

A total FF&E value will be assigned rather than a specific value for each individual item.

\*All units have DirecTV\* Satellite Programming with Boxes and Remotes\*

Item

Décor (All paintings/pictures/artwork)  
2 48" LED Flat Screen TVs  
4- Mirrored Dressers

Roy Lake Resort Asset List "B"

EXHIBIT A  
SETTLEMENT AGREEMENT ROY LAKE RESORT  
"ASSET LIST"  
Page 6 of 9

Page 5

Roy Lake Resort and Lodge  
Continued from previous page-

Jacuzzi Jet Tub  
2- Walk-In Showers  
2- Microwaves  
4- Full Size Reach In Refrigerators  
Plates, Cups, Pots, Pans & Utensils  
4 full-size Mattresses, frames, box springs  
2- Twin-size mattresses, frames, box springs  
King-Size Headboard  
2- Black Leather Couches Sofa and Love Seat  
2- Electric ranges w/ovens  
2-Cabinet Mounted Microwaves  
2- Single Vanities w/Sinks  
1- Large Double Vanity w/Sink  
Lighting Fixtures/HVAC  
3- Standard Comodes  
2- Private Walkout Balconies  
2- Coffee Tables  
2- Kitchen Tables and chairs  
4- Twin-size Rollaway Beds  
2- Charcoal Grills  
Carpeting and Linoleum Floors  
2- Hot Water Heaters (Electric)

**Cabins 1-8 (Buildings B)**

Cabins 1,2,5,6- 2bd 1ba; Cabins 3,4- 1bd 1ba, Cabins 7- 2bd 1ba w/four seasons; Cabin 8- 1bd 1ba w/four seasons  
\*All units have DirecTV® Satellite Programming with Boxes and Remotes\*

**Cabins 1, 2, 5, 6**

<u>Item</u>	<u>Item</u>
	8- Full-size mattress, frames, box springs
*Cabins 1,2,5,6 are 2 Bedroom 1 Bath units with built on decks. Cabins 5 & 6 also have covered decks. All include Fire Pits.	8- Twin-size custom hunks, custom mattresses and covers
	New lighting fixtures
	New Floors in all units
	4 Sets- Full Kitchen Cabinets
	4- Microwave
	4 Sets- Kitchen tables and chairs
	4 LP/Electric Ignite 4 range and oven
	4- LP Furnaces; 4- Electric Hot Water Heaters
	Pots, Pans, Utensils & Appliances
	4- Charcoal Grills
	4- full Size Reach-In Refrigerators
	4 Sets- Deck Furniture and Tables
	4- Custom Cherry Closet Systems
	4- A/C Units
	Decor- Paintings/Pictures/Lamps
	4- 24" Vizio 1080p HD Flat Screen TVs- Wall Mounted
	4 Sets- 3 Piece Bathroom

Roy Lake Resort Asset List "B"

EXHIBIT A  
SETTLEMENT AGREEMENT ROY LAKE RESORT  
"ASSET LIST"  
Page 7 of 9

Roy Lake Resort and Lodge  
Cabins 3, 4

Page 6

	Item
	2- Full-size mattress, frames, box springs
<i>*Cabins 3 &amp; 4 are 1</i>	2- Twin size custom bunks, custom mattresses and covers
<i>Bedroom 1 Bath units</i>	New lighting fixtures
<i>with built on decks.</i>	New Floors in all units
<i>All include fire pits.</i>	2 Sets- Full Kitchen Cabinets
	2- Microwave
	2 Sets- Kitchen tables and chairs
	2- LP/Electric Ignite 4 range and oven
	2- LP Furnaces
	Pots, Pans, Utensils & Appliances
	2- Charcoal Grills
	2 Full Size Refrigerators
	2 Sets- Deck Furniture and Tables
	2- Electric Hot Water Heaters
	2- A/C Units
	2- Custom Cherry Closet Systems
	Décor- Paintings/Pictures/Lamps
	2- 21" Vizio 1080p HD Flat Screen TVs- Wall Mounted
	2 Sets- 3 Piece Bathroom

Cabin 7

	Item
	2- Full-size mattress, frames, box springs
<i>*Cabins 7 is a 2</i>	2- Twin size custom bunks, custom mattresses and covers
<i>Bedroom 1 bath unit</i>	New lighting fixtures
<i>with a built on Four-</i>	New Floors in all units
<i>Seasons Porch.</i>	1 Sets- Full Kitchen Cabinets
<i>Includes Fire Pit.</i>	1- Microwave
	1 Sets- Kitchen tables and chairs
	1- LP/Electric Ignite 4 range and oven
	1- LP Furnaces
	Pots, Pans, Utensils & Appliances
	1 Charcoal Grills
	1 Full Size Refrigerators
	1 Set- Outside Furniture and Tables
	1- A/C Units
	Décor- Paintings/Pictures/Lamps
	1- 32" TV
	1- 3 Piece Bathroom

Continued on next page.

Roy Lake Resort Asset List "B"

EXHIBIT A  
SETTLEMENT AGREEMENT ROY LAKE RESORT  
"ASSET LIST"  
Page 8 of 9

Roy Lake Resort and Lodge  
Cabin 8

Page 7

	Item
	1- Full-size mattress, frames, box springs
<i>*Cabins 8 is a 1 bedroom 1 bath unit with a built on Four Seasons Porch Includes Fire Pit.</i>	2- twin size custom bunks, custom mattresses and covers
	New lighting fixtures
	New Floors in all units
	1 Sets- Full Kitchen Cabinets
	1- Microwave
	1 Sets- Kitchen tables and chairs
	1-LP/Electric Ignite 4 range and oven
	1- LP Furnaces
	Pots, Pans, Utensils & Appliances
	1- Charcoal Grills
	1- Full Size Refrigerators
	1 Set- Outside Furniture and Tables
	1- A/C Units
	Décor- Paintings/Pictures/Lamps
	1- 32" TV
	1- 3 Piece Bathroom

**Condominium Building (Building C)**

Condos 9,10,11,12 2 bedroom, 1 bath Condos with 2 Laundry Rooms and Utility/Furnace Room with Storage  
\*All units have DirecTV® Satellite Programming with Boxes and Remotes.\*

Condos 9, 10, 11, 12

	Item
	1G- Full-size mattress, frames, box springs
<i>*Cabins 9, 10, 11, 12 are 2 Bedroom 1 Bath units (2 full-size beds in ea. bedroom) with walkout balconies and terraces. All include Metal Ring Fire Pits.</i>	8- twin size custom bunks, custom mattresses and covers
	4 Sets- Full Kitchen Cabinets
	4- Cabinet Mounted Microwave
	4 Sets- Kitchen tables and chairs
	4-LP/Electric Ignite 4 range and oven
	Baseboard Electric Heat w/individual Thermostats/Unit
	Pots, Pans, Utensils & Appliances
	4- Charcoal Grills
	4- Full Size Reach-In Refrigerators
	4 Sets- Deck Furniture and Tables
	4- Mitsubishi A/C Units
	Décor- Paintings/Pictures/Lamps
	4- 48" 1080p HD Flat Screen TVs- Wall Mounted
	4- Oak Bookcases
	4 Sets- 3 Piece Bathroom
	2 Large Electric Hot Water Heaters
	2- Housekeeping Top-Loading Washing Machines
	2- Housekeeping Top-Loading Dryers

Roy Lake Resort Asset List "B"

EXHIBIT A  
SETTLEMENT AGREEMENT ROY LAKE RESORT  
"ASSET LIST"  
Page 9 of 9

Roy Lake Resort and Lodge

Page 8

**Dock Systems, Boats & Vehicles**

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**Outdoor Assets**

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Item	
EZ Dock Floating Dock Systems & Tools	
Shoremaster Floating Dock Systems & Tools	
Dock Parts and Replacement Parts	
Several Galvanized 4" Piling and Augers	
3 6HP Mercury Outboard Motors	
4 14' Aluminum Boat Hulls	
1- TMC 13-Person Capacity Pontoon Boat w/60HP Merc. Bigfoot Motor	
1- Pontoon Boat Lift	
1- Tandem Axle Pontoon Trailer	
1- 17' Lund Pro Angler Fishing Boat w/90HP Merc. Motor	
1- Single Axle Fishing Boat Trailer	
2002 Dodge Ram Pickup Truck 1500 Quad Cab 4X4	
EZ GO Golf Cart (Gas Powered)	
Gas Dock/500 Gallon Gas Tank with Pumps & Hoses for Boat Gas Sales	
Gas Inventory	<i>Revolving Value</i>

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Roy Lake Resort Asset List "B"

EXHIBIT B  
SETTLEMENT AGREEMENT ROY LAKE RESORT  
"INTANGIBLE LISTING"

The following is a list of intangible items relative to the operation of Roy Lake Resort which shall be transferred and provided to the successor concessionaire in accordance with Section 1.a.ii of the Settlement Agreement:

- All trademark, copyrights and other rights and title to the name "Roy Lake Resort", "Roy Lake Lodge" and "Roy Lake Resort and Lodge".
- All rights and ownership of the [www.roylakeresort.com](http://www.roylakeresort.com) website
- Exclusive transfer of all administration rights to all Roy Lake Resort online social media accounts
- 6,500+ personal customer list (includes physical addresses and phone numbers)
- 1,000+ customer email marketing list
- All digital logos, business card designs, document templates associated with Roy Lake Resort including digitized photos
- Point of sale reports for previous 10 years of business
- All phone numbers currently listed for Roy Lake Resort will remain with the Resort after lease transfer.
- Beer and wine sales license



**South Dakota Department of Game, Fish & Parks - Wildlife Division  
Land Acquisition and Disposal Report  
November 2017**

**Final Action Items**

**Tobin/Tvinnereim Trust Property**

**Location:** Seven miles northwest of Webster in Day County

**Description:** 783 acres

**Management Objective:** Game Production Area – wildlife habitat management and public hunting access

**Acquisition Cost:** \$548,000.00 (P-R grant program funding)

**Commission Acquisition Priorities:** Parcels containing significant habitat and hunting opportunities for pheasants; parcels containing significant wetland habitat complexes; and parcels that represent intact native prairie grassland systems.

**Expected Closing:** December 2017

**Requested Commission Action:** Adopt RESOLUTION 17–13 authorizing the purchase as a Game Production Area.

**Worthing GPA Addition Donation**

**Location:** One mile northwest of Worthing in Lincoln County

**Description:** +/- 0.76 acres

**Management Objective:** Game Production Area – wildlife habitat management and public hunting access

**Acquisition Cost:** Donation

**Commission Acquisition Priorities:** Round-out parcels that connect existing Department lands open to hunting, fishing, and other recreational related activities.

**Expected Closing:** November 2017

**Requested Commission Action:** Adopt RESOLUTION 17–14 accepting the property donation as a Game Production Area.

**Information Items:** The following proposed acquisition project has been advertised per SDCL 41-4-1.1, and will be brought to the GFP Commission for final action at the December 2017 meeting in Pierre.

**Armbruster Property**

**Location:** Four miles southwest of Wallace in Clark County

**Description:** 174 acres

**Management Objective:** Game Production Area – wildlife habitat management and public hunting access

**Acquisition Cost:** \$331,000.00 (P-R grant program funding)

**Commission Acquisition Priorities:** Round-out parcels that consolidate or connect existing public lands (Waterfowl Production Area) open to hunting, fishing, and other recreational related activities; parcels containing significant habitat and hunting opportunities for pheasants; and parcels containing significant wetland habitat complexes.

**Early Development Projects**

None

## RESOLUTION 17 - 13

WHEREAS, the Department of Game, Fish, and Parks (GFP) has expressed an interest in acquiring real property presently owned by Leon E. Tobin and Virginia C. Tobin, as joint tenants with right of survivorship and not tenants in common, 1716 S. Roosevelt Street, Aberdeen, SD 57401, which property is described as:

West Half of the Southeast Quarter ( $W\frac{1}{2}SE\frac{1}{4}$ ) of Section 20 including Tobin Conservation Easement Tract 1 in Township 123 North, Range 56 West of the 5th P.M., Day County, South Dakota, containing 79 acres, more or less, and hereto referred to as the TOBIN PROPERTY; and

WHEREAS, the Department of Game, Fish, and Parks (GFP) has expressed an interest in acquiring real property presently owned by the Irene J. Tvinnereim Irrevocable Trust dated June 26, 2006, 1716 S. Roosevelt Street, Aberdeen, SD 57401, which property is described as:

East Half of the East Half ( $E\frac{1}{2}E\frac{1}{2}$ ) of Section 20 including Tvinnereim Conservation Easement Tract 1; the Northeast Quarter ( $NE\frac{1}{4}$ ), the Southeast Quarter ( $SE\frac{1}{4}$ ) except Lot 1 of Tvinnereim Addition, and the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section 29 including Tvinnereim Conservation Easement Tract 1; and the North Half of the Southeast Quarter ( $N\frac{1}{2}SE\frac{1}{4}$ ) of Section 30 including Tvinnereim Conservation Easement Tract 1; all in Township 123 North, Range 56 West of the 5th P.M., Day County, South Dakota, containing 703 acres, more or less, and hereto referred to as the TVINNEREIM TRUST 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 TOBIN PROPERTY and execute and consummate an agreement with Leon E. Tobin and Virginia C. Tobin, which is acceptable to GFP to acquire by purchase, at the price of \$55,300.00, the TOBIN PROPERTY for use as a Game Production Area; and

BE IT FURTHER RESOLVED, that GFP is authorized to complete negotiations for the purchase of the TVINNEREIM TRUST PROPERTY and execute and consummate an agreement with Virginia C. Tobin, as Trustee of the Irene J. Tvinnereim Irrevocable Trust dated June 26, 2006, which is acceptable to GFP to acquire by purchase, at the price of \$492,700.00, the TVINNEREIM TRUST PROPERTY for use as a Game Production Area.

## RESOLUTION 17 - 14

WHEREAS, the Inez C. Muller Living Trust, 421 South Mary Avenue, Tea, SD 57064, owns real estate (Property) described as:

The Northeast Quarter of Section 6, Township 98 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota; except Tract 1 of Muller's Addition Contained therein; and except Tract 2 of Muller's Addition contained therein; and except that portion of Lot H1 contained therein; and except Railroad Right of Way contained therein.

Whereas, pursuant to their wishes, the Inez C. Muller Living Trust desires to gift and transfer title to the Property to the South Dakota Department of Game, Fish and Parks (Department), for use as a Game Production Area; and

Whereas, the Department has evaluated and determined that the Property would serve very well as a Game Production Area, offering wildlife habitat and public hunting opportunities; and

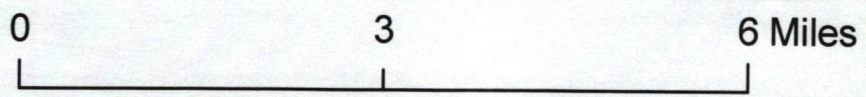
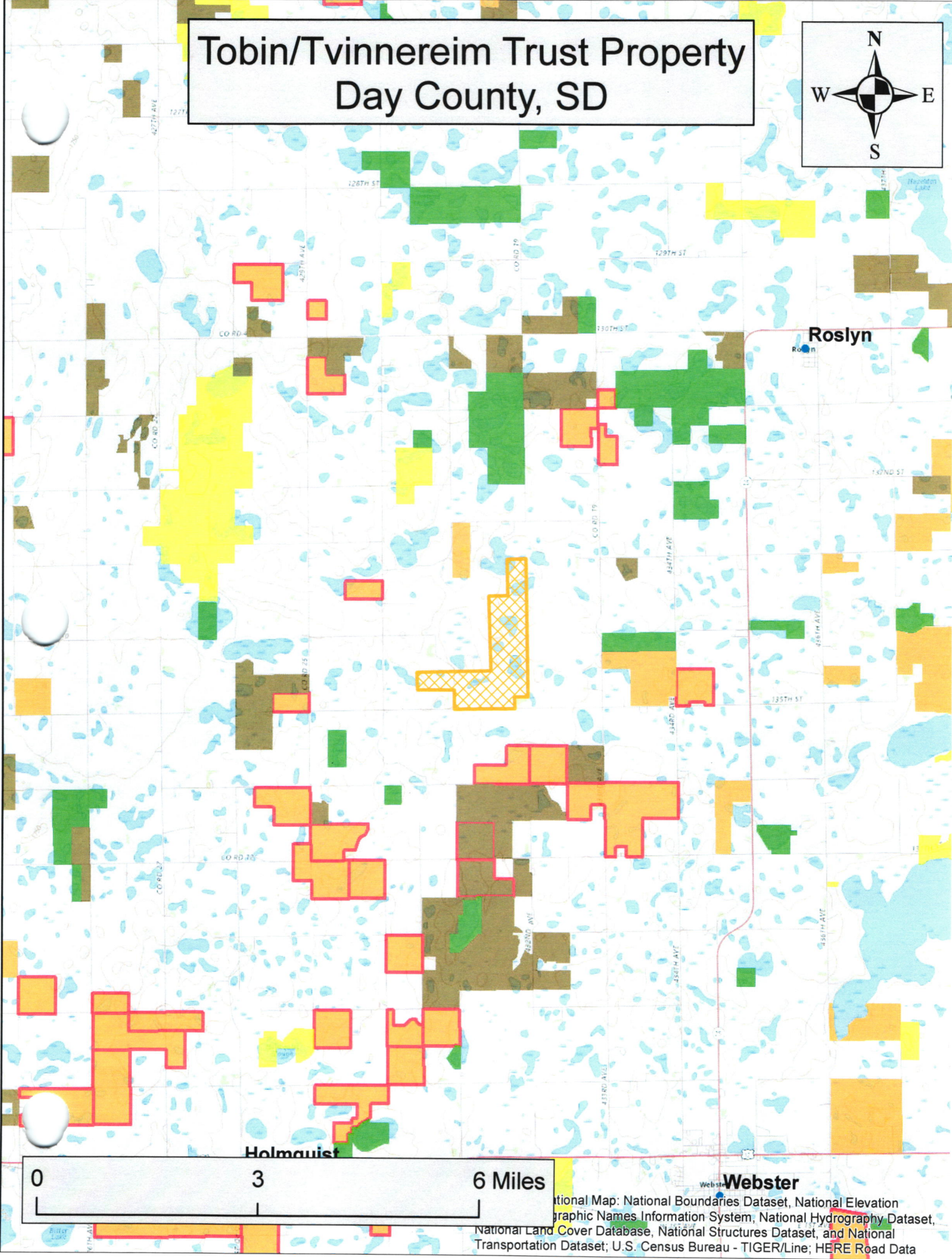
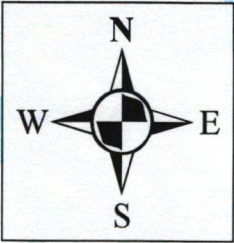
Whereas, the Department is authorized to accept gifts of property for recreational purposes as per SDCL 41-2-19 and 41-2-21 and desires to accept the gift of the Property upon confirmation of the gift by the Game, Fish and Parks Commission; and

Whereas, the South Dakota Game, Fish & Parks Commission desires to acknowledge the Department's acceptance of this gift of property from the Inez C. Muller Living Trust for use as a Game Production Area, and further acknowledge the extreme generosity of the Inez C. Muller Living Trust.

NOW, THEREFORE, BE IT RESOLVED, that the South Dakota Game, Fish and Parks Commission does hereby confirm the decision by the Department to accept the transfer and gift of the Property from the Inez C. Muller Living Trust to be used as a Game Production Area.

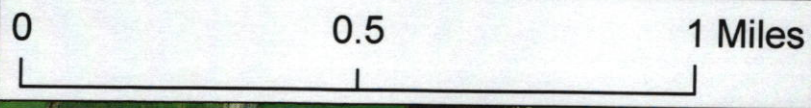
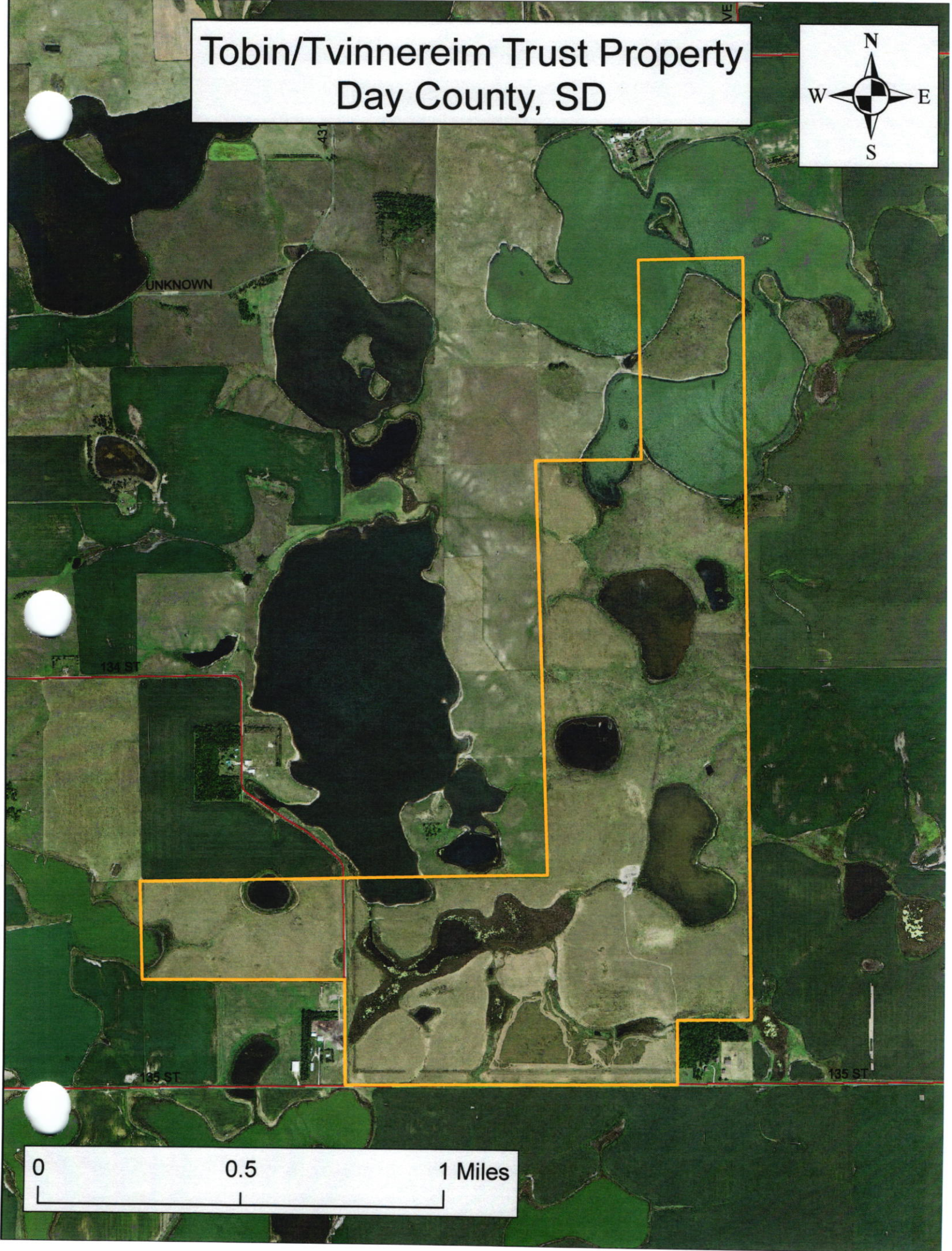
BE IT FURTHER RESOLVED, that the South Dakota Game, Fish & Parks Commission, on behalf of the citizens and sportspersons of South Dakota, does hereby acknowledge and express its deepest appreciation and gratitude to the Inez C. Muller Living Trust for their generosity, and further acknowledge the outdoor recreation opportunities this gift will provide to South Dakotans for many years to come.

# Tobin/Tvinnereim Trust Property Day County, SD

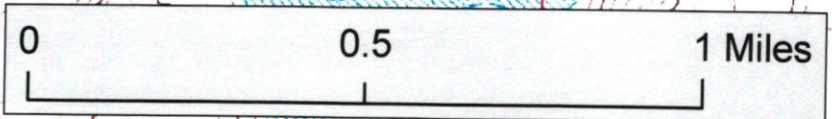
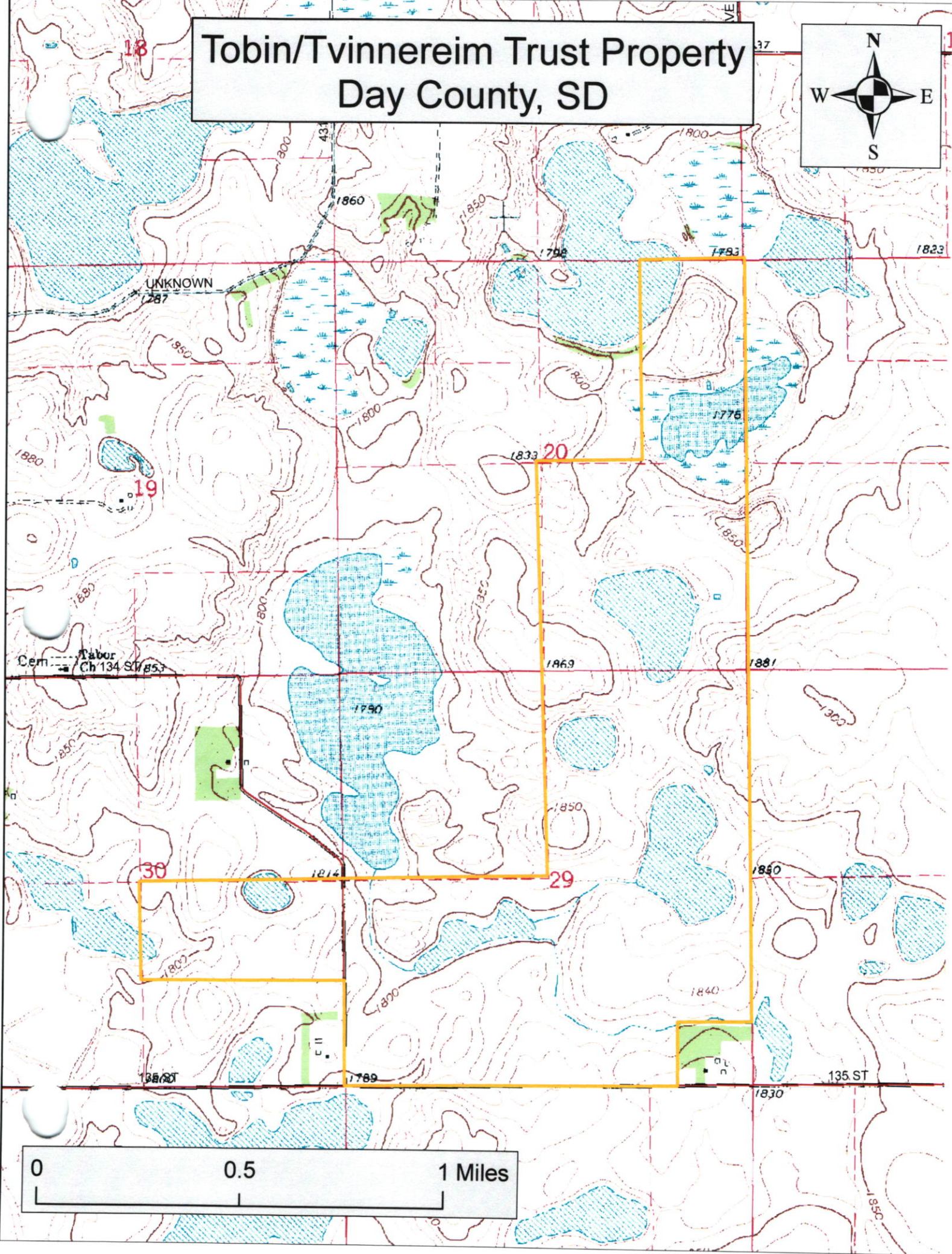
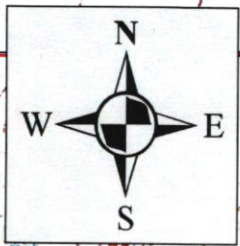


Webster  
National Map: National Boundaries Dataset, National Elevation  
Graphic Names Information System, National Hydrography Dataset,  
National Land Cover Database, National Structures Dataset, and National  
Transportation Dataset; U.S. Census Bureau - TIGER/Line; HERE Road Data

# Tobin/Tvinnereim Trust Property Day County, SD



# Tobin/Tvinnereim Trust Property Day County, SD



# Worthing GPA Donation Addition Lincoln County, SD



29

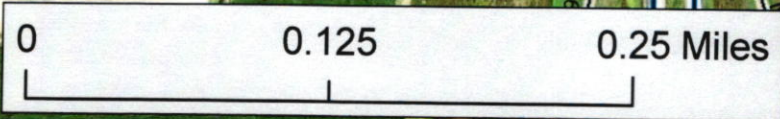
129 N


129 S

9 S1

280 ST

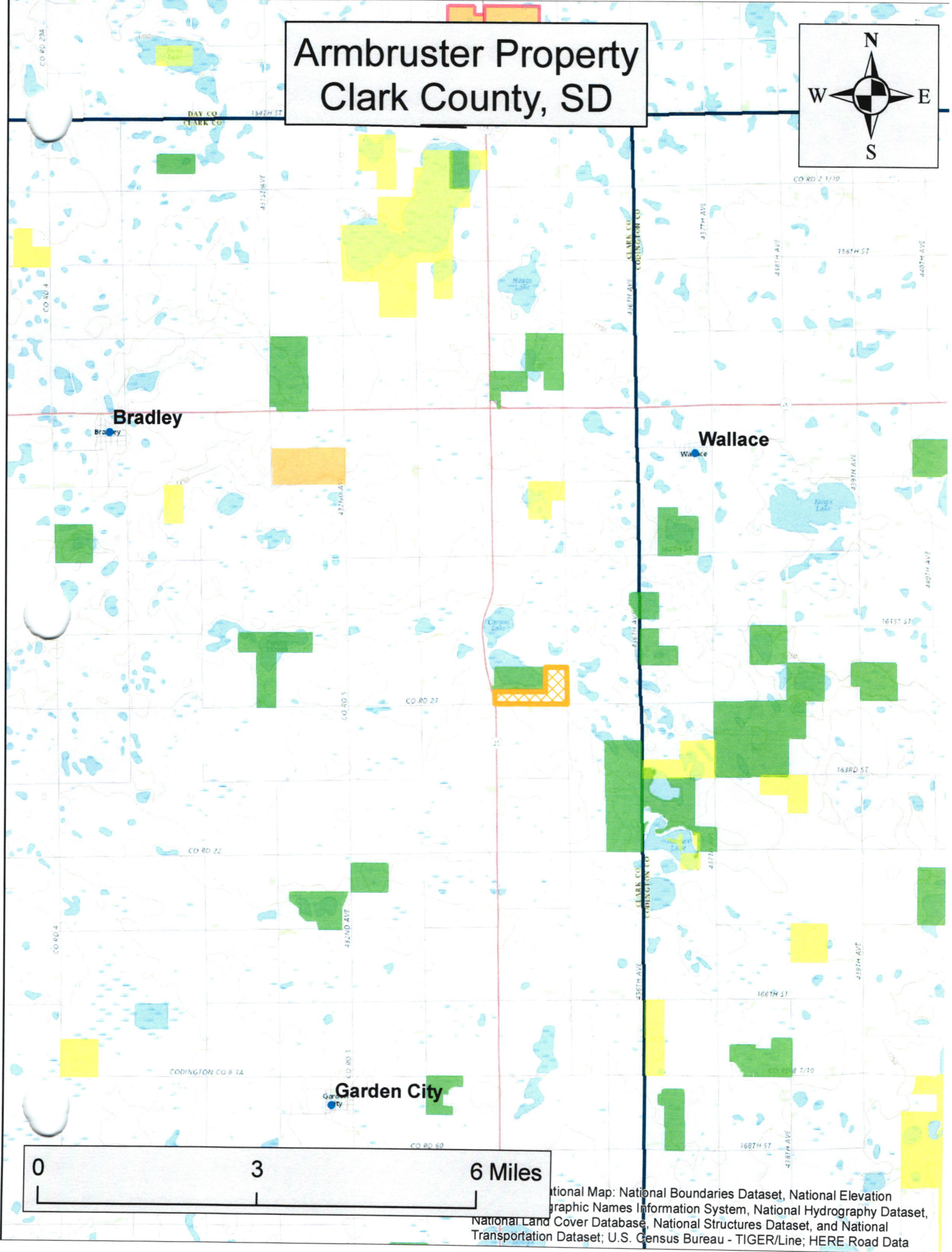
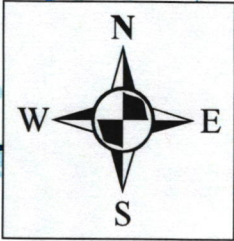
280 ST



 Game Production Areas

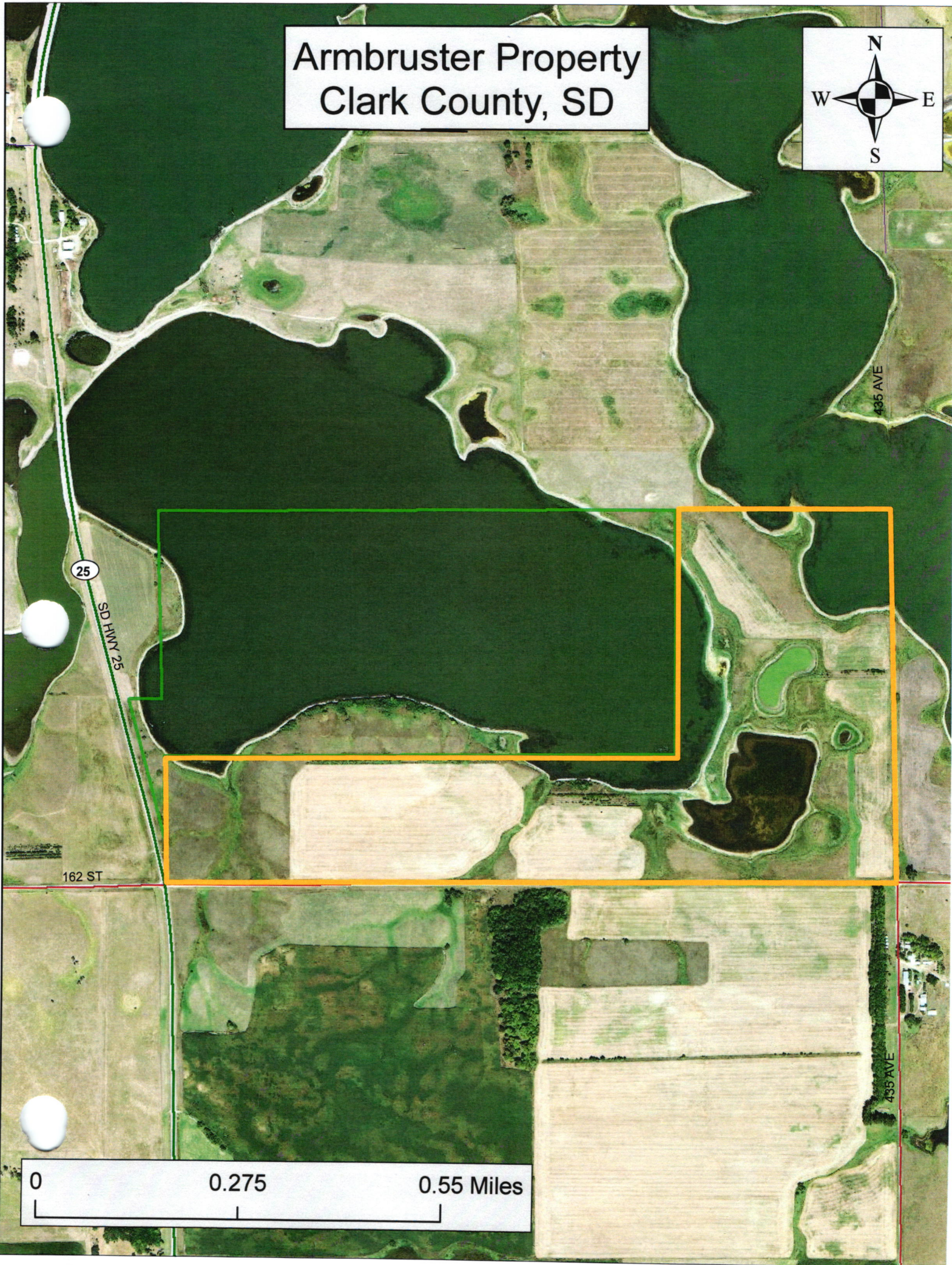
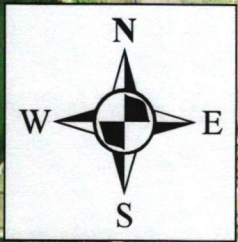


# Armbruster Property Clark County, SD



National Map: National Boundaries Dataset, National Elevation  
Graphic Names Information System, National Hydrography Dataset,  
National Land Cover Database, National Structures Dataset, and National  
Transportation Dataset; U.S. Census Bureau - TIGER/Line; HERE Road Data

# Armbruster Property Clark County, SD



436 AVE

25

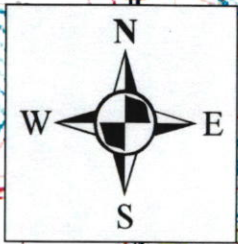
SD HWY 25

162 ST

435 AVE

0 0.275 0.55 Miles

# Armbruster Property Clark County, SD



Carson Lo  
1768

1766  
**NATIONAL WATERFOWL  
PRODUCTION AREA**

1767

1780

162 ST 1827

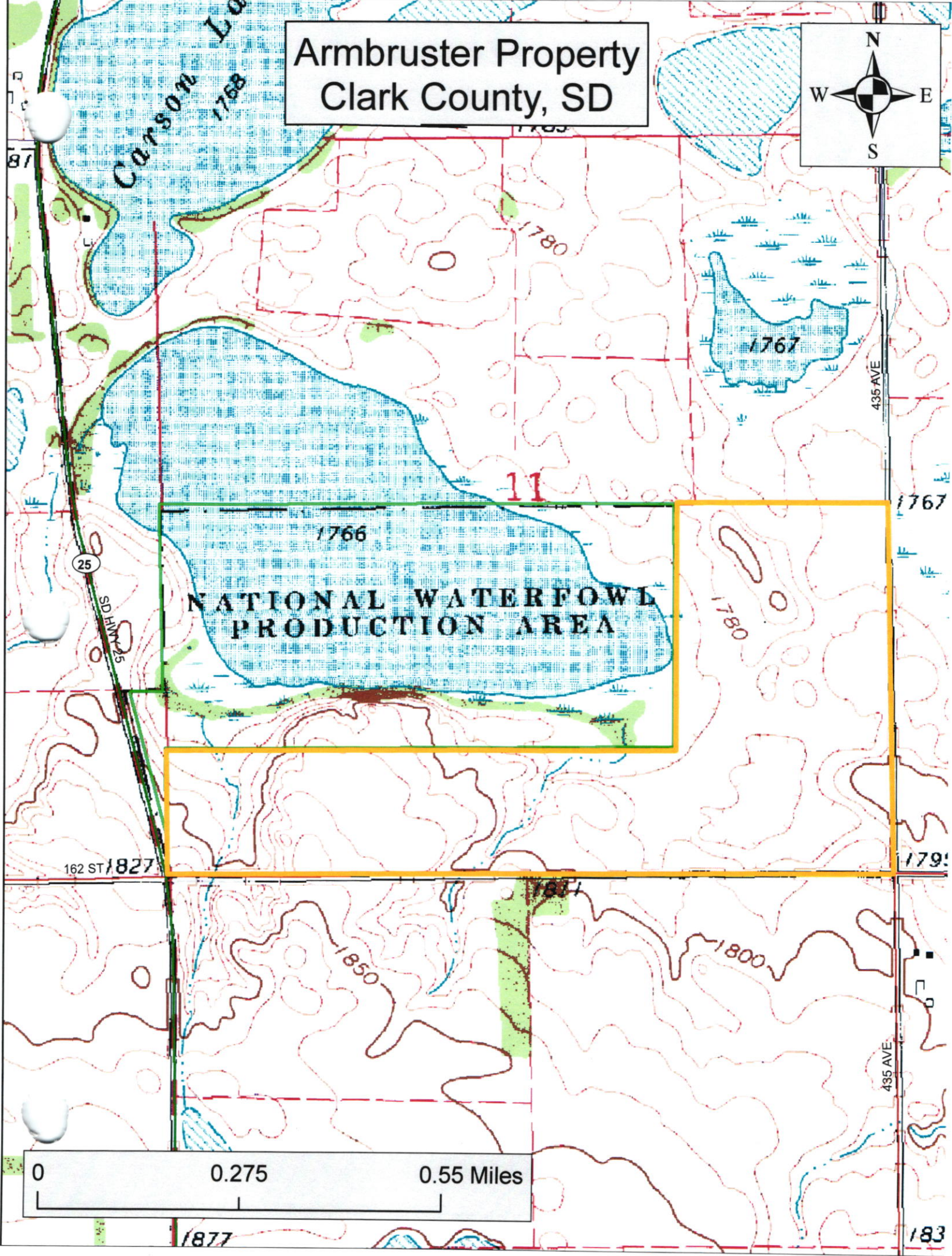
435 AVE

435 AVE

0 0.275 0.55 Miles

1877

183



# License Sales Totals

(as of Oct 30)

date updated: 30 Oct 2017

<b>Resident</b>	<b>2017</b>	<b>2016</b>
Combination	46,403	47,420
Junior Combination	7,558	7,924
Senior Combination	8,914	8,391
Small Game	13,216	17,782
Youth Small Game	3,965	4,443
1-Day Small Game	620	781
Migratory Bird Certificate	25,311	26,273
Predator/Varmint	1,359	1,657
Furbearer	2,660	2,719
Annual Fishing	61,131	62,305
Senior Fishing	13,168	12,801
1-Day Fishing	6,185	6,251
Gamefish Spearing/Archery	2,904	2,728

<b>Nonresident</b>	<b>2017</b>	<b>2016</b>
Small Game	38,254	51,824
Youth Small Game	1,163	1,610
Annual Shooting Preserve	323	332
5-day Shooting Preserve	7,741	7,243
1-day Shooting Preserve	718	818
Spring Light Goose	4,492	3,965
Youth Spring Light Goose	159	141
Migratory Bird Certificate	943	971
Predator/Varmint	4,689	4,644
Furbearer	10	5
Annual Fishing	26,050	27,828
Family Fishing	9,322	9,671
Youth Annual Fishing	1,334	1,609
3-Day Fishing	23,911	25,123
1-Day Fishing	22,692	23,124
Gamefish Spearing/Archery	675	701
<b>TOTAL ON FILE =</b>	<b>335,870</b>	<b>361,084</b>