

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

Chairman Peterson called the meeting to order at 1:00 p.m. CDT at the RedRossa in Pierre, South Dakota. Commissioners John Cooper, H. Paul Dennert, Barry Jensen, Gary Jensen, Russell Olson, W. Scott Phillips, and Jim Spies were present. Secretary Kelly Hepler was present along with approximately 25 public, staff, and media.

DIVISION OF ADMINISTRATION

Approval of Minutes

Chairperson Peterson called for any additions or corrections to the January 14-15, 2016, minutes or a motion for approval.

Motion by B. Jensen with second by Spice TO APPROVE THE MINUTES OF THE JANUARY 14-15, 2015, MEETING WITH MINOR CHANGES. Motion carried unanimously.

Additional Commissioner Salary Days

Commissioners Phillips and Dennert each requested one additional salary day and Commissioner Peterson requested two additional salary days.

Motion by Spies with second by G. Jensen TO APPROVE THE ADDITIONAL SALARY DAYS AS REQUESTED. Motion carried unanimously.

License List Requests

Chris Petersen, Administration Division Director presented a license list request for residents of Iowa and Nebraska who purchased hunting and fishing licenses in 2016 from Paul Nester with Midwest Hunting and Fishing Magazine to be used in the distribution of complimentary copies of the magazine.

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

GFP-sponsored legislation for 2016 legislation session

Petersen provided the Commission with an update on the budget process noting our agencies budget was adopted by the joint appropriations committee. Secretary Hepler gave an overview of agency sponsors legislation which were continued red tape review bills.

Public Hearing

The Public Hearing began at 2:03 p.m. and concluded at 2:12 p.m. and the minutes follow these minutes.

FINALIZATIONS

Resolution for Allocations of Limited-draw Hunting and Paddlefish Licenses

Director Tony Leif provided information on rules process for the allocation of hunting licenses. Per statute 41-6-21 the Commission is required to establish license numbers by season. The Department recommendation is for the Commission to table this proposed new rule to set the number of license by resolution and instead establish a practice where the Commission will pass rules that establish license allocations for each big game hunting season and then take administrative action to establish licenses and access permits for each hunting unit. The Department will continue to publish these actions in the minutes, website and any other publications that are distributed. The process will essentially remain the same for the public.

Motioned by G. Jensen with second by Spies TO TABLE THE FINALIZATION OF THE RESOLUTION FOR ALLOCATIONS OF LIMITED-DRAW HUNTING AND PADDLEFISH LICENSES. Motion carried unanimously.

Repeal of Dry Creek Waterfowl Refuge in Sully County

Deputy Director Tom Kirschenmann presented the Department recommendation to remove the Dry Creek State Waterfowl Refuge. The Dry Creek State Waterfowl Refuge was implemented in 1999 as a contingency to the enrollment of the Mail Shack Creek/Zimmerman Walk-in/Lower Oahe Waterfowl Access Area. Additionally, when this refuge was implemented, the Sully Flats Waterfowl Refuge (just up river from the current Dry Creek State Waterfowl Refuge) was removed. The Zimmerman Walk-in/Lower Oahe Waterfowl Access Area land was removed from the access program in the fall of 2015 at the request of the landowner.

Motioned by Olson with second by B. Jensen TO APPROVE THE REMOVAL OF THE DRY CREEK STATE WATERFOWL REFUGE. Motion carried unanimously.

PROPOSALS

Custer State Park Bison Hunting Season

Gary Brundige, Division Staff Specialist presented the recommendation to keep the Custer State Park trophy bison bull harvest open for 47 days beginning the last Monday in November allowing for 8 trophy bull bison permits with 2 allocated to residents in the first draw. These licenses are used to remove over mature bison bulls. No action was required or taken.

Brundige also presented the recommended request to change the Custer State Park non-trophy bison harvest season opening date to the 2nd Monday in January. They also recommended reducing the number of cow licenses from ten to five and reducing the number of cow licenses allocated to residents in the first draw from five to three.

Motioned by G. Jensen with second by B. Jensen TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Elk Hunting Season: Black Hills, Custer State Park, Archery and Prairie

Assistant Director Tom Kirschenmann and Program Administrator Chad Switzer presented recommended changes on elk hunting seasons noting the duration of the seasons to be for 2016 and 2017. Kirschenmann presented the recommended change to the Black Hills hunting seasons as specified below.

1. Adjust the number of licenses available from 430 "any elk" and 500 "antlerless elk" licenses (total of 930 licenses) to 443 "any elk" and 1,255 "antlerless elk" licenses (total of 1,698 licenses).
2. Make adjustments to existing antlerless hunting units and create new antlerless hunting units.
3. Season dates for units H2B, H2E, H2H, H3B, and H3E would run from the Monday closest to October 15 through October 31.
4. Season dates for units H2C, H2F, H2I, H3C, and H3F would run from December 1 through the Friday closest to December 15.
5. Season dates for units H2D, H2G, H2J, H3D, and H3G would run from Saturday closest to December 15 through December 31.
6. 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 Spies TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Archery Elk Hunting Season

Kirschenmann and Switzer presented the proposed changes to the archery elk hunting season to adjust the number of licenses available from 144 any elk and 56 antlerless elk licenses to 147 any elk and 140 antlerless elk licenses. They also recommended removal of the language in administrative rule depicting the license type and number of licenses from each hunting unit.

Motioned by Dennert with second by Phillips TO APPROVE THE PROPOSAL AS PRESENTED. Motion carried unanimously.

Prairie Elk Hunting Season

Switzer presented the recommended changes in the prairie elk hunting season as specified below

1. Adjust the number of licenses available from 48 "any elk" and 50 "antlerless elk" licenses (total of 98 licenses) to 59 "any elk" and 90 "antlerless elk" licenses (total of 149 licenses).
2. Add that portion of Meade County north of the existing unit boundary, east of Interstate 90, south of SD Highway 34, and west of Middle Alkali Road to Unit 9A (See attached map). The Fort Meade Bureau of Land Management South Unit would be restricted to archery hunting only.
3. Change the season dates for Unit 15A from the second Saturday in September to October 31 and from December 1-31 to September 1 to October 31 and from December 1-31.
4. Change the season dates for Unit 27A from September 1 to October 31 to October 1-31 and December 1-31.
5. Remove the language in administrative rule depicting the license type and number of licenses from each hunting unit.

Motioned by Phillips with second by Spies TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Custer State Park Elk Hunting Season

Switzer presented the recommended changes to adjust the number of licenses available from 8 any elk to 9 any elk licenses and to remove the language in administrative rule depicting the license type and number of licenses from each hunting unit.

Motioned by B. Jensen with second by Cooper TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Custer State Park Early Archery Elk Hunting Season

The recommended change to adjust the number of licenses available from 4 any elk to 3 any elk and removal of the language in administrative rule depicting the license type and number of licenses from each hunting unit was presented by Switzer

Motioned by Olson with second by Phillips TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Special Custer State Park Antlerless Elk Hunting Season

Switzer presented the recommended changes in the special Custer State Park antlerless elk hunting season as specified below

1. Modify the unit boundary of CAE-CU1 and CAE-CU2 from within the boundaries of Custer State Park (CSP) to all of Custer State Park south and west of line beginning at the CSP west boundary and Lower French Creek Road southeast to Highway 87, north to Wildlife Loop Road (WL), southeast along WL to Oak Draw Road, east on Oak Draw Road to WL, south on WL to Lane Johnny Road, southeast on Lane Johnny Road to CSP east boundary fence, south then west then north along the CSP boundary fence to point of beginning.
2. Change the season dates for CAE-CU1 from nine consecutive days beginning on the first Thursday following the third Saturday of September to nine consecutive days beginning on the third Saturday following the third Saturday in September and for CAE-CU2 from nine consecutive days beginning on the Tuesday following Native American Day to nine consecutive days beginning on the fifth Saturday following the third Saturday in September.
3. Increase the number of "antlerless elk" licenses from 0 to 20.
4. Repeal Unit CAE-ZZ1.
5. Remove the language in administrative rule depicting the license type and number of licenses from each hunting unit.

Motioned by Dennert with second by Olson TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Administrative Rule

Kirschenmann recommended that the Commission take administrative action to propose the unit-specific allocations of elk hunting licenses

Motioned by Spies with second by Cooper TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Goose Hunting Season

Switzer presented the recommended changes to remove Brookings, Brown, Clark, Codington, Day, Deuel, Hamlin, Hanson, Hutchinson, Grant, Kingsbury, Lake, Lincoln, Marshall, McCook, Miner, Minnehaha, Moody, Roberts, Spink, Turner and Union counties from the open area.

Motioned by Phillips with second by Dennert TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Early Fall Canada Goose and Waterfowl Hunting Season

Switzer presented the recommended changes amend 41:06:16:07 to modify the boundaries of Unites 1 and 2 by adding those portions of Yankton, Clay and Union counties near the Missouri River to Unit 2 and change the start date from September 1 to the first Saturday of September.

Motioned by B. Jensen with second by Cooper TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Duck and Goose Hunting Seasons

Switzer provided an overview of the season dates and daily limits for the 2016 and 2017 duck and goose hunting seasons noting no changes were recommended from the previous year. No action was required and none was taken.

Minimum Standard for Hunting with Air Guns

Andy Alban, program administrator provided the recommended change to decrease the muzzle velocity in factory-rated air guns from 1,000 to 600 feet per second when hunting cottontail rabbit, red squirrel, fox squirrel, grey squirrel, and species defined as a predator/varmint in 41-1-1.

Motioned by Dennert with second by G. Jensen TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Allowance for Trail Cameras on Public Land

Alban presented the recommended changes in the allowance for trail cameras on public land as specified below

- 1.) Amend 41:03:01:02 to address property that may be left on department lands.
- 2.) Amend 41:03:01:19 to create an allowance for portable blinds on department lands and regulate their placement.
- 3.) Promulgate a new rule to create an allowance for trail cameras on department lands and regulate their placement.

Motioned by Cooper with second by Olson TO APPROVE THE PROPOSAL AS RECOMMENDED. Motion carried unanimously.

Application for Elk License

Leif and Simpson presented a recommended amendment the current administrative rule to allow an individual to use preference points in the second drawing for elk hunting seasons if they choose. This change would allow GPF to implement a system to move more people through the system and for a fair allocation of licenses. The tier system would not apply to this system. This change would only apply to Black Hills, archery, and prairie elk hunting seasons.

Motioned by G. Jensen with second by Cooper TO AMEND THE ELK LICENSE APPLICATION PROCESS TO ALLOW FOR THE ACCUMULATION AND UTILIZATION OF PREFERENCE POINTS. Motion carried unanimously.

PETITION FOR RULE CHANGE

Director Leif explained that the petition received to propose changes to ARSD 41:06:16:11(5) – reduce 3-day temporary nonresident waterfowl licenses in Unit NRW-00X from 1,500 to 300 licenses submitted by Chris Hesla, Executive Director of the SD Wildlife Federation was withdrawn because any action by the Commission at this point would become null and void on July 1, 2016 when the passed legislation would take effect. The withdrawal is only based on the procedural issue not option or merit. Therefore no action is required at this time.

OPEN FORUM

Steve Nelson spoke on behalf of the SD Migratory Bird Association about their concerned with licenses available for the five river counties noting his associations testified against HB 1075 An act to revise the area for certain open units where nonresident waterfowl licenses are issued.

DIVISION OF PARKS AND RECREATION

Oahe Downstream Concession

Sean Blanchette, concessions manager provided background on the concession at Oahe Marina and Downstream noting facilities and services available as well as details on the current lease set to expire in 2041. As no bids were received from the last prospectus, Blanchette presented a request from resort owner Steve Rounds to reissue a new prospectus for sale of the resort. He noted that no changes were made from the prospectus presented at the November Commission meeting except to extend the offering for another 45 day period allowing interested parties time to submit proposals. To date no proposals have been received and they are requesting a third prospectus for 90 days at reduced price with draft concession ten year lease. The new reduced price is less than the existing appraisal. The Department would require a new appraisal before a 4th prospectus would be issued as the existing appraisal is 17 months old. .

Motioned by Cooper with second by Dennert. TO AUTHORIZE THE DEPARTMENT TO ISSUE AND ADVERTISE A PROSPECTUS FOR THE SALE OF OAHE MARINA. (Olson abstained) Motion carried.

Roy Lake Concession

Sean Blanchette, concessions manager provided background on the concession noting facilities and services available at Roy Lake. Also provided was a 3rd request from resort owner Jan Pitzl to reissue a prospectus for sale of the resort at the offering price of \$975,000 for another 60 day period allowing interested parties to submit proposals. Blanchette noted there has been some interest in the purchase of the concession but no proposals have been received.

Motioned by G. Jensen with second by Dennert TO AUTHORIZE THE DEPARTMENT TO ISSUE AND ADVERTISE A PROSPECTUS FOR THE SALE OF ROY LAKE. Motion carried unanimously.

Bureau of Reclamation Cabin Lot Rent Appraisals

Doug Hofer and David Rosenkrance, and Joe Hall with the Bureau of Reclamation were in attendance to provide the Commission with information the on market rent survey for cabins and trailer sites situated around Angostura and Shadehill and steps that will need to be taken to implement the proposed rates. Hofer noted the assessed increases are significant and the Bureau of Reclamation has granted the option to phase these rates in over a three year period as well as the opportunity for permit holder to challenge the surveys through independent appraisals. Letters have been sent to all cabin and trailer owners informing them of the market rate surveys. Public meetings will be held at both Angostura and Shadehill to allow permit holders an opportunity to voice their concerns and questions.

Good Earth State Park Visitors Center Film

Hofer provided an update indicating that the Department received over 40 proposals from the Good Earth State Park Visitor Center film RFP that was issued earlier. Those proposals were evaluated and narrowed down to 3 who participated in the interview process. Fourth Wall Films of Moline, Illinois, was selected as the film production company. They will work with the tribes to interpret the site and tell the tribes' stories about their ancestors. Fourth Wall demonstrated the expertise to handle the subject matter, as well as a great passion for the story. They previously produced a documentary on the loway tribe, so they are already somewhat familiar with the story and key resources. Fourth Wall has begun the research and development stage, with shooting to start later this spring. Next week Iowa will hold master planning meeting with tribal people in exhibit planning and the film company. Estimated completion of the project is spring of 2017.

Spearfish Canyon Land Donation

Hofer informed the Commission that the purchase of Spearfish Falls property from Homestake Mining Company closed on Monday of this week. He explained that everything is now done in regards to the purchase and the intent to get started this spring on getting the bridge that washed out repaired with the help of the National Guard and reopen the hiking trail for visitors wishing to view Spearfish Falls. The Division of Parks and Recreation anticipates that this work will be completed during the coming summer

The Spearfish Canyon Foundation has offered to donate a 34 acre parcel of land near hydro 2 in Lawrence county that they would like to gift to the Department. It was noted that this land should remain public property but could possibly be utilized in a land trade with the Forest Service in regards to the Spearfish Canyon State Park

Camping Reservation Report

Division Staff Specialist Lynn Spomer explained the effects of the \$2.00 surcharge for camping reservations. As expected, a shift from reservations being made through the call center to more reservations being made on-line is occurring. Spomer indicated the savings in just two weeks has been 75 hours in the call center. The goal is to see 80 percent of reservation go through the online system compared to the 62 percent in 2015. To aid in this new change the department created a step by step video that has been posed online. Security updates due to regulations and people not using current browsers has caused some technical difficulties, but staff have been assisting customers specifically showing them how to utilize the on-line reservation system. Regardless the phone option will continue to be available for those that prefer to make reservations through the call center.

Spomer also provided the year to date comparison of park camping reservations. Reservations during the first two months of the year are running at about the same pace as last year's record breaking year for statewide campground use.

DIVISION OF WILDLIFE

Land Acquisition Guidance Document Update

Paul Coughlin, program administrator provided the Commission with the wildlife divisions land acquisition priorities and guidelines. The established priorities are: additions to existing game production areas and water access areas, lake and river access, and important habitat types, landscapes and recreational opportunities. The guidelines utilized when conducting land acquisitions are in regards to: process, economics and land ownership and stewardship. Coughlin provided a powerpoint that explained the timeline of the process noting the department only works with willing sellers utilizing market value in negotiating a purchase price. Also provided was the number of land acquisitions over the last 20 years and land management information.

Statewide Fisheries Management Plan Implementation Update

Fisheries Chief John Lott provided a powerpoint presentation to update the Commission on the statewide fisheries management plan. Lott's overview included objectives and accomplishments for each program for 2014 and 2015 and the components in the actual work plans and tools utilized to further complete objectives.

Missouri River Fisheries Management Plan Implementation Update

Chris Longhenry, senior biologist presented the Commission with a detailed update on the implementation of the Missouri River Fisheries management plan. The

powerpoint focused on the objectives and specific projects on lakes Oahe, Sharpe, Francis Case and Lewis and Clark.

Elk Management Plan Implementation Update

Chad Lindbloom, senior biologist and John Kanta, regional manager presented the Commission with an in depth update on the implementation of the elk management plan including results of the elk aerial survey results. Project highlights were provided on a majority of the 10 objectives and 60 strategies contained in the plan.

Pheasant Management Plan Implementation Update

Travis Runia, senior biologist and Switzer presented the Commission with the pheasant management plan for 2016-2020. The plan consists of 5 goals with an emphasis on habitat. Detailed strategies developed for habitat, partnerships, public land, surveys and access were provided.

Results of Animal Damage Control Cooperator Survey Results

Due to time restraints this agenda item will be presented at the April meeting

Enemy Swim and Stony Point Update

Due to time restraints this agenda item will be presented at the April meeting

2016 License sales report

Leif provided the Commission licensed sales report at of February 25 for resident and nonresident by license type.

Adjourn

Motioned by B. Jensen with second by Cooper TO ADJOURN THE MEETING. Motion carried unanimously and the meeting adjourned at 12:00 p.m.

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

The Public Hearing Officer Scott Simpson began the public hearing at 2:03 p.m. at the RedRossa in Pierre, South Dakota with Commissioners Cooper, Dennert, Peterson, Jensen, Jensen, Phillips, and Spies present. Simpson indicated written comments were provided to the Commissioners prior to this time and will be reflected in the Public Hearing Minutes. Simpson then invited the public to come forward with oral testimony.

Resolutions for Allocations of Limited-draw Hunting and Paddlefish Licenses

No oral or written testimony was received

Repeal of Dry Creek Waterfowl Refuge in Sully County

Chris Hesla, Executive Director of the SD Wildlife Federation was present to support the repeal of Dry Creek State Waterfowl Refuge to see it opened back up to public hunting.

No written testimony was received.

The public Hearing concluded at 2:12 p.m.

Respectfully Submitted,

Kelly R. Hepler, Department Secretary