

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

A Public Hearing will be held at the RedRossa Convention Center, 808 W. Sioux Avenue, Pierre, South Dakota, on March 3, 2016, at 2:00 o'clock P.M. (CST), to consider adoption, amendment and repeal of Rules pertaining to:

1. ARSD 41:05:02 – Refuges

Effect: The proposed amendment would eliminate the Dry Creek State Waterfowl Refuge.

Reason: Dry Creek State Waterfowl Refuge was established 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 established, 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. Therefore, the Department is recommending the removal of this refuge status to provide additional waterfowl hunting opportunity.

2. ARSD 41:06:01 – Application for License; ARSD 41:07:01 – General Provisions.

Effect: The proposal would establish a new rule which would enable the Game, Fish and Parks Commission to establish by resolution the allocation of limited licenses and access permits for certain hunting seasons and the paddlefish snagging and archery season. The proposed rule further would require the Commission, prior to adopting a license allocation resolution, to provide the public with notice which conforms with the publication requirements established in SDCL Chapter 1-26 for adoption of administrative rules.

Reason: As part of the guidance from the Governor's Administrative Rules Workgroup, the Department has identified another way to increase efficiency of the

administrative rules process, yet maintain public notice and public comment opportunities. The proposed new rules would allow the Commission to allocate restricted licenses and access permits for seasons described above by resolution. A major result of the approval process via resolution would reduce the overall pages of administrative rules by eliminating license types and numbers for each unit description within each specific rule.

The above rule proposals may be modified or amended following receipt of public comment at the hearing to include or exclude matters that are described in this Notice of Hearing. The hearing may be continued from time to time until its business has been completed and may be rescheduled.

Interested persons will be given reasonable opportunity to submit data, opinions, arguments, and their views, either orally or in writing (or both) at the hearing. Persons unable to attend the hearing may mail data, opinions, arguments, and their views to the office of the Secretary of the Department of Game, Fish, and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501, or transmit by email to either wildinfo@state.sd.us or gfpadminrules@state.sd.us. All persons who desire to submit written data, opinions, arguments, and their views by mail or email are encouraged to mail or transmit the same in sufficient time so that it is received by and in the office of the Secretary of the Department of Game, Fish, and Parks on or before 12:00 o'clock P.M. on the date of the hearing. Interested persons will be given reasonable opportunity to submit data, opinions, arguments and their views, either orally or in writing (or both) to the Commission for their consideration. All written and email comments must include the name, home town/city, and state of the person submitting the comments.

The above rule proposals are available for review on the internet by going to <https://rules.sd.gov/> and copies of the proposed rules may be requested from the office of the Secretary of the Department of Game, Fish, and Parks, Foss Building, 523 East Capitol,

Pierre, South Dakota 57501. Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Any individuals with disabilities who will require a reasonable accommodation in order to participate in the hearing should submit a request to the undersigned at 605.773.3718 or 605.223.7684 (Telecommunication Device for the Deaf).

Dated this 5th day of February, 2016.



Kelly R Hepler

Kelly R. Hepler, Secretary

This Notice of Public Hearing is published at the approximate cost of \$_____.