



AGENDA

Game, Fish and Parks Commission

December 9-10, 2021

McCrary Gardens – 631 22nd Ave, Brookings, SD

Zoom Video Conference (see below)

Livestream link <https://www.sd.net/>

This meeting will be held in person, via zoom/conference call, and livestream. To listen to the entire meeting beginning at 2:00 p.m. CT via livestream at <https://www.sd.net/>.

The open forum will begin at 2:00 p.m. CT on December 9th. To provide comments join the meeting in person, via zoom or conference call per the info below. To conduct the open forum as efficiently as possible we ask those wishing to testify to **register by 1:00 pm CT by email to Rachel.comes@state.sd.us. Testifiers should provide their full names, whom they are representing, city of residence, and which proposed topic they will be addressing.**

Written comments can be submitted at <https://gfp.sd.gov/forms/positions/>. To be included in the public record comments must include full name and city of residence and meet the submission deadline of seventy-two hours before the meeting (not including the day of the meeting)

Click on the link below to the join Zoom Meeting. Depending on the application you use you may be required to enter the meeting ID and password. Remember to **enter your display name and mute your microphone**. To help keep background noise and distractions to a minimum, make sure you **mute your microphone and turn off your video** when you are not speaking.

THURSDAY

Zoom Meeting Link <https://state-sd.zoom.us/j/98621062875?pwd=VIEyTVRCbEc2VUYxZ0VzQXRNTmVRdz09>

or join via conference call Dial 1 669 900 9128 Meeting ID: 986 2106 2875 Password: 931390

FRIDAY

Zoom Meeting Link <https://state-sd.zoom.us/j/99212223274?pwd=Vm5UU2libU8yamIwV0hxVVhNbkV3QT09>

or join via conference call Dial 1 669 900 9128 Meeting ID: 992 1222 3274 Password: 926951

Call to order 2:00 PM CT/ 1:00 PM MT

Division of Administration

Action Items:

1. Conflict of Interest Disclosure
2. Approve Minutes of the November 2021 Meeting

<https://gfp.sd.gov/commission/archives/>

3. Additional Commissioner Salary Days

Information Items:

4. SDSU Natural Resource Management - John Killefer, Dean of College of Ag, Food & Environmental Sciences
5. Parks and Wildlife Foundation
6. Go Outdoors South Dakota Demo
7. onX Update

Public Hearing 2:00 PM CT

Portion of the meeting designated for public comment on items pertaining to finalizations listed on the agenda (Typically limited to 3 minutes per person.)

Open Forum

Portion of the meeting designated for public comment on other items of interest. (Typically limited to 3 minutes per person)

This agenda is subject to change without prior notice.

Petition

8. Elk Drawing Structure

Finalizations

9. Camping Reservation Refund Policy (November proposal)

Proposals

10. Public Waters (November proposal)
11. License Agent Processes (November proposal)

Division of Parks and Recreation

Action Items:

12. Land Acquisition - Spring Creek Lot 17 purchase approval

Information Items:

13. SDSU Conservation Planning and Park Management Update – Jennifer Cheek
14. Lodging Price Structure Review

Division of Wildlife

Information Items:

15. Beaver Management in the Black Hills
16. Deer Drawing Follow-up
17. Canada Goose Depredation
18. Licenses Sales Update
19. Award Presentation
20. River Otter Season
21. Track Wheelchairs
22. Law Enforcement Update

Solicitation of Agenda Items from Commissioners

Adjourn

Next meeting information: January 4-5 2021 – Pierre

Minutes of the Game, Fish, and Parks Commission November 4-5, 2021

Chairman Russell Olson called the meeting to order at 2:00 p.m. CT. Commissioners Julie Bartling, Travis Bies, Jon Locken, Stephanie Rissler, Doug Sharp, Charles Spring, Robert Whitmyre and Russell Olson were present. Public and staff were able to listen via SDPB livestream and participate via video conference or in person with approximately 50 total participants via zoom and in person.

DIVISION OF ADMINISTRATION

Conflict of Interest Disclosure

Chairman Olson called for conflicts of interest to be disclosed. None were presented.

Approval of Minutes

Olson called for any additions or corrections to the October 7-8, 2021 regular meeting minutes or a motion for approval.

Motion by Whitmyre with second by Bies TO APPROVE THE MINUTES OF THE October 7-8, 2021 MEETING. Motion carried unanimously.

Additional Commissioner Salary Days

Olson called for additional salary days. Bies submitted 1 salary day (Elk Meeting), Motion by Bartling with second by Locken TO APPROVE THE SALARY DAY AS REQUESTED. Motion carried unanimously.

2022 Commission Meeting Schedule

Chris Petersen, administration division director, presented the 2022 Commission meeting calendar noting the criteria used to determine locations by considering factors such as adequate facility space and accommodation services, wireless connections, and relationship of location to agenda items.

Motion by Locken, second by Rissler TO APPROVE THE 2022 COMMISSION MEETING SCHEDULE. Motion carried unanimously.

Second Century Habitat Fund Board

Nick Harrington, Communications Manager for GFP, provided the final numbers raised from the Can-Am raffle to support the Second Century Habitat Fund. The raffle opened on March 8 and ran until October 22. Throughout this time period, the raffle raised half a million dollars to support the Second Century Habitat Fund. Harrington thanked Can-Am and R+R Pheasant Hunting for the partnership, GFP staff for their efforts assisting with transporting the vehicle across the state and everyone who supported the raffle by purchasing a ticket.

R3 and Education Plan Update

Shala Larson, R3 and Relevancy Manager, provided an update about the statewide R3 and Education Plan. Larson shared there was an education plan conference in Deadwood from October 5-7th where 26 staff from across the department combined efforts to create strategies for already identified objectives. Finally, she shared that the next steps of the education plan are continuing revisions, setting up

work groups to identify specific action items, and finally, sending the plan to the Council for Hunting and Shooting Sports for a review.

Rapid City Shooting Range Update

John Kanta, terrestrial's chief, explained GFP is in the process of planning the finest and largest outdoor shooting range ever constructed in South Dakota. The range will be constructed on 400 acres of property a few miles north of Rapid City. The cost of the property is approximately \$1 million and the estimated cost of construction is \$10 million. An architectural engineer has been hired and work has begun on detailed plans for the range. Stakeholder meetings are being held on a monthly basis to take input and also to assist with fundraising and range development. GFP is actively seeking funding partners for this project. GFP intends to break ground spring of 2022 and complete construction by fall of 2022.

OPEN FORUM

Jon Kotilnek, senior staff attorney, opened the floor for discussion from those in attendance on matters of importance to them that may not be on the agenda.

Mark Kisley - Volga, SD – Pheasants Hunting License Process Simplification – spoke with Sharp and Whitmyre and wanted to follow up with the Commission regarding small game hunting licenses and the 2 5-day hunt options as well as preserve options. Comparing to fishing licenses you can get a one day, 3 day or season which would be good for pheasant hunting to offer similar options like a one day, 2 day, etc.

George Vandel – Pierre, SD - Newton Hills Boy Scout Land Acquisition – would like to add a strong endorsement to this acquisition. It's a great camp in a neat area providing kids an opportunity to gain outdoor skills. Do not pass up this opportunity to get property between the state park and GPA. This will provide additional hunting opportunities.

Chris Hesla – Pierre, SD – SDWF – supports Newton Hills Boy Scout Land Acquisition and thank the Commission, Governor and Staff for this purchase.

PROPOSALS

Public Waters

Chad Switzer, wildlife program administrator, presented the recommended changes to remove no boating zones and allow for non-motorized watercraft within the Waubay National Wildlife Refuge and Waubay State Game Bird Refuge. He explained GFP and the USFWS have been in collaboration to discuss ways to increase recreational opportunities, while still meeting the objectives of the refuge system. The USFWS Refuge System recently removed restrictions to increase outdoor opportunities at Waubay National Wildlife Refuge within their mission and management responsibilities. These respective administrative rules are prohibiting the USFWS from allowing these outdoor opportunities.

Motioned by Spring, second by Rissler TO APPROVE THE RECOMMENDED CHANGES TO REMOVE NOT BOATING ZONES AND ALLOW FOR NON-MOTORIZED WATERCRAFT AS RECOMMENDED. Motion carried unanimously.

License Agent Process

Keith Fisk, program manager, presented the recommended change to modify two administrative rules to align new business practices with GFP's new licensing system and requirements. To adjust electronic ACH transfers, processes, and timeframe for payments and remove the use of Emergency Authorization books. He explained GFP will be launching the new licensing system on December 15, 2021. Once this occurs, license agents will be required to work within new business practices (i.e. electronic ACH transfers and different timeframes when the electronic money sweeps occur) to continue to be a license agent for GFP. License agents serve an important role for selling licenses on behalf of GFP as well as providing hunters with the ability to purchase hunting and fishing licenses outside normal business hours that GFP offices are open. As technology advances, the ability to sell paper hunting and fishing licenses is no longer needed. Customers will be able to purchase licenses online (through GFP's licensing website) or by visiting a license agent or by calling GFP's call center.

Motioned by Sharp, second by Bies TO ADJUST ELECTRONIC ACH TRANSFERS, PROCESSES AND TIMEFRAME FOR PAYMENTS AND REMOVE THE USE OF EMERGENCY AUTHORIZATION BOOKS. Motion carried unanimously.

Camping Reservation Refund Policy

Scott Simpson, division director, presented the recommended changes to allow for cancellation of campsites and lodging facilities without fee for a period of time after a reservation is made. After that period has elapsed, a fee of one-half of the first night's camping or lodging fees will be assessed for both types of overnight use. This rule proposal helps simplify cancellation policies and associated fees by providing one cancellation procedure for campsites, and one for lodging facilities and Custer State Park French Creek Horse Camp. Simpson further explained The Department's cancellation policy was developed at a time of lower demand for camping and lodging facilities, and the ability to resell those facilities was more difficult. The current procedure is to assess a cancellation fee of one-night's camping or \$25 for cabins/lodges effective immediately after the reservation is made. With the increased demand for camping and lodging facilities, the ability to fill those vacancies left by cancellations is much more likely. This change will also help the Department be more consistent with industry cancellation standards, and allow more flexibility of users to cancel a reservation without penalty due to unforeseen circumstances.

Motioned by Sharp, second by Locken TO APPROVE THE RECOMMENDED CHANGE TO THE CAMPING RESERVATION REFUND POLICY AS PRESENTED. Motion carried unanimously.

DIVISION OF PARKS AND RECREATION

Spring Creek Concession Update

Scott Simpson provided an update on the restaurant concession opportunity at Spring Creek. Through 60 days of prospectus offerings there has been no interest expressed in operating the restaurant. The Department will continue to offer the prospectus in hopes of identifying an operator, but will also begin work to identify alternative uses of the building if no offers are submitted.

Angostura and Shadehill Lease Rental Rates

Sean Blanchette, Parks Division Staff Specialist provided the Commission with background information on the management agreements with the Bureau of Reclamation for the lands surrounding Shadehill and Angostura reservoirs, which includes the management of the private exclusive use cabins and Trailers. Blanchette explained that since Reclamation is the property owner, the Department is subject to federal oversight regarding the permit fees charged for private exclusive use. Reclamation policy states that the rates must be assessed at fair market value. Prior to 2017, the Department had been adjusting the rates in accordance with the Consumer Price Index. Reclamation conducted an appraisal in 2016 and a 5 year rate schedule was approved by the Commission for 2017 to 2021. Reclamation's stated policy at that time was that they would be conducting appraisals every 5 years to establish the rate structures for each following 5 year period. Reclamation has since shifted policy and had suggested that the Department implement annual index adjustment in accordance with the Bureau of Reclamation Construction Cost Trends Land Index. The Department is adjusting to this shift in policy and is not yet knowledgeable or familiar with the suggested index. Therefore, the Department is not proposing an adjustment for 2022, but will use the next 12 months to develop a rate adjustment policy that will ultimately be subject to Commission approval. Commissioner Sharp inquired as to the allowable occupancy periods at these cabins and provided comment that these rates should continue to be reviewed.

Volunteer Program Update

Katy Hiltunen, program assistant, explained the State Park volunteers are vital to our operation. In 2021 103,000 hours contributed equaling 50 FTEs; saving the department roughly \$720,000 (seasonal wage \$15). We have hired 443 volunteers this year; mainly campground hosts. Recognition items are our way of letting our volunteers we appreciate their time they give to our parks. They are the ambassadors for our team!

Capital Development Five Year Plan

Adam Kulesa, planning/development administrator, shared a short presentation with the commission about our 5 year plan. Background information as well as an outline of the 4 main budget activities that make up our annual capital development budget were shared and examples given of the types of projects that fall within those activities. Several specific examples were provided of projects that were being considered over the next five years. There were no questions from the commission.

CSP Barnes Canyon Proposal

Scott Simpson provided an conceptual overview for campground expansion in Custer State Park at Barnes Canyon. Simpson provided reasoning for selection of the site, including proximity to utilities, the east entrance and the State Game Lodge. Additional advantages for this site include previous disturbance, existing roads and the potential to tie into a trail system being considered from Stockade Lake to the State Game Lodge.

Revenue, Camping and Visitation Report

Al Nedved, Parks and Recreation Deputy Director, provided September's revenue, visitation and camping report.

DIVISION OF WILDLIFE

Newton Hills Boy Scout Land Acquisition

Paul Coughlin, Habitat Program Administrator, presented information and Resolution 21-19 regarding the proposed purchase of the 224 acre Newton Hills Boy Scout Camp property in Lincoln County. Motioned by Bartling, second by Bies TO ADOPT RESOLUTION 21-19 (Appendix A) AUTHORIZING THE PURCHASE OF THE NEWTON HILLS BOY SCOUT CAMP PROPERTY. Motion carried unanimously.

GPA Disposal

Coughlin provided information and Resolution 21-20 regarding a GPA disposal previously approved by the GFP Commission in July 2021. An updated Resolution was required to correct a discrepancy with the Shartner Ditch GPA legal description on the original Resolution. Motioned by Locken, second by Rissler TO ADOPT RESOLUTION 21-20 (APPENDIX B) AUTHORIZING THE SHARTNER DITCH GPA DISPOSAL WITH THE CORRECTED LEGAL DESCRIPTION. Motion carried unanimously.

Deer Drawing Structure

Andrew Norton, senior wildlife biologist, presented information regarding the deer draw change implemented in 2019 by combining all 6 firearm deer seasons into 1 draw and limiting applications to 2 through the first 2 draws. The 3-year average after the change compared to 3-year average before the change resulted in 400 more resident firearm hunters. In addition, more hunters obtained 1 or 2 licenses and fewer hunters obtained 3 or more licenses after the change. Draw odds increased for Black Hills, Custer State Park, East River, and Refuge Deer seasons.

Fish Production Development Plan

Mike Barnes, Hatchery Program Administrator, presented the hatchery production plan. This plan described existing hatchery repair and improvements over the next 10 years. In addition, construction of two new recirculating aquaculture system hatcheries was proposed, with one adjacent to the Ft. Pierre complex and one on the campus of South Dakota State University. The commission supported moving forward with discussions between the Department and SDSU.

Big Sioux River CREP

Mark Norton, senior wildlife biologist explained GFP is working with USDA to create a Big Sioux River Watershed CREP modeled after the successful James River Watershed CREP. Up to 25,000 acres could be enrolled improving water quality, creating wildlife habitat, and 250 additional places open to public hunting and fishing access. Total cost to GFP is estimated at \$1.5 million per year when fully enrolled. GFP is seeking funding partners to cover up to 50% of the cost.

Sage Grouse Action Plan

Travis Runia provided a brief presentation which provided background information on sage-grouse and a summary of the draft South Dakota Greater Sage-grouse Action Plan. The action plan has been posted to the department website and is now open for a 30-day public comment period. The action plan is scheduled for formal adoption at the January commission meeting.

License Sales Update

Tom Kirschenmann, wildlife division director, provided an update on resident and nonresident license sales.

Adjourn

Meeting adjourned at 5:20 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Kevin Robling", is written over a horizontal line.

Kevin Robling, Department Secretary

Appendix A Resolution 21-19

WHEREAS, the Department of Game, Fish, and Parks (DEPARTMENT) has expressed an interest in acquiring real property presently owned by the Boy Scouts of America, which property is described as:

The North Half of the Southwest Quarter (N1/2SW1/4), and

The South Half of the Northwest Quarter (S1/2 NW1/4), and

The Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and Government Lot 2, except McKee GPA Tract 1, and

Tract 1 of Boy Scouts of America Addition in the Northeast Quarter (NE1/4) according to a Plat thereof, and

Lot 1 of Tract 1 of McKee GPA Tract 1, an Addition in Government Lot 2 according to a Plat thereof, and

Lot 2 of Tract 1 of McKee GPA Tract 1, an Addition in Government Lot 2 according to the Plat thereof,

all located in Section 12, Township 97 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota, containing 224.35 acres, more or less, and hereto referred to as BSA PROPERTY.

WHEREAS, said property is to be acquired by and utilized by DEPARTMENT as both Game Production Area and State Park, with specific designated boundaries and uses as each to be determined based on greatest beneficial public use; and

WHEREAS, SDCL 41-4-1.1 requires before purchasing property, DEPARTMENT notify adjacent owners of land to the property being acquired by publishing notice once in each legal newspaper of the county in which the property to be purchased is located; and

WHEREAS, DEPARTMENT has published the required legal notice 30 days prior to the date of action by the Game, Fish and Parks Commission authorizing the intended purchase, which notice included the meeting time and location at which Game, Fish and Parks Commission action is expected and by giving notice of instructions for presenting oral and written comments to the Game, Fish and Parks Commission; and

WHEREAS, the Game, Fish and Parks Commission has reviewed any comments received relative to the intended purchase, and after consideration of the same, the Game, Fish and Parks Commission approves the purchase of said property for use as both Game Production Area and State Park.

NOW, THEREFORE, BE IT RESOLVED, the DEPARTMENT is authorized to complete negotiations for the purchase of the BSA PROPERTY and execute and consummate an agreement with the Boy Scouts of America which is acceptable to DEPARTMENT to acquire by purchase at the price of \$2,000,000.00 the BSA PROPERTY for use as both a Game Production Area and State Park, with specific designated boundaries and uses as each to be determined based on greatest beneficial public use.

Appendix B
RESOLUTION 21 - 20

WHEREAS, the State of South Dakota (for the use and benefit of the Department of Game, Fish and Parks) (DEPARTMENT) owns the following Game Production Area (GPA):

Shartner Ditch GPA:

Tract No. 2 in Lot Three (3) and in the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Thirty (30) Township One Hundred (100) North, Range Fifty-five (55) West of the 5th P.M., Turner County, South Dakota, according to the recorded plat thereof; and a tract of land situated in Lot Four (4) and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section Thirty (30), Township One Hundred (100) North, Range Fifty-five (55) West of the 5th P.M. more particularly described as: Beginning at a point on the north line of said Lot 4 which bears from the southwest corner of said Section 30 north a distance of 910.81 Feet and thence North 22 degrees 0 Feet East a distance of 450.09 feet, thence from this place of beginning North 89 Degrees 54 Feet East a distance of 2877.4 Feet thence South 70 Feet, thence south 89 Degrees 54 Feet West a distance of 2905.7 Feet, thence north 22 Degrees 0 Feet East a distance of 75.5 Feet to the place of beginning.

WHEREAS, SDCL § 41-2-29.1 provides the DEPARTMENT shall sell real property owned by the state and held by the DEPARTMENT if such real property is no longer needed for game, fish, or parks purposes, with such sale to be conducted pursuant to the procedure more fully set out in SDCL § 41-2-29.1; and

WHEREAS, this GPA was acquired by the DEPARTMENT to provide wildlife habitat and public hunting opportunity; and

WHEREAS, the DEPARTMENT has determined this GPA provides limited value as wildlife habitat and for public hunting opportunity; and

WHEREAS, the Game, Fish and Parks Commission hereby determines this GPA no longer serve the purpose for which it was originally acquired and is no longer needed for game, fish, or park purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Game, Fish and Parks Commission hereby directs the DEPARTMENT to sell and transfer title to this GPA according to the procedures provided for in SDCL § 41-2-29.1 and authorizes the DEPARTMENT to execute and consummate an agreement relative to the sale deemed appropriate by the Department, with proceeds from the sale dedicated to future GPA acquisitions.

Adopted this 4th day of November 2021.



Russell Olson, GFP Commission Chair

Comes, Rachel

From: info@gfp.sd.us
Sent: Tuesday, November 16, 2021 3:47 PM
To:
Cc: Comes, Rachel
Subject: Petition for Rule Change Form

Categories: Commission

South Dakota - Game, Fish, and Parks

Petition for Rule Change

A new form was just submitted from the <http://gfp.sd.gov/> website with the following information:

ID: 124

Petitioner Name: Nathen Schneider

Address: Whitewood, SD 57793

Email:

Phone:

Rule Identification: The ability for an individual to submit multiple elk applications in the same year.

Describe Change: The change I am seeking is to copy the current deer application system of no more than two applications submitted during the year for elk. This change would require the applicant to choose and submit applications for two elk tags. The change would be an exact copy of the current deer application system. Allowing an elk applicant the ability to submit a maximum of two applications.

Reason for Change: The reason I am proposing this change is for multiple reasons. The proposed change would force an applicant to apply for their true preference in elk tag and take much needed demand off the elk application system. Currently a large portion of applicants will submit applications for all the tags available to them because the cost of applying is so low. The current system creates a much larger draw demand, is further creating point creep and creating very unsatisfied applicants/hunters/Landowners. The proposed change would significantly reduce the applications in prairie elk units. Currently a large portion of applicants submit an application and draw a prairie elk tag in which they have no plan, experience, or permission to hunt in. This change would likely significantly reduce the demand in these units and allow landowners and their families the ability to draw the tags in which their true preference exists. This would have the greatest impact on landowners within a unit that do not qualify for landowner elk tags. The quantity and quality of elk in prairie units has significantly improved. There has also been an increase in unsatisfied landowners in units 35A, 35B and other prairie elk units. This change would increase their ability to draw. This change would also have a favorable impact on the Custer state park elk tags. I believe again the demand would be lower for these tags and allow the higher point holders to draw. Currently all applicants apply for this tag at very low draws odds as it is inexpensive to apply. Most applicants would prefer to apply for Black Hills Rifle, Black Hills Archery and/or Prairie

Elk. I believe again this would take much needed demand pressure off that application/tag. The frustration within the current draw system is growing. The frustration is due to increasing demand for tags and applicants choosing to apply for every allowed application/tag. This change would create much needed demand relief to the system. I believe the change to two deer applications was the correct move and I believe is the correct move for elk as well.

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

Camping Reservations – Cancellation fees

Chapters 41:03:04:05:01

Commission Meeting Dates:	Proposal	November 4, 2021	Pierre
	Public Hearing	December 9, 2021	Brookings
	Finalization	December 9, 2021	Brookings

DEPARTMENT RECOMMENDATION

The proposed change allows for cancellation of campsites and lodging facilities without fee for a period of time after a reservation is made. After that period has elapsed, a fee of one-half of the first night's camping or lodging fees will be assessed for both types of overnight use.

This rule proposal helps simplify cancellation policies and associated fees by providing one cancellation procedure for campsites, and one for lodging facilities and Custer State Park French Creek Horse Camp.

SUPPORTIVE INFORMATION

The Department's cancellation policy was developed at a time of lower demand for camping and lodging facilities, and the ability to resell those facilities was more difficult. The current procedure is to assess a cancellation fee of one-night's camping or \$25 for cabins/lodges effective immediately after the reservation is made.

With the increased demand for camping and lodging facilities, the ability to fill those vacancies left by cancellations is much more likely. This change will also help the Department be more consistent with industry cancellation standards, and allow more flexibility of users to cancel a reservation without penalty due to unforeseen circumstances.

DRAFT ADMINISTRATIVE RULE CHANGES

41:03:04:05.01. Campsite reservations -- Payment of camping fees -- Cancellation

fees. Nonprofit youth groups may reserve a designated group camping area for up to 14 consecutive nights.

A person may reserve an available campsite at any state park, recreation area, or lakeside use area for up to 14 consecutive nights. After the person has occupied the campsite for 14 consecutive nights, the person shall remove the person's camper unit from the state park, recreational area, or lake side use area, by check-out time the next day, for at least one night, before reserving that site, or another site, at that location.

Camping fees set in subdivisions 41:03:04:03(1) through (3), (7) through (13), and (15) must be paid for the entire duration of a camper's anticipated stay at the time the reservation is made. A person who cancels a reservation for a campsite through the park reservation center or who cancels a reservation for a campsite ~~after~~ within 7 days of or after arrival at the park shall pay one-half of one night's camping fee for each campsite reserved. A person who cancels a reservation for a camping cabin, ~~modern cabin, lodge, suite, or rent-a-camper, or a campsite at French Creek Horse Camp in Custer State Park~~ through the park reservation center within 30 days of or after arrival at the park shall pay a \$25 cancellation fee of one-half of one night's rental or camping fee. ~~A person who cancels or shortens a reservation for a lodge more than 30 days ahead of the scheduled arrival date shall be charged a \$25 cancellation fee. A person who cancels or shortens a reservation for a lodge 30 days or fewer ahead of the scheduled arrival date shall be charged a \$25 cancellation fee for every night cancelled.~~ The department shall refund all other fees for unused days of camping or unused lodging fees except nonrefundable reservation fees.

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

A person who is a resident of this state shall pay an additional reservation fee of \$2 for a reservation made through the park reservation center. A person who is not a resident of this state shall pay an additional reservation fee of \$7.70 for a reservation made online and shall pay \$9.70 for a reservation made through the park reservation center. The reservation fee is nonrefundable and is payable in advance.

~~At French Creek Horse Camp in Custer State Park, a person who cancels a reservation through the park reservation center shall pay one night's camping fee for each campsite reserved if the cancellation is received 30 days or more before arrival. Fifty percent of the fees shall be refunded if the cancellation is received fewer than 30 days but more than 15 days before arrival, and no refunds if the cancellation is received 15 or fewer days before arrival.~~

Source: 6 SDR 96, effective April 1, 1980; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 10 SDR 120, effective July 1, 1984; 12 SDR 186, effective May 28, 1986; 13 SDR 192, effective June 22, 1987; 14 SDR 114, effective March 9, 1988; 15 SDR 139, effective March 20, 1989; 16 SDR 135, effective February 18, 1990; 17 SDR 78, effective December 10, 1990; 19 SDR 82, effective December 7, 1992; 21 SDR 102, effective December 8, 1994; 21 SDR 148, effective March 6, 1995; 22 SDR 82, effective December 10, 1995; 23 SDR 87, effective December 3, 1996; 25 SDR 108, effective February 28, 1999; 28 SDR 150, effective May 7, 2002; 32 SDR 109, effective December 27, 2005; 35 SDR 184, effective February 2, 2009; 42 SDR 97, effective January 5, 2016; 43 SDR 31, effective September 14, 2016; 46 SDR 74, effective December 2, 2019.

General Authority: SDCL [41-17-1.1\(1\)\(7\)](#).

Law Implemented: SDCL [41-2-24](#), [41-17-1.1\(1\)\(7\)](#).

RESIDENT/NONRESIDENT CRITERIA

1. The Issue
 - Why make the change, what are the change alternatives, how will public/stakeholder input be solicited, and how will the change be evaluated if implemented? The Department heard many complaints about the cancellation procedure, especially during periods of high COVID transmission. This change will affect residents and non-residents equally. However, the non-refundable non-resident reservation fee and call center fees will still apply.
2. Historical Considerations
 - Not applicable
3. Biological Considerations
 - Not applicable.
4. Social Considerations
 - Not applicable.
5. Financial considerations
 - Not applicable.

RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? No.
2. Does the regulation increase the opportunity for new and existing users? Yes. It lowers the amount of risk for users to book a campsite for a lodging facility according to the 90-day window.

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

- 3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? It provides more flexibility for people that experience more uncertainty in their schedule.
- 4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? Yes.

FISCAL IMPACT

The Department assessed \$249,648 of cancellation fees in 2020, and \$189,678 in 2019. Factors that will affect the impact of this change also include the ability to re-book campsites for alternate dates. It is expected that this greater flexibility to make a cancellation will provide more opportunities to book lodging at other times. This proposal will also help the Department to retain customers by providing better service.

APPROVE **MODIFY** **REJECT** **NO ACTION**

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

Public Waters Chapter 41:04:02

Commission Meeting Dates:	Proposal	November 4-5, 2021	Pierre
	Public Hearing	January 4, 2022	Pierre
	Finalization	January 4-5, 2022	Pierre

COMMISSION PROPOSAL

Proposed changes from last year:

1. Remove no boating zones and allow for non-motorized watercraft within the Waubay National Wildlife Refuge and the Waubay State Game Bird Refuge.

DEPARTMENT RECOMMENDATION

Modify the current proposal by adding the following:

1. Establish a no wake zone at a new boat ramp at Lake Poinsett State Recreation Area in Brookings County.

SUPPORTIVE INFORMATION

GFP and the USFWS have been in collaboration to discuss ways to increase recreational opportunities, while still meeting the objectives of the refuge system. The USFWS Refuge System recently removed restrictions to increase outdoor opportunities at Waubay National Wildlife Refuge within their mission and management responsibilities. These respective administrative rules are prohibiting the USFWS from allowing these outdoor opportunities.

DRAFT ADMINISTRATIVE RULE CHANGES

The following are proposed draft changes that are intended to incorporate the recommended changes adopted by the Commission.

41:04:02:18. Day County public water safety zones. Day County public water safety zones are as follows:

~~(3) The waters of Hillebrand's Lake are a "no boating zone";~~

~~(4) The waters of Spring Lake are a "no boating zone";~~

~~(5) The waters of Swan Pond are a "no boating zone";~~

(3) The waters within the boundary of Waubay National Wildlife Refuge, including the waters within the Waubay State Game Bird Refuge, except for designated trails, are a "no motor vehicle zone"; non-motorized watercraft are allowed;

41:04:02:05. Brookings County public water safety zones. Brookings County public water safety zones are as follows:

(1) Lake Poinsett:

(a) The waters fronting on that portion of the shoreline beginning approximately 1,800 feet west of the east property line marker located between sections 3 and 4 of the department public access area in the north half of section 4, township 112, range 52 west of the fifth principal meridian and extending approximately 700 feet westerly from this point are a "public swimming zone";

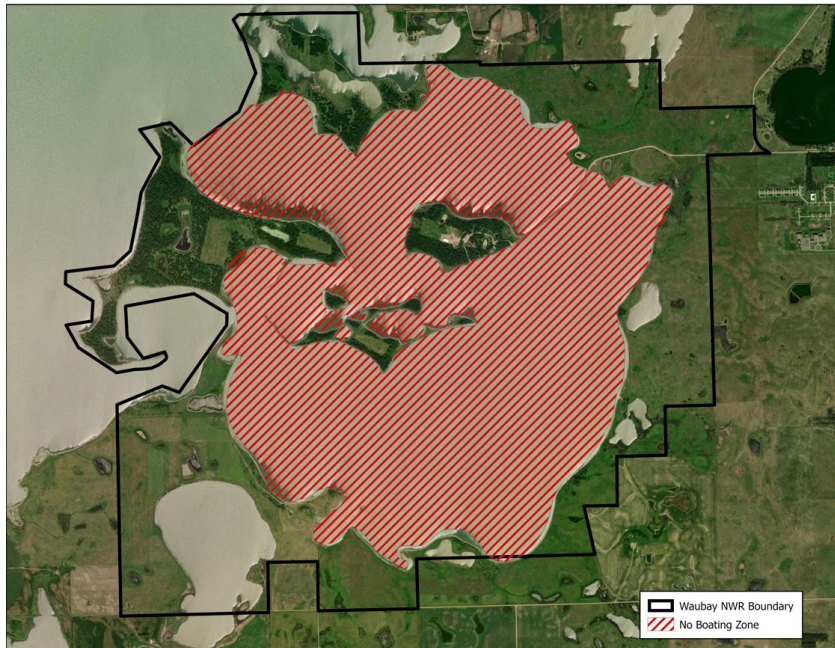
APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

(b) The waters fronting on the waterfront area north of the main building of the Lake Poinsett Methodist Camp for a distance of 500 feet along the shoreline centering just north of the main building are a "public swimming zone";

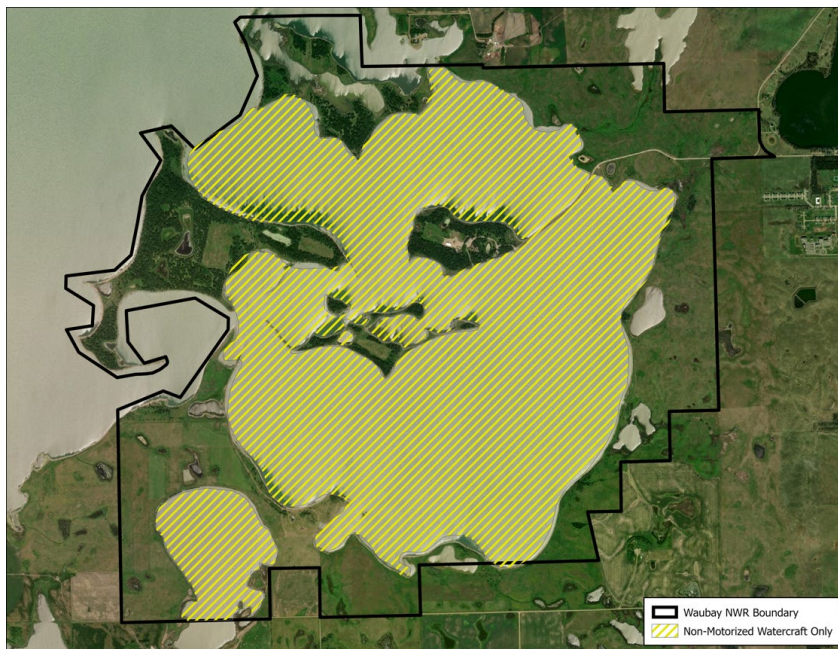
(c) The waters fronting on that portion of Lake Poinsett State Recreation Area beginning at a point 500 feet west of the west recreation area boat ramp and extending 2,150 feet west are a "no wake zone";

(d) The waters fronting on that portion of Lake Poinsett State Recreation Area beginning at a point 100 feet west of the east property boundary of the state recreation area and extending 500 feet west is a "no wake zone";

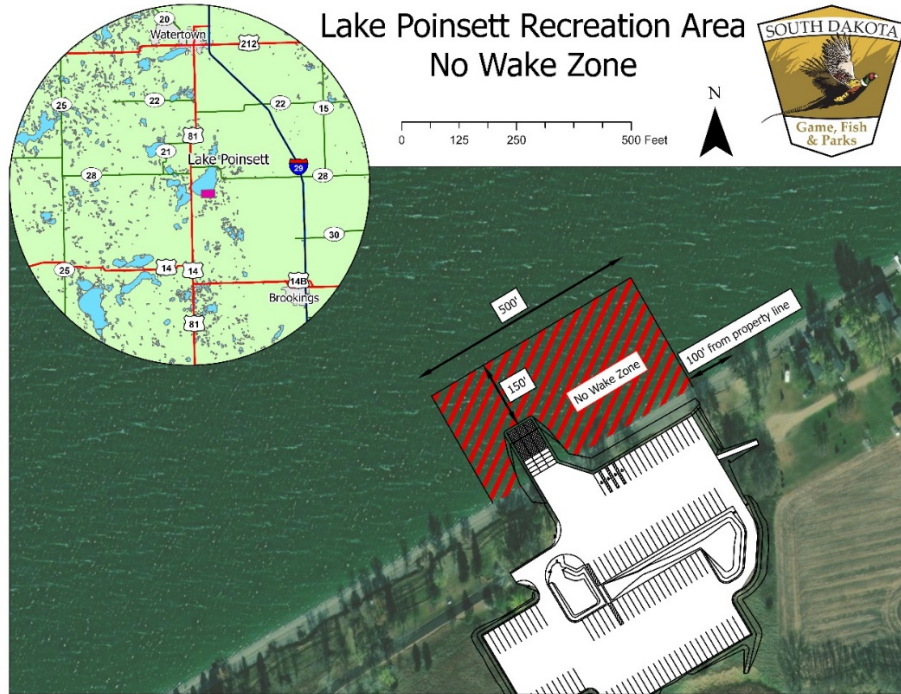
Waubay National Wildlife Refuge—Current



Waubay National Wildlife Refuge—Proposed



APPROVE	_____	MODIFY	_____	REJECT	_____	NO ACTION	_____
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RESIDENT/NONRESIDENT CRITERIA

1. The Issue
 - Currently state law prohibits wake speed from motorized watercraft within 150 feet from docks and other requirements. The park will also move the current curtesy dock to the east side of this ramp within the offset that correlates to the parking lot. This rule will allow us to visibly mark the 150' barrier from the docks and raise boater awareness and increase safety.
2. Historical Considerations
 - This is a new development location for the state recreation area boat launch facility.
3. Biological Considerations
 - Not applicable.
4. Social Considerations
 - The park held a public open house describing the project and details. The local homeowners requested a No Wake Zone to aid in slowing down boat traffic on their way to a busy boat launch.
5. Financial considerations
 - Not applicable.

RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? No.
2. Does the regulation increase the opportunity for new and existing users? No.
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? Visibly marking the 150-foot regulation will educate more recreationalists.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? Yes. A more organized boat launch experience will promote multiple use and recreation and respect.

FISCAL IMPACT

Not applicable.

APPROVE _____ **MODIFY** _____ **REJECT** _____ **NO ACTION** _____

GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

License Agents Chapter 41:02:01

Commission Meeting Dates:	Proposal	November 4-5, 2021	Pierre
	Public Hearing	March 3-4, 2022	Pierre
	Finalization	March 3-4, 2022	Pierre

DEPARTMENT RECOMMENDATION

Recommended changes from last year:

1. Modify two administrative rules to align new business practices with GFP's new licensing system and requirements.
 - a. Adjust electronic ACH transfers, processes, and timeframe for payments
 - b. Remove the use of Emergency Authorization books

SUPPORTIVE INFORMATION

GFP will be launching the new licensing system on December 15, 2021. Once this occurs, license agents will be required to work within new business practices (i.e. electronic ACH transfers and different timeframes when the electronic money sweeps occur) to continue to be a license agent for GFP. License agents serve an important role for selling licenses on behalf of GFP as well as providing hunters with the ability to purchase hunting and fishing licenses outside normal business hours that GFP offices are open. As technology advances, the ability to sell paper hunting and fishing licenses is no longer needed. Customers will be able to purchase licenses online (through GFP's licensing website) or by visiting a license agent or by calling GFP's call center.

DRAFT ADMINISTRATIVE RULE CHANGES

The following are proposed draft changes that are intended to incorporate the recommended changes adopted by the Commission.

41:02:01:07. Licensing agents report of sales -- Fees remitted. Any licensing agent appointed by the department shall be responsible to the department for payment of all license fees the agent collects on behalf of the department. The department shall produce and distribute invoices for the previous month and shall be made available in an electronic system by the first of each month. ~~for the previous month's recorded sales to each licensing agent no later than the fifteenth day of each month. The department shall make electronic fund sweeps for monthly sales on the 25th day of each month or the next following business day. Each licensing agent shall remit payment by the tenth day of the month following the invoice date.~~ For the purposes of this chapter, the term, license fees, means all fees collected by a licensing agent in connection with the sale of hunting, fishing, and trapping licenses, except for that portion of the fees which are established pursuant to SDCL 41-6-66.1.

41:02:01:12. Emergency authorization books. ~~Each licensing agent using a book containing emergency authorization licenses shall legibly record all information that is requested on the license. The agent shall enter all emergency authorization licenses into the department's licensing system, either online or through the department's licensing call center, no later than 48 hours after issuing an emergency authorization license. An emergency authorization license book shall be returned to the department's licensing office within seven days following issuance of the last license in the book. A~~

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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~~licensing agent shall account for each emergency authorization license at the end of the license season or at the time of termination of licensing agent status. A licensing agent is responsible for any emergency authorization license issued to the agent. The department shall assess an agent \$110 for each missing emergency authorization license. If any missing emergency authorization license is recovered by the agent after the agent has paid \$110 for the missing license, the licensing agent may return the license to the department's licensing office and obtain a full refund Repealed.~~

RESIDENT/NONRESIDENT CRITERIA

1. The Issue
 - N/A
2. Historical Considerations
 - N/A
3. Biological Considerations
 - N/A
4. Social Considerations
 - N/A
5. Financial considerations
 - N/A

RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? No.
2. Does the regulation increase the opportunity for new and existing users? N/A
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? N/A
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? N/A

FISCAL IMPACT

Not applicable.

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

RESOLUTION 21-21

WHEREAS, Codger's Cove Development, LLC owns real estate (Property) described as:

LOT 17, CODGER'S COVE SUBDIVISION A REPLAT OF A PORTION OF TRACT 1, CODGER'S COVE ADDITION IN THE E1/2 OF SECTION 32, AND THE W 1/2 OF SEC. 33 AND A REPLAT OF A PORTION OF TRACTS 5 AND 6, OAHE TRAILS SUBDIVISION IN THE W 1/2 OF SEC. 33, T113N, R80W OF THE 5TH P.M., SULLY COUNTY, SOUTH DAKOTA

Whereas, pursuant to its wishes, Codger's Cove Development, LLC desires sell title to the Property to the South Dakota Department of Game, Fish and Parks (Department) for use for parks and recreation purposes; and

Whereas, the Department has evaluated and determined that the Property would serve very well as a park or recreational area, and

Whereas, the Department is authorized to purchase property for park and recreational use per SDCL 41-2-19 and desires to purchase the Property upon confirmation of the purchase by the Game, Fish and Parks Commission; and

NOW, THEREFORE, BE IT RESOLVED, that the Game, Fish and Parks Commission does hereby confirm the decision by the Department to purchase the Property from Codger's Cove Development, LLC to be used as by the parks division.

South Dakota Division of Parks and Recreation
2022 Modern Cabin and Suite Fees
41:03:04:03.02

	Occupancy thru 12/06	Current Fee	Recommended Change	Maximum Fee
MODERN CABINS - Approved Range - \$85 - \$205				
Roy Lake - C4, C5, C08, C09, C10: 5 Units, 2-bedroom, bath, full kitchen	27.9%	\$150	\$0	\$150
Roy Lake – C06, C07, C11: 3 units, 1-bedroom, bath, full kitchen	23.3%	\$120	\$0	\$120
Spring Creek – C01, C02: 2 units, 3-bedrooms, bath, full kitchen	21.9%	\$150	\$0	\$150
Spring Creek – C03-C10 8 units, 2-bedroom, bath, full kitchen	16.2%	\$150	\$0	\$150
Mina Lake – MC1: 1 unit, 3-bedroom bath, full kitchen	27.9%	\$150	\$0	\$150
Newton Hills – MC1: 2-bedroom, bath, full kitchen	49.4%	\$150	\$0	\$150
Oahe Downstream – CA, CB: 2 Units, 2-bedroom, bath, full kitchen	38.6%	\$150	\$0	\$150
Oahe Downstream – CC, CD: 2 Units, 2-bedroom, bath, full kitchen	30.7%	\$120	\$0	\$120
Pickereel Lake - Modern Cabin 1 unit, 2-bedroom, bath, full kitchen	Not Finished	\$150	\$0	\$150
SUITES - Approved Range - \$85 - \$205				
Roy Lake – 4plex S12–S15: 4 units, 2-bedroom, bath, full kitchen	28.8%	\$175	\$0	\$175
Roy Lake - Suite – S16: 1 unit, 1 bedroom, bath, full kitchen	31.2%	\$120	\$0	\$120
Roy Lake – S17 Option 1: 3-bedroom, 2 bath, full kitchen	Not Available	\$205	\$0	\$205
Roy Lake – S17 Option 2: 2-bedroom, bath, full kitchen	Not Available	\$150	\$0	\$150
Roy Lake – S17 Option 3: 1-bedroom, bath	Not Available	\$85	\$0	\$85
Spring Creek - 13A, 13B, 13C, 13D: 4 units, 1 bedroom, bathroom, no kitchen	11.2%	\$85	\$0	\$85
Spring Creek - 4Plex -11A-D, 12A-D: 2 units each, single bedroom, bath, no kitchen, common area	9.1%	\$125ea. Or \$400	\$0	\$125 ea. or \$400

License Sales Totals

(as of Nov 30)

date updated: 1 December 2021

Resident	2018	2019	2020	3-yr Avg	2021	2021			+/- Licenses		+/- Revenue		% Change
						Revenue	2020 vs 2021	3-yr Avg vs 2021	2020 vs 2021	3-yr Avg vs 2021	from 3-yr Avg		
Combination	45,253	43,417	47,555	45,408	48,950	\$ 2,692,250	1,395	3,542	\$ 76,725	\$ 194,792	8%		
Junior Combination	7,029	6,648	8,747	7,475	5,649	\$ 152,523	-3,098	-1,826	\$ (83,646)	\$ (49,293)	-24%		
Senior Combination	9,416	9,609	10,560	9,862	11,378	\$ 455,120	818	1,516	\$ 32,720	\$ 60,653	15%		
Small Game	16,654	14,561	15,451	15,555	14,454	\$ 476,982	-997	-1,101	\$ (32,901)	\$ (36,344)	-7%		
Youth Small Game	4,086	3,630	3,864	3,860	4,737	\$ 23,685	873	877	\$ 4,365	\$ 4,385	23%		
1-Day Small Game	1,026	1,035	1,140	1,067	1,227	\$ 14,724	87	160	\$ 1,044	\$ 1,920	15%		
Migratory Bird Certificate	25,667	24,912	25,753	25,444	24,914	\$ 124,570	-839	-530	\$ (4,195)	\$ (2,650)	-2%		
Predator/Varmint	1,598	1,506	1,638	1,581	1,353	\$ 6,765	-285	-228	\$ (1,425)	\$ (1,138)	-14%		
Furbearer	3,209	3,481	3,513	3,401	3,985	\$ 119,550	472	584	\$ 14,160	\$ 17,520	17%		
Annual Fishing	56,816	52,020	67,304	58,713	55,466	\$ 1,553,048	-11,838	-3,247	\$ (331,464)	\$ (90,925)	-6%		
Senior Fishing	12,903	12,598	14,545	13,349	13,900	\$ 166,800	-645	551	\$ (7,740)	\$ 6,616	4%		
1-Day Fishing	5,543	5,512	7,079	6,045	6,470	\$ 51,760	-609	425	\$ (4,872)	\$ 3,403	7%		
RESIDENT TOTALS =	189,200	178,929	207,149	191,759	192,483	\$ 5,837,777	-14,666	724	\$ (337,229)	\$ 108,938	0.4%		

Nonresident	2018	2019	2020	3-yr Avg	2021	2021			+/- Licenses		+/- Revenue		% Change
						Revenue	2020 vs 2021	3-yr Avg vs 2021	2020 vs 2021	3-yr Avg vs 2021	from 3-yr Avg		
Small Game	66,399	60,329	59,439	62,056	72,107	\$ 8,724,947	12,668	10,051	\$ 1,532,828	\$ 1,216,211	16%		
Youth Small Game	1,832	1,471	1,756	1,686	3,067	\$ 30,670	1,311	1,381	\$ 13,110	\$ 13,807	82%		
Annual Shooting Preserve	319	292	286	299	374	\$ 45,254	88	75	\$ 10,648	\$ 9,075	25%		
5-day Shooting Preserve	11,194	11,054	9,363	10,537	12,929	\$ 982,604	3,566	2,392	\$ 271,016	\$ 181,792	23%		
1-day Shooting Preserve	1,217	1,129	944	1,097	1,259	\$ 57,914	315	162	\$ 14,490	\$ 7,467	15%		
Spring Light Goose	4,714	2,810	2,961	3,495	4,486	\$ 224,300	1,525	991	\$ 76,250	\$ 49,550	28%		
Youth Spring Light Goose	179	94	122	132	161	\$ 4,186	39	29	\$ 1,014	\$ 763	22%		
Migratory Bird Certificate	1,555	1,675	2,130	1,787	5,295	\$ 26,475	3,165	3,508	\$ 15,825	\$ 17,542	196%		
Predator/Varmint	5,006	4,615	4,230	4,617	4,338	\$ 173,520	108	-279	\$ 4,320	\$ (11,160)	-6%		
Furbearer	11	12	13	12	12	\$ 3,300	-1	0	\$ (275)	\$ -	0%		
Annual Fishing	25,951	22,769	27,475	25,398	32,299	\$ 2,164,033	4,824	6,901	\$ 323,208	\$ 462,345	27%		
Family Fishing	8,734	8,025	9,898	8,886	7,560	\$ 506,520	-2,338	-1,326	\$ (156,646)	\$ (88,820)	-15%		
Youth Annual Fishing	1,239	1,119	1,469	1,276	1,142	\$ 28,550	-327	-134	\$ (8,175)	\$ (3,342)	-10%		
3-Day Fishing	24,117	22,198	21,559	22,625	19,814	\$ 733,118	-1,745	-2,811	\$ (64,565)	\$ (103,995)	-12%		
1-Day Fishing	19,943	19,518	30,631	23,364	37,155	\$ 594,480	6,524	13,791	\$ 104,384	\$ 220,656	59%		
NONRESIDENT TOTALS =	172,410	157,110	172,276	167,265	201,998	\$ 14,299,871	29,722	34,733	\$ 2,137,432	\$ 1,971,891	20.8%		
GRAND TOTALS =	361,610	336,039	379,425	359,025	394,481	\$ 20,137,648	15,056	35,456	\$ 1,800,203	\$ 2,080,829	9.9%		

	2020	2021	+/- Licenses	+/- Revenue	2021 Revenue
Resident Habitat Stamp	57,456	156,239	98,783	\$ 987,830	\$ 1,562,390
Nonresident Habitat Stamp	77,698	149,151	71,453	\$ 1,786,325	\$ 3,728,775
Totals =	135,154	305,390	170,236	\$ 2,774,155	\$ 5,291,165