

3 March 2019

GFP Commission Proposes Rule to Allow for Free Hunting Licenses, Park Entrance Licenses

Proposal

East river deer rifle extended season start the weekend before Christmas and end the weekend after New Year's. For active duty Military, and South Dakota guard personnel that are stationed outside South Dakota during regular deer season, these personnel and spouses are giving the opportunity to purchase an any deer tag for this extended season.

Reason proposal

The 2018 east river deer rifle extended season was changed so it ended before the Christmas Holidays. I'm retired from the military, the few times I could make it back to South Dakota for the Christmas Holidays I always looked forward to deer hunting. It was not only the hunt I looked forward to, but also the camaraderie with friends and family during the hunt. One year, my brother-in-law waited to hunt to the extended season so we could hunt together. For the 2018 deer season, South Dakota military personnel could not hunt deer with rifle if they came home for Christmas. In late December a South Dakota guard unit came home and was deactivate right before the Christmas Holidays, I do not think they had the opportunity to hunt deer with rifle.

David Iverson, Ret. MSgt USAF
47414 251st Street
Baltic, SD 57003

605-940-4068

Comes, Rachel

From: info@gfp.sd.us
Sent: Thursday, March 07, 2019 4:56 PM
To: baumbergersteve@gmail.com
Cc: Comes, Rachel
Subject: Petition for Rule Change Form

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: 66
Petitioner Name: Steve Baumberger
Address:
Email: baumbergersteve@gmail.com
Phone: 605-789-9988
Rule Identification: Missouri River System – smallmouth bass between 14" and 18" must be released, with one fish over 18" allowed in daily limit.
Describe Change: The quality and quantity of smallmouths on Lake Francis Case and Lake Sharpe is declining, and with no size restrictions it will only get worse. The change would allow the average South Dakota angler, who has limited time to fish, to enjoy catching more and varying (larger) sizes of smallmouth bass, and possibly a trophy. The change allows for harvest of fish, but at the same time creating a viable sport fishery for those who enjoy catch and release.
Reason for Change: South Dakota has no closed fishing seasons for bass. Smallmouth bass are members of the sunfish family and build nests to spawn. Big females are vulnerable to harvest in May and early June when guarding the nests and when anglers from every state in the Midwest are here fishing. Once a female is removed from the nest, those 300,000 plus eggs or fry are history. Up and down the system, ramp parking lots are full most of the spring and summer, which means fishing pressure is high. Another reason is that anglers are now targeting smallmouth for food. Guide Services especially put a lot of pressure on smallmouths and walleye, some 50-100 guide services across the state, and some with fleets up to 12 boats, it doesn't take long to remove the largest fish from a system. They communicate with each other while on the water when schools of fish are located, and can quickly remove the largest fish from schools before moving on to new locations. Guide services use bragging boards (pictures) to promote their business to nonresident clients, so the more fish posted the better their service appears. Anglers don't come from all over the Midwest to go home empty handed, catch and release is seldom practiced. Another reason for the change is that hardcore walleye anglers, some being guides, believe smallmouths compete with walleyes for food, thus removing smallmouth will create a better walleye fishery. This is a false accusation, I've seen smallmouth regurgitate shad, crawdads, and mayflies, but never smelt or other young fish that walleye prefer. I believe South Dakotans come first in regards to hunting, fishing, and camping rights within our state, and the change I've proposed above will benefit everyone who enjoys this great species.

Comes, Rachel

From: info@gfp.sd.us
Sent: Thursday, March 07, 2019 5:03 PM
To: baumbergersteve@gmail.com
Cc: Comes, Rachel
Subject: Petition for Rule Change Form

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: 67

Petitioner Name: Steve Baumberger

Address:

Email: baumbergersteve@gmail.com

Phone: 605-789-9988

Rule Identification: Statewide – change the daily and possession limit for largemouth and smallmouth bass from 5 to 4 and 10 to 8 respectively.

Describe Change: The change is self explanatory from the rule identification above.

Reason for Change: This is an outdated regulation, going back when very few anglers harvested largemouth and smallmouth bass, when fishing pressure was much less than it is today. Black bass, especially largemouth bass are the main predator fish in many bodies of water across the state where other species of sunfish are present. Over harvest of largemouths leads to a stunted population of other sunfish species such as bluegill and crappie, negatively impacting the entire fishery. The state's fisheries are shared by hundreds of thousands of anglers across the Midwest, and it grows every year. This rule will distribute the resources to more anglers, especially those South Dakotans who have very limited time to fish. This rule change also would coincide with the current regulation for the state's most popular fish, the walleye, which simplifies fishing regulations, especially for those waters where both species are present. Nobody needs to harvest 5 smallmouth or largemouth bass a day, or a combination thereof when several other species such as perch, bluegill, crappie, catfish and white bass are available to harvest.

USE OF PARKS AND PUBLIC LANDS

Chapter 41:03:01

Commission Meeting Dates: Proposal	Feb 28-Mar 1, 2019	Pierre
Public Hearing	April 4, 2019	Pierre
Finalization	April 4-5, 2019	Pierre

COMMISSION PROPOSAL

41:03:01:01.02. Time restrictions for use of state park system. Only persons utilizing a state park, state recreation area, state nature area, or state lakeside use area for lawful fishing, hunting, trapping, snowmobiling, boating, or camping or other persons authorized by a department representative may enter, use, or occupy any state park, state recreation area, state nature area, or state lakeside use area from 11:00 p.m. to 6:00 a.m. ~~from May 1 to September 30, inclusive, and 9:00 p.m. to 6:00 a.m. from October 1 to April 30, inclusive.~~

41:03:01:07. Commercial use prohibited. A person may not engage in or attempt to engage in agricultural or commercial activities, including selling or soliciting, on lands within the state park system, owned, leased, managed, or controlled by the department or within the right-of-way of the George S. Mickelson Trail without written permission from the secretary or a designated agent.

Commercial photography is any photography that is used to promote or sell a product or service. Examples are pictures for advertising, merchandising, product placement or corporate brochures and leaflets. The commercial photographer must secure a permit and pay the applicable fees.

Commercial filming is defined as digital or film recording of a visual image or sound recording for a market audience, such as for a documentary, television or feature film, advertisement, or similar projects. The commercial film maker must secure a permit and pay the applicable fees.

The fee for the use of department lands for commercial activity is as follows:

- (1) Commercial Use (other than filming or photography)
 - a. Permit fee of \$100.00 or three (3) % of gross receipts, whichever is greater.

- (2) Commercial filming / video
 - a. Permit fee for commercial filming / video(s)
 - 1-10 people - \$150.00 per day
 - 11-30 people - \$250.00 per day
 - 31-49 people - \$500.00 per day
 - Over 50 people - \$750.00 per day

- (3) Commercial photography
 - a. Permit fee for still photography
 - 1-10 people - \$50.00 per day
 - 11-30 people - \$150.00 per day
 - Over 30 people - \$250.00 per day

(4) Cost recovery fee charges for time and services of Game, Fish and Parks employees aiding in the field, is \$50.00 per hour per state employee.

General Authority: SDCL ~~41-2-18(4)~~, 41-17-1.1(1).

Law Implemented: SDCL ~~41-2-18(4)~~, 41-17-1.1(1).

41:03:01:15. Camping in state park, state recreation area, and state lakeside use area allowed only in designated campgrounds -- ~~Fifteen-day~~ Fourteen night limit. A person or group may camp only in an area designated as a campground site. No person or group may camp at, nor may a camper unit occupy any state park, state recreation area, or state lakeside use area for more than ~~fifteen consecutive days~~ fourteen consecutive nights without written permission of a department representative. For the purposes of this chapter, the term camper unit has the same meaning as defined in § 41:03:04:01.

~~41:03:01:16.01. Uncased .22 caliber rimfire firearms prohibited -- Exceptions.~~ ~~Uncased .22 caliber rimfire firearms are prohibited on all state park and recreation area lands and on the George S. Mickelson Trail the year around. However, uncased .22 caliber rimfire firearms are permitted within North Point Recreation Area and Oahe Downstream Recreation Area the year around on rifle ranges designated by the department. **Repeal**~~

41:03:01:19. Limitation on tree stands, elevated platforms, and portable blinds. Construction or use of permanent tree stands, permanent blinds, and climbing devices is prohibited on lands owned, leased, or controlled by the department. **Unless otherwise posted, portable tree stands, portable blinds, and climbing devices that do not utilize nails, wire, or bolts for attachment are allowed from August 25¹ to February 15, March 31**, inclusive. Portable blinds may also be used during the spring turkey seasons established in chapters 41:06:13 and 41:06:15, by licensed spring turkey hunters. One screw-in "T" may be used to stabilize a tree stand. Removable screw-in steps may be used to access a tree stand. The name and address or the year and current applicable big game license number of the owner or user must be on the exterior of an unoccupied portable blind **or tree stand** and legible from the ground on a tree stand. Other elevated platform devices that are not attached to a tree must meet the requirements of this rule for permitted dates and for labeling if left overnight or unattended.

DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None

SUPPORTIVE INFORMATION

41:03:01:01.02. Time restrictions for use of state park system

Most park systems, including South Dakota's state park system, have a "curfew" to protect the public resources and legitimate campers and park users from disturbance. The change will eliminate the 9pm "off season" (October through April) curfew in lieu of 11pm year around.

41:03:01:07. Commercial use prohibited

The existing rule prohibits agriculture (grazing/hay/cropping) activities and other for profit commercial activities on department lands without a permit but the rule lacks definition of permit pricing. A legal review determined that the department has statutory authority to issue agriculture permits and therefore, the administrative rule is redundant. Examples of typical for profit

APPROVE _____

MODIFY _____

REJECT _____

NO ACTION _____

commercial activity are commercial photography and filming, food vendors, kayak lessons, horseback and bicycle tours, rock climbing schools and concerts. Each of these for profit activities requires an exclusive use of a public park resource. These activities occur nearly exclusively on state park lands or the George S. Mickelson Trail. The changes to rule will:

- Remove agricultural activity from the permitting requirement (redundant with statute).
- Limit the rule to the state park system and GSM Trail.
- Establish a fee structure for permitting commercial activities. The proposed pricing for filming and photography is consistent with National Park Service fees. Much of this activity occurs in Custer State Park and the same businesses are using Mt. Rushmore and Wind Cave as backdrops.

41:03:01:15. Camping time limit

The rule change simply makes the time limit consistent with language in ARSD 41:03:04:05.01 regarding camping reservations and eliminates confusion - Fourteen consecutive nights versus Fifteen consecutive days.

41:03:01:16.01. Uncased .22 caliber rimfire firearms prohibited

Uncased firearms, and other weapons legal for hunting, are allowed in state park areas, with restrictions, during applicable hunting seasons - with the exception of .22s. The 37 year old restriction on 22s was presumably put in place as an effort to curb vandalism that was occurring at that time. Today, we are confident that with education and on-site staffing, we are controlling vandalism and can eliminate this restriction, thus affording hunters the opportunity to pursue small game with 22s in park areas during legal seasons. Target shooting is allowed year around at designated target ranges within state parks.

41:03:01:19. Limitation on tree stands, elevated platforms, and portable blinds

Portable tree stands and portable blinds are allowed on department land with restrictions that afford equal opportunity and protect the public natural resources. The dates that stands and blinds are allowed are restricted so that all hunters have equal access to prime sites and to avoid visual blights. The change allows for earlier installation to accommodate the September 1 archery season opening date and moves the date that stands and blinds must be removed in recognition that oftentimes weather makes it impractical to remove tree stands by February 15th.

APPROVE _____

MODIFY _____

REJECT _____

NO ACTION _____

PARK LICENSE AND TRAIL USE PASS

Chapter 41:03:03

Commission Meeting Dates:	Proposal	Feb 28-Mar 1, 2019	Pierre
	Public Hearing	April 4, 2019	Pierre
	Finalization	April 4-5, 2019	Pierre

COMMISSION PROPOSAL

41:03:03:03.01. Park entrance license exemptions. Park entrance license exemptions are as follows:

- (1) A person who enters a state park or state recreation area in volunteer service to the park or as a volunteer worker with an assigned role at an event requiring a special permit pursuant to § 41:03:01:04 is exempt from payment of the daily park entrance license fee if the person has received a special free park entrance license from the secretary;
- (2) A park entrance license is not required at Custer State Park on the day of the fall buffalo roundup and on the day of the annual buffalo auction;
- (3) A recreational motorhome towing one other vehicle is considered one unit and must purchase only one park entrance license. The second vehicle will be issued a free park entrance license that is dated to expire on the last day of the visitor's stay.
- (4) A South Dakota resident who is entitled to a free lifetime park entrance license as provided in SDCL 41-17-13.4 shall fill out a form provided by the Division of Parks and Recreation and mail it to the Pierre office with a photocopy of the veteran's "K" award or a letter from the Veteran's Administration indicating that the veteran receives an allotment for total disability which is deemed a service connected injury or that the veteran was held as a prisoner of war. The lifetime park entrance license allows the licensee and any passengers accompanying the licensee in the vehicle to enter any South Dakota state park, state recreation area, or lakeside use area that requires a valid park entrance license.**
- (5) Any enrolled Crow Creek tribal member and their family are not required to have a park entrance license for West Bend Recreational Area.**

41:03:03:04. Time limits on daily license. A park entrance license for which a daily fee is paid expires on the day of purchase at 11:00 p.m. ~~from May 1 to September 30, inclusive, and at 9:00 p.m. from October 1 to April 30, inclusive.~~ A license purchased by registered overnight campers and lodge patrons expires at 4:00 p.m. the following day in all state parks and recreation areas.

DEPARTMENT RECOMMENDATION

Recommended change from proposal: None

SUPPORTIVE INFORMATION

Crow Creek exemption

West Bend Recreation Area is a unit of South Dakota's state park system and is located in Hughes County on the shore of Lake Sharpe and immediately adjacent to the Crow Creek Sioux Indian Reservation. Last year, the recreation area served 43,392 visitors and hosted 9,142 camping units. West Bend is the most heavily used fishing access site on Lake Sharpe. Outdoor recreational

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

opportunities such as those offered at West Bend, are limited on the Crow Creek reservation. The department also intends to focus on programming options at West Bend that can provide additional opportunities to tribal youth. Our hope is that these incentives to use the recreation area can benefit the quality of life for tribal members.

Potable water is the greatest challenge that Game, Fish and Parks faces in managing West Bend. The on-site well provides a poor quality and inadequate supply of water. The local rural water system pipeline is located 8 miles north of the recreation area. Permission from the Crow Creek Sioux Tribe is needed to cross tribal land with a pipe to supply the recreation area with rural water. The enhanced recreational opportunities made possible by the park license exemption and youth focused programming, may lead to an agreement that will facilitate a dependable water source for all users at West Bend Recreation Area.

Time limits on Daily Park Entrance License

Currently, a daily park entrance license is no longer valid after 9:00 pm during the months of October through April. This change will allow holders of daily licenses to use the park until 11:00 pm year round.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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GEORGE S. MICKELSON TRAIL USER SERVICE FEES

Chapter 41:03:05

Commission Meeting Dates: Proposal	Feb 28-Mar 1, 2019	Pierre
Public Hearing	April 4, 2019	Pierre
Finalization	April 4-5, 2019	Pierre

COMMISSION PROPOSAL

41:03:05:02. Trail user service fee exemptions. The following are exempt from the requirements and user fee required by § 41:03:05:01:

- (1) Any person using the George S. Mickelson Trail within the posted city limits of the communities of Deadwood, Lead, Rochford, Hill City, Custer, Pringle, and Edgemont;
- (2) Any person who enters the George S. Mickelson Trail area in volunteer service to the trail or as a volunteer worker with an assigned role at an event requiring a special permit pursuant to § 41:03:01:04 if the person has received a special free trail user pass from a department representative;
- (3) Any adjoining landowner or lessee on those portions of the George S. Mickelson Trail fronting the landowner's or lessee's property; and
- (4) Any member of a resident nonprofit youth group if the group obtains written permission from a department representative before using the trail.

(5) Members and guests of a South Dakota veterans organization or group, South Dakota National Guard or military reserve unit and guests, or patients currently admitted to a veterans hospital in South Dakota and their attendants who enter the George S. Mickelson Trail area for a special event that is hosted by the organization, group, unit or hospital if an approved special event permit has been obtained from the park manger at least five days before the special event. The park manager shall issue special free trail user passes to participants of the special event.

41:03:05:03. Trail user service fees and issuance of trail user pass. The trail user service fees are as follows:

- (1) Annual pass fee, \$15 a person;
- (2) Daily pass fee, \$4 a person; ~~and~~
- ~~(3) Annual pass late fee, \$15 a person.~~

Upon payment of the required fee the person will be issued the applicable trail user pass.

41:03:05:06. Display of trail user pass. A trail user pass must be displayed or readily available for inspection if requested by a department representative. If a trail user on the George S. Mickelson Trail does not have a valid trail pass or is not able to display it or make it readily available upon request, the user shall obtain a daily or annual trail pass ~~an annual pass and shall pay the annual pass late fee.~~

DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None

APPROVE _____

MODIFY _____

REJECT _____

NO ACTION _____

SUPPORTIVE INFORMATION

41:03:05:02. Veterans Group Exemption

The Department of Game, Fish and Parks supports and appreciates our military veterans and service members. Currently, South Dakota veterans who have a 100% service related disability are entitled to a free lifetime state park entrance license. Three years ago, the Game, Fish and Parks Commission expanded on this by approving a park entrance license exemption for veterans, National Guard and reserve unit members and veteran's hospital patients while participating in special events. Since then, state parks have hosted veteran's organization picnics, motorcycle ride-throughs, veteran's hospital outings, and National Guard recruitment weekends. The exemption also applies to family members and guests participating in the event. This rule change will extend the veteran's group exemption to the Mickelson Trail pass requirement. Anticipated events include group bicycle rides and walks and associated group gatherings at trailhead sites. Currently the only group exemption to the trail pass requirement is for resident nonprofit youth groups.

41:03:05:03 and 41:03:05:06. Trail Use Fee and Penalty for no Trail Pass

Mickelson Trail users that are 12 years of age or older, must have either an annual (\$15) or daily (\$4) trail use pass. Trail users that cannot display a pass are subject to a \$15 "late fee". Upon payment, they are issued an annual trail pass. This change will eliminate the \$15 late fee and require that the trail user purchase either a \$4 daily trail pass or a \$15 annual pass.

APPROVE _____

MODIFY _____

REJECT _____

NO ACTION _____

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

Bighorn Sheep Hunting Season

Chapter 41:06:56

Commission Meeting Dates:	Proposal	February 28 - March 1, 2019	Pierre
	Public Hearing	April 4, 2019	Rapid City
	Finalization	April 4-5, 2019	Rapid City

COMMISSION PROPOSAL

Duration of Recommendation: 2019 hunting season

Season Dates: 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.

Unit 3: That portion of Pennington County east of the Cheyenne River and north of Hwy 44 and that portion of Jackson County north of the White River, excluding the Badlands National Park.

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 three 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. Modify Unit BH3 from "that portion of Pennington County east of the Cheyenne River and that portion of Jackson County north of the White River, excluding the Badlands National Park" to "that portion of Pennington County east of the Cheyenne River and north of Hwy 44 and that portion of Jackson County north of the White River, excluding the Badlands National Park" (see attached map).

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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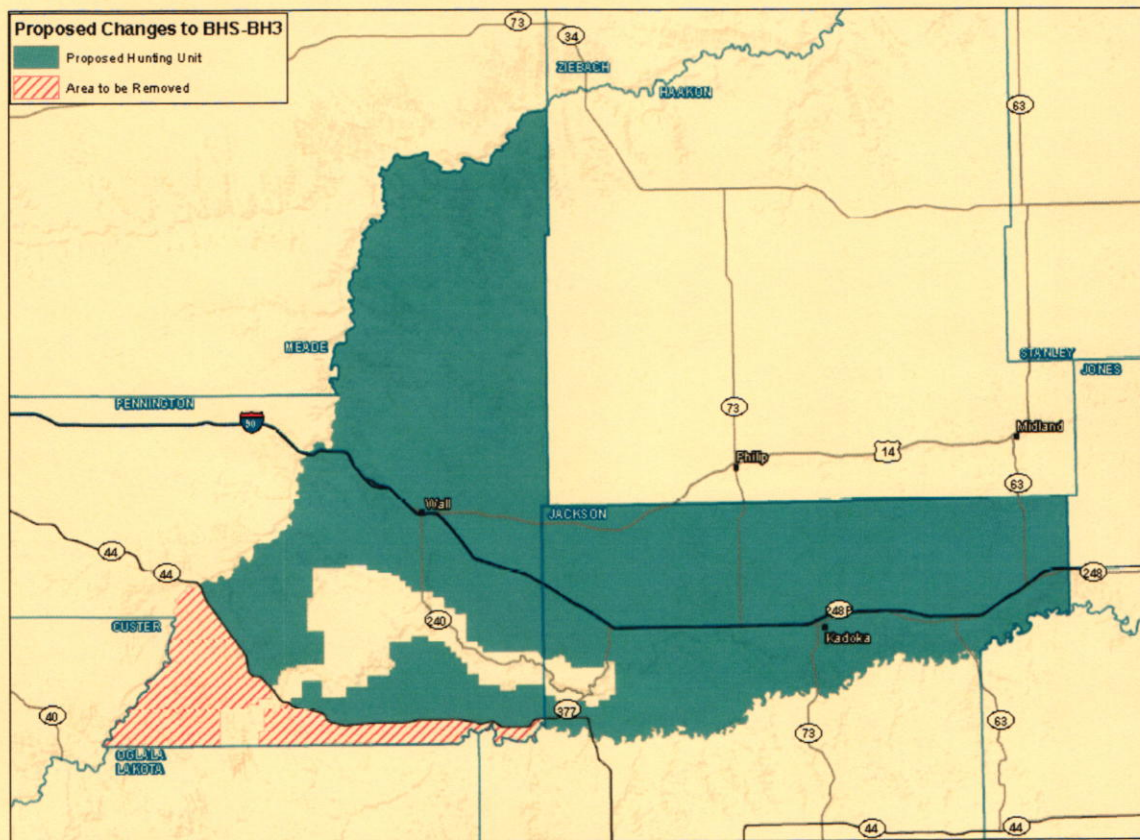
DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

SUPPORTIVE INFORMATION

The Department was approached by the Oglala Sioux Parks and Recreation Authority (OSPRA) requesting an adjustment to boundary of Unit BH3. The request was based on the fact that OSPRA manages a bighorn sheep population that typically occupies the south unit of Badlands National Park in Oglala Lakota County. This respective bighorn sheep population typically resides on tribal property, but at times can make forays onto other property including private, Forest Service National Grasslands and State lands. Individuals from this population also make forays into Pennington County where Unit BH3 is currently open. As a result, there is opportunity for a state-licensed hunter to harvest a bighorn sheep from the herd that OSPRA is managing. The Department agrees to accommodate this request and is recommending that the GFP Commission adjust the unit boundary for Unit BH3 to exclude a portion of lower Pennington County from the current unit boundary to reduce the chance for a state-licensed hunter to harvest a bighorn sheep from this population managed by OSPRA.

Proposed Modification to Unit 3



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

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

**Special Custer State Park Antlerless Elk Hunting Season
Chapter 41:06:47**

Commission Meeting Dates:	Proposal	February 28 - March 1, 2019	Pierre
	Public Hearing	April 4, 2019	Rapid City
	Finalization	April 4-5, 2019	Rapid City

COMMISSION PROPOSAL

Duration of Recommendation: 2019 hunting season.

Season Dates: Closed

Requirements and Restrictions:

1. Harvested elk must be inspected within 24 hours.
2. Each successful elk hunter shall submit samples for chronic wasting disease testing for all elk harvested from any Custer State park elk hunting unit.

Proposed changes from last year:

1. Close the antlerless elk hunting season (see map below for unit).

DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

SUPPORTIVE INFORMATION

The CSP antlerless elk season was opened again in 2017 based on new information on chronic wasting disease (CWD) prevalence rates from both Custer State Park (CSP) and Wind Cave National Park (2016/2017 culling program). At this time, the season was justified to learn more about the CWD infection rate of CSP elk, begin managing at a lower population density in the identified area due to concerns of over-utilization of forage, and to evaluate and respond accordingly for future management actions.

Through the development of the "draft" CWD action plan, the goal of surveillance strategies in South Dakota is to determine the likely spread of CWD to new units where the disease has not been detected in wild, free-ranging cervids. Without pre-determined research design and management objectives, prevalence rates will not be quantified. If research objectives require prevalence rates or a management strategy will be implemented based on prevalence rate thresholds (i.e., implement management strategy X if prevalence exceeds Y%), prevalence will be estimated by collecting a representative sample with desired levels of precision.

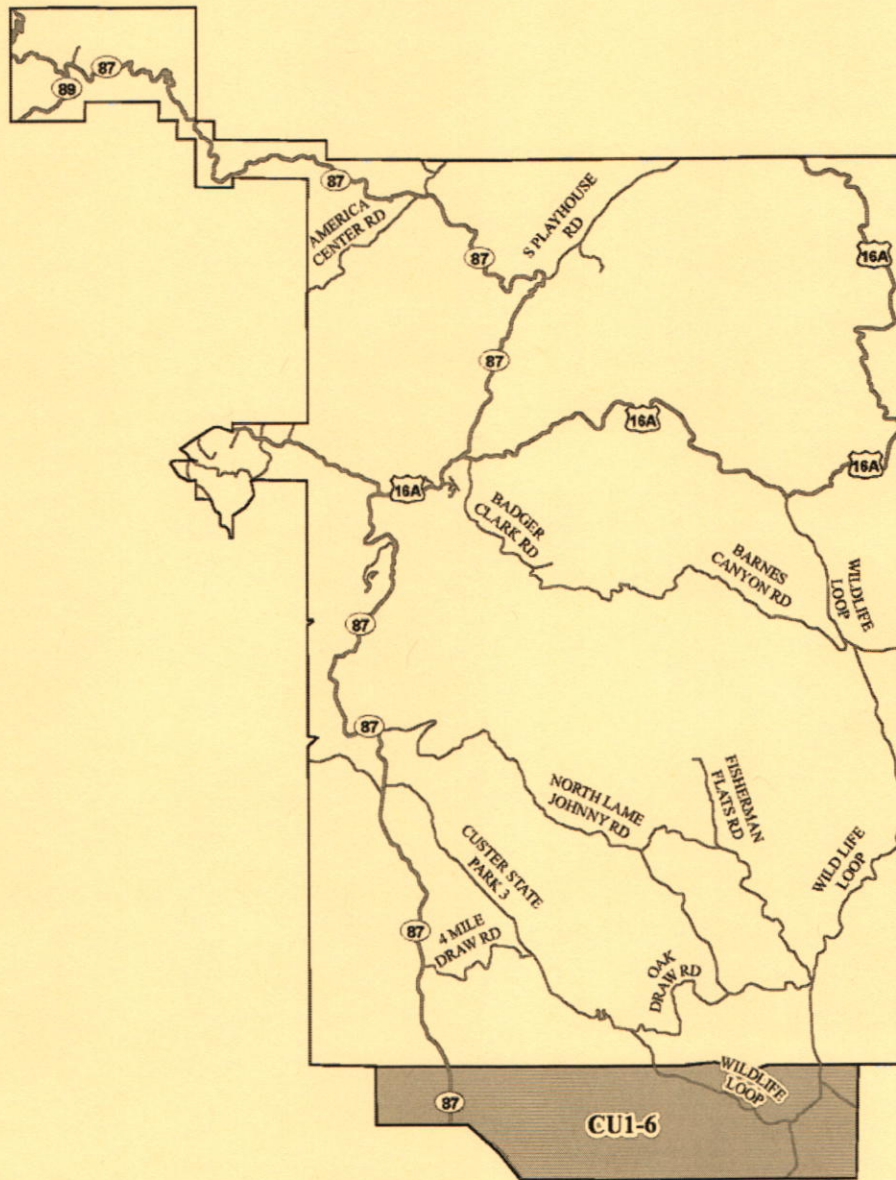
The current population objective for CSP is 800 wintering elk and will general range from 700-900 depending on habitat conditions; the current CSP elk population estimate is 552 (95% CI=483-620). With the current dispersal of elk from this antlerless unit and no identified management response actions if CWD prevalence reaches a certain threshold, there is no current need for this antlerless elk season. Mandatory submission of samples for CWD will still be required from all deer and elk hunters for any future management considerations.

APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

Year	Licensed Hunters	Hunter Success	Harvest
2014	CLOSED		
2015	CLOSED		
2016	20	90%	18
2017 ¹	29	84%	24
2018 ²	23	19%	4

¹Last three seasons canceled due to Legion Lake Fire.

²Due to low elk densities in the unit, 37 licenses were voluntarily returned.



APPROVE _____ MODIFY _____ REJECT _____ NO ACTION _____

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

Authorization to Hunt or Access State Park and Rec Areas
Chapters 41:03:03, 41:06:01

Commission Meeting Dates:	Proposal	Feb 28-Mar 1, 2019	Pierre
	Public Hearing	April 4, 2019	Rapid City
	Finalization	April 4-5, 2019	Rapid City

COMMISSION PROPOSAL

Requirements and restrictions:

1. Upon consultation with the chairman of the commission, the secretary of the department may authorize a resident of the state to access state park and recreation areas or hunt small game without a fee.
2. Authorizations may allow the person to either access state park and recreation areas or to hunt and fish in no more than one calendar year.
3. A person receiving an authorization to hunt small game is restricted to hunting during established hunting seasons and must abide by all applicable laws and rules.

DEPARTMENT RECOMMENDATIONS

Recommended changes from proposal: None.

SUPPORTIVE INFORMATION

Under Governor Noem's Second Century Initiative, the Department is using crowdsourcing to solicit ideas to create more and better habitat. GFP is using Facebook as the platform to crowdsource habitat solutions and promote idea-driven dialogue for a period of 2-3 months. This platform is free and allows for a transparent submission process, where participants can engage and respond to proposed ideas. If constituents are not on Facebook, an email account, habitatpays@state.sd.us is being provided as a secondary option for idea submission. At the end of the effort, GFP staff and 2nd Century Habitat Foundation members will review all comments and ideas and provide their recommendation for final approval to Secretary Hepler and Commission Chairman Jensen. It is anticipated that there could be multiple "winners" of free hunting privileges or free access to state parks and recreation areas.

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

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

Hunt for Habitat Licenses

New Chapter, Chapters 41:06:01; 41:06:02

Commission Meeting Dates:	Proposal	Feb 28-Mar 1, 2019	Pierre
	Public Hearing	April 4, 2019	Rapid City
	Finalization	April 4-5, 2019	Rapid City

COMMISSION PROPOSAL

1. Create one Custer State Park trophy bison "Hunt for Habitat" license and 3 "Hunts for Habitat" super license packages. The 3 super licenses will each include a tag for one:
 - a. Any Elk,
 - b. Any Deer, and
 - c. Any Antelope.
2. These licenses would be valid at any time and place that a hunting season is open in South Dakota for the big game animal as long as the regulations for the open season are followed.
3. The recipient must be eligible to hold the licenses although any ineligibility due to a previous license draw would be exempt.
4. Recipients will be able to select either of the current or next year as when their tag(s) would be valid.
5. Both residents and nonresidents will be eligible to submit applications for the super tag licenses although no more than 1 of the 3 license packages could be issued to a nonresident.
6. Both residents and nonresidents will be eligible to submit applications for the "Hunt for Habitat" trophy bison license
7. Establish an application fee of \$10 for residents and \$20 for nonresidents.
8. A person may submit an unlimited number of applications.
9. Applications will be accepted on-line only.
10. No additional fee will be charged for licenses drawn.
11. No preference points may be earned or used in the "Hunts for Habitat" drawings.

DEPARTMENT RECOMMENDATIONS

Recommended changes from proposal: None.

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

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

**Trapping Prohibitions
Chapter 41:08:02**

Commission Meeting Dates:	Proposal	February 28-March 1, 2019	Pierre
	Public Hearing	April 4, 2019	Rapid City
	Finalization	April 4-5, 2019	Rapid City

COMMISSION PROPOSAL

Proposed changes from last year:

Amend 41:08:02:13. Traps to be rendered inoperable – Removal of trapping devices.

1. Modify the existing rule to allow the use of traps, snares and associated equipment to be used on public lands and improved road rights-of-ways, through August 31. *(currently May 1)
2. Modify the existing rule so that traps, snares and associated equipment must be actively operated and checked in accordance to trap-check rules.

DEPARTMENT RECOMMENDATIONS

Recommended changes from proposal: Remove item #2 above, as administrative rule already provides that equipment must be checked within allotted time-frames (48 hours East River and 72 hours West River).

SUPPORTIVE INFORMATION

With the launch of Governor Noem's Second Century Initiatives, in particular the Live Trap Giveaway Program and the Nest Predator Bounty Program, this modification would allow trappers to use traps and snares on public lands and improved road rights-of-ways, through August 31. Public lands hold some of the best nesting habitat in the state and in order to remove nest predators during the nesting season, this modification would be needed.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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GAME, FISH, AND PARKS COMMISSION ACTION
FINALIZATION

Bounties
Chapter 41:08:03

Commission Meeting Dates:	Proposal	February 28-March 1, 2019	Pierre
	Public Hearing	April 4, 2019	Rapid City
	Finalization	April 4-5, 2019	Rapid City

COMMISSION PROPOSAL

Proposed changes from last year:

Add a new administrative rule to the bounty chapter, which outlines the affirmation provision of the Nest Predator Bounty Program to allow law enforcement greater flexibility when dealing with compliance.

DEPARTMENT RECOMMENDATION

Recommended changes from proposal: None.

SUPPORTIVE INFORMATION

With the launch of Governor Noem's Second Century Initiatives, in particular the Nest Predator Bounty Program, this new administrative rule would outline the affirmation provision of the program to allow law enforcement greater flexibility when issuing potential citations. The provisions of the program include:

1. Eligible species: raccoon, striped skunk, opossum, badger or red fox.
2. Only residents of South Dakota may participate.
3. Animals must be trapped in South Dakota by the resident participant.
4. If under the age of 18 years old, a parent/legal guardian must submit the electronic bounty form on behalf of the youth.
5. Information on the electronic bounty form must be true and accurate.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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