

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

Vice Chairman Doug Sharp called the meeting to order at 1:00 p.m. CT. Commissioners Travis Bies, Jon Locken, Russell Olson, Charles Spring, Robert Whitmyre. Public and staff were able to listen via SDPB livestream and participate via conference call with approximately 85 total participants via zoom.

DIVISION OF ADMINISTRATION

Conflict of Interest Disclosure

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

Approval of Minutes

Sharp called for any additions or corrections to the January 28-29, 2021 regular meeting minutes or a motion for approval.

Motion by Whitmyre with second by Locken TO APPROVE THE MINUTES OF THE January 28-29 MEETING. Motion carried unanimously.

Additional Commissioner Salary Days

Sharp called for additional salary days. Bies and Spring each requested a salary day for participation in the Elk Stakeholder and Mule Deer meetings. Motioned by Locken, second by Whitmyre TO APPROVE THE ADDITIONAL SALARY DAY. Motion carried unanimously.

License Sales Request

Chris Petersen, administration division director, presented the full fee license list request for preserve hunting lodges received from Jake Hyland, of Windsor, CO to be used for real estate purposes.

Motioned by Bies, second by Locken TO APPROVE THE LICENSE LIST REQUEST. Motion carried unanimously.

Wildlife Damage Management Specialist of the Year

John Kanta, terrestrial's chief, presented the wildlife damage management specialist of the year award.

SDPRA Education Award

Katy Hiltunen on behalf of the South Dakota Parks and Recreation Association presented GFP education staff the Citation Award which recognized the efforts of the department to promote and support recreation in local communities by providing alternative programming and events during the COVID-19 pandemic.

Legislative Update

Interim Secretary Kevin Robling provide a legislative update on bills introduced pertaining to GFP.

Can-Am Raffle Update

Nick Harrington, digital content strategist, provided the Commission with an update on a Can-Am raffle to benefit the Second Century Habitat Fund. The raffle is courtesy of a partnership between GFP, the Department of Tourism, Can-Am Off Road and R&R Pheasant Hunting. The raffle prize is a Can-Am Defender Limited, a UTV valued at \$53,000. It was mentioned that the tickets would be \$100 for individuals and would be available for sale beginning March 8, 2021 and run through October 2021.

PUBLIC HEARING

The Public Hearing began at 2:00 p.m. and concluded at 2:10 p.m. The minutes follow these Commission meeting minutes.

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.

Nest Predator Bounty program

Carol Merwin – Rapid City, SD said she doesn't agree with the program as these animals are a part of nature.

Chris Hesla, SDWF – Pierre, SD oppose the program for several reasons. He wants to know if there is data to support a good return on investment for the 1.6 million that has been spent. Wondering what the return would be if we used this money to bus children to the outdoor campus

Sandra Seberger – Rapid City, SD president Biden carries a slip of paper with the number of people who have died from COVID. Following his example, she is doing the same with nest predators.

Jamie Al-Haj – Rapid City, SD continues to oppose the program and speak for the native SD wildlife that doesn't have a voice. Doesn't understand why this program continues. Hope all are taking notice of the number of people expressing opposition. It is a tremendous amount of money that could be used in other ways like building habitat or an incentive for landowners.

Nancy Hilding, Prairie Hills Audubon Society – Black Hawk, SD (also wants to speak on endangered species issues or prairie dogs) continues to question if this is a legal meeting. Just attended a legislative hearing to merge agencies which would save about the same amount that is funding this program. Complains that prairie dog plan should have acreage surveys done more often. Wants to know how other obligations are met when money is spent on this program. Referenced survey that provides more information on the demographics of the study.

Cody Hodson Black Hills Sportsman Club – Rapid City, SD does not support the bounty program. Wonder what this program will look like 8-10 years down the road and what else that 5 million can do for the department and state.

Zebra Mussel Prevention work with GFP on Enemy Swim

Tom Grady – Sioux Falls, SD cabin owner at Enemy Swim. Concerned that zebra mussels which have recently been found at Pickrel. Formed association of 250 cabins on the lake to prevent infestation of zebra mussels. Want to know if it would be possible for GFP to eliminate one boat ramp and work with tribe to borrow a cleaning machine and residents to volunteer to clean, drain and dry.

FINALIZATIONS

Aerial Permit Adjustments

Kanta presented the finalization to modify existing administrative rule to remove application requirements for submitting pilot certificate data and medical certificate data. He explained aerial hunting is a highly regulated activity in South Dakota and to obtain an aerial hunting permit, pilots must file an annual application with GFP. While applicants will still need to confirm they possess valid certifications, they will not be required to provide a copy of the pilot's certificate data (i.e. pilot's license) and medical certificate. This will help simplify the application process.

Motioned by Whitmyre, second by Bies TO MODIFY EXISTING ADMINISTRATIVE RULE TO REMOVE APPLICATION REQUIREMENTS FOR SUBMITTING PILOT CERTIFICATE DATA AND MEDICAL CERTIFICATE DATA. Motion carried unanimously.

Big Game Ammo Minimum Size and Type

Kanta presented the Departments recommended change to allow for the use of monolithic copper fluted bullets to be used to take big game animals by adding "expanding bullet" which means any bullet designed by its manufacture to create a wound channel larger than its diameter.

Motioned by Bies, second by Olson TO THE REJECT THE RECOMMENDED CHANGE TO ALLOW THE USE OF MONOLITHIC COPPER FLUTED BULLETS TO BE USED TO TAKE BIG GAME ANIMALS. Roll Call Vote: Bies – No, Locken – No, Olson – Yes, Sharp – Yes, Whitmyre – No. Motion failed 2-4

Nonmeandered Waters Navigation Lane Process

Jon Kotilnek requested that the Commission approve two rules to implement the requirements of SDCL 41-23-16. He described that the two new rules would create a petition process for individuals to request for a transportation lane through a closed nonmeandered body of water. He further explained that the burden to meet the criteria found in statute to create these lanes is high. The closed nonmeandered lake must be directly between a point of legal access and a portion of a nonmeandered lake open for recreational use and there must be no alternative legal public access to the portion of the nonmeandered lake open for recreational use. The two rules would establish a process to for a member of the public to petition the Commission as well as notification requirements for the landowner. Furthermore, the rules would require the Department to evaluate established lanes on a yearly basis and bring recommendations. Finally, it was emphasized that any person, at any time, could petition to remove an established transportation lane through the normal rule amendment petition process.

Commissioner Whitmyer acknowledged the Commission's obligation to create some sort of process. The Commission has already implemented the other provisions required by SDCL 41-23, this is just one last piece that we had not implemented yet.

Motioned by Bies, second by Whitmyre TO FINALIZE THE CHANGES TO CREATE NEW RULES TO ESTABLISH A PROCEDURE TO REQUEST NAVIGATION LANE CLOSURES. Motion carried unanimously.

Waterfowl Refuge

Chad Switzer, wildlife program manager, presented the recommended changes to waterfowl refuges to remove the private property currently within Antelope Lake Waterfowl Refuges in sections 19 and 29, township 116 north, range 57 west in Clark County. He explained there has been a recent change in ownership of private property. The new landowner of the private property within the current Antelope Lake State Waterfowl Refuge boundary in section 19 desires to be able to hunt his property, thus he has requested his property be removed from the refuge. Due to the request, Department staff visited with the other two landowners within the boundary in sections 29 and 30. The landowner in section 29 would also like to remove his property from the refuge. Landowner in section 30 would like private property to remain in refuge status. Therefore, the recommendation is for all of Section 30 to remain in refuge status and remove private property in sections 19 and 29 from refuge status at the request of the landowners.

Motioned by Whitmyre, second by Locken TO APPROVE THE RECOMMENDED CHANGE TO REMOVE THE PROPERTY AT ANTELOPE LAKE FROM THE REFUGE. Motion carried unanimously.

Waterfowl Season Recommendations

Switzer presented the recommended change to Waubay State Game Refuge and Waubay Lake State Game Refuge to Waubay State Game Bird Refuge in the following Administrative Rule chapters: 41:06:22:02. Restricted areas -- Exceptions. The archery deer hunting season is restricted in the following areas with the applicable restrictions or exceptions noted: (4) Waubay Lake State Game Bird Refuge and Waubay National Wildlife Refuge in Day County are open September 1 through January 1, except during the refuge firearm deer seasons established in chapter 41:06:36; 41:06:36:01.02. Waubay deer hunting season established -- Number and type of licenses. The Waubay deer hunting season is open within the boundaries of the Waubay National Wildlife Refuge and the Waubay Lake State Game Bird Refuge from one-half hour before sunrise to one-half hour after sunset daily as provided in § 41:06:36:02.02. No more than 20 one-tag deer licenses may be issued to residents. 41:06:45:02.01. Closed areas. The general muzzleloader deer hunting season is closed and licenses are not valid in the following areas: (4) Waubay National Wildlife Refuge and Waubay State Game Bird Refuge in Day County.

Motioned by Spring, second by Bies TO APPROVE THE RECOMMEND CHANGES TO WAUBAY STATE GAME BIRD REFUGE. Motion carried unanimously

Switzer presented the recommended change to the license validity date found in ARSD 41:06:02:01.04 from “Any license is valid from December 15 preceding the printed year on the license to January 31 following the printed year on the license, inclusive” to “Any license is valid from December 15 preceding the printed year on the license to January 31 following the printed year on the license, inclusive unless otherwise specified”.

Motioned by Whitmyre, second by Locken TO APPROVE THE RECOMMENDED CHANGE TO VALID DATES OF THE STATE MIGRATORY BIRD CERTIFICATION PERMIT. Motion carried unanimously.

Switzer presented the recommended changes to the duck hunting season to as follows:

1. During the first 16 days of the season an additional two blue-winged teal may be harvested in addition to the daily bag limit for the Tier 1 Option only.
2. Include mergansers in the daily bag limit of ducks for the Tier 2 Option only.

Motioned by Bies, second by Whitmyre TO APPROVE THE RECOMMENDED CHANGES TO THE DUCK HUNTING SEASON. Motion carried unanimously.

Switzer presented the recommended change to the goose hunting season to Modify the open area to include that portion of Meade County south of South Dakota Highway 34 and the counties of Aurora, Beadle, Bon Homme, Brookings, Brown, Clark, Clay, Codington, Davison, Day, Deuel, Edmunds, Faulk, Hamlin, Hanson, Hutchinson, Grant, Jerauld, Kingsbury, Lake, Lincoln, Marshall, McCook, McPherson, Miner, Minnehaha, Moody, Roberts, Sanborn, Spink, Turner, Union and Yankton.

Motioned by Whitmyre, second by Locken TO APPROVE THE RECOMMENDED CHANGES TO MODIFY THE OPEN AREAS FOR GOOSE HUNTING AUGUST MANAGEMENT TAKE. Motion carried unanimously.

Switzer presented the recommended changes to the early fall Canada goose season to change the start date from the first Saturday of September to September 1st and increase the daily bag limit from 8 to 15.

Motion by Whitmyre, second by Bies TO APPROVE THE RECOMMENDED CHANGES TO THE EARLY FALL CANADA GOOSE SEASON. Motion carried unanimously.

Public Lands and Waters

Scott Simpson, parks and recreation regional director, presented the recommended changes to North Point Area of Lake Francis Case:

- (1) In the North Point Area of Lake Francis Case in the waters of St. Francis Bay and Prairie Dog Bay starting at the center of the respective boat ramps and extending outward in a 150-yard radius are is a “no wake zone”
- (2) In the North Point Area of Lake Francis Case in the waters of St. Francis Bay and starting at the center of the respective boat ramp and extending outward in a 350-yard radius is a “no wake zone”

Switzer explained that Due to a significant increase in beach use, recreational boating, and fishing; staff has seen an increased risk for accidents in this congested area making public safety a concern. The St. Francis beach is the North Point Rec. Area's largest and most popular swimming beach in the district. Due to the topography it is protected from high winds, making it a very popular area for swimmers and kayakers alike. From the swimming beach buoys to the opposite shoreline there is approx. 200 yards of distance. This is a narrow area for the multiple recreational boaters that are towing skiers and tubers just outside the swim area, along with fisherman who go back and forth from the boat ramp. North Point Rec. Area offers four public boat ramps with the St. Francis Bay ramp being the smallest of the four. The other three boat ramps all have larger parking lots and are in proximity, with St. Francis Bay offering 25 parking stalls, Prairie Dog - 201, North Point Bay - 60, and the Fort Randall Marina at 30. No Wake buoys would be placed across the bay at approx. 100 ft in distance between each other.

Motioned by Locken, second by Whitmyre TO APPROVE THE RECOMMENDED CHANGES TO EXTEND THE NORTH POINT AREA NO WAKE ZONE. Motion carried unanimously.

PROPOSALS

Deer Season

Chad Switzer, wildlife program manager, presented the recommended change to the mentored youth big game license to be any antlerless deer or antlerless whitetail deer license. He explained Mentored deer hunting units would correspond to those of the apprentice deer hunting season. The establishment of these units and license types will reduce harvest of antlerless mule deer in select hunting units to increase mule deer population growth rates, while maintaining current apprentice deer harvest and desired growth rates in other hunting units. Provided the population is growing, increasing growth rates will reduce time to achieve management objectives where the desire is to increase the mule deer population. On average, during 2017 to 2020, about 450 female mule deer were harvested by mentored or apprentice hunters in proposed unit MHD-13. The recommended management change to create a whitetail only mentor and apprentice hunting unit will reduce statewide mule deer female harvest by about 30%.

Motion by Locken, second by Whitmyre TO APPROVED THE RECOMMENDED CHANGE TO MENTORED YOUTH BIG GAME LICENSES. Motion carried unanimously.

Switzer presented the recommended change to the disabled veterans hunting season as follows:

1. Within Article 41:06 (Hunting Seasons and Methods) of the Administrative Rules of South Dakota, create Chapter 41:06:63 (Deer Hunting Season for Disabled Veterans).
2. Deer hunts authorized for qualifying disabled veterans and purple heart recipients may be established anytime during any open deer season upon application by a sponsoring nonprofit organization.
3. These deer hunts are valid for residents only and statewide on private lands only.
4. Available only to those disabled veterans and purple heart recipients that were unsuccessful in obtaining an "any deer" or "any whitetail deer" during the first lottery drawing.
5. Up to 50 resident "any deer" licenses shall be made available, with no more than 10 resident "any deer" licenses per sponsoring nonprofit organization.

6. Sponsoring nonprofit organization will be responsible for license fees.
7. Sponsoring nonprofit organization shall complete and submit an application to the department stating the name, address, and phone number of the sponsoring organization; the requested dates of the hunts; the location of the hunt; and the name of any host landowners providing the land for the hunt.
8. The sponsor of a deer hunt for disabled veterans or purple heart recipients shall provide a report to the department after the conclusion of the seasons. The report must include the name and address of each participant and the total number of deer harvested during the season.

He explained all Americans owe a debt of gratitude to our military veterans, especially to those who may have suffered disabilities as a direct result of their military service. In an effort to provide the opportunity for qualifying disabled veterans to participate in a special deer hunt, the Department, in cooperation with sponsoring nonprofit organizations in South Dakota, would like to encourage the Commission to create a small number of resident “any deer” licenses valid on private land only. These licenses would be issued to qualifying disabled veterans participating through a sponsoring nonprofit organization approved by the department. Due to the limited numbers of licenses issued through these deer hunts, along with the fact that these licenses will be valid only on private land, these deer hunts would not impact the odds of drawing a big game license for any of our states other big game applicants.

Motioned by Bies, second by Whitmyre TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended changes to the apprentice deer hunting season to modify the statewide unit and “any antlerless deer” licenses to the following:

- a. Unit APD-03: West River Units 02A, 15A, 15B, 31A, 35A, 35C, 35L, 49A, 49B, 53A, 53C and 64A (See map for open area)
 - i. Single tag “any antlerless deer” license
- b. Unit APD-13: That portion of the state not included in Unit APD-03 (See map for open area)
 - i. Single tag “antlerless whitetail deer” license

He explained the establishment of these units and license types will reduce harvest of antlerless mule deer in select hunting units to increase mule deer population growth rates, while maintaining current apprentice deer harvest and desired growth rates in other hunting units. Provided the population is growing, increasing growth rates will reduce time to achieve management objectives where the desire is to increase the mule deer population. On average, during 2017 to 2020, about 450 female mule deer were harvested by mentored or apprentice hunters in proposed unit APD-13. The recommended management change to create a whitetail only mentor and apprentice hunting unit will reduce statewide mule deer female harvest by about 30%. Of the 4,302 apprentice hunter deer licenses issued for the 2020 deer hunting season, 674 licenses (16%) were issued to residents that were 18 years of age or older.

Motioned by Whitmyre, second by Bies TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended changes to the archery deer hunting season as follows:

1. Adjust license numbers from no more than 500 one-tag “any antlerless deer” to 1,000 one-tag

“any antlerless deer” for current and future archery deer municipality hunting units.

2. Adjust number of access permits from no more than 5 “any deer” and 30 “antlerless whitetail deer” to 10 “any deer” and 50 “antlerless whitetail deer” for Adams Homestead and Nature Preserve.

3. Adjust number of access permits from no more than 5 “any deer” and zero “antlerless whitetail deer” to 10 “any deer” and 25 “antlerless whitetail deer” for Goode Earth State Park.

Motioned by Bies, second by Whitmyre TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended changes to the Black Hills deer hunting season to adjust the number of resident licenses from no more than 4,800 one-tag deer licenses to no more than 5,500 one-tag deer licenses.

Motioned by Locken, second by Whitmyre TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended changes to the Custer State Park deer hunting season to Adjust the number of resident licenses from no more than 88 one-tag deer licenses to no more than 100 one-tag deer licenses.

Motioned by Bies, second by Locken TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended changes to the muzzleloading deer hunting season to adjust resident license numbers from no more than 1,000 one-tag “any deer” licenses to 1,500 one-tag “any deer” deer licenses.

Motioned by Bies, second by Whitmyre TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended changes to the national wildlife refuge deer hunting season as follows:

1. For Sand Lake National Wildlife Refuge, adjust resident license numbers from no more than 105 one-tag deer licenses to 200 one-tag and 100 two-tag deer licenses.
2. For Lacreek National Wildlife Refuge, adjust resident license numbers from no more than 20 one-tag deer licenses to 100 one-tag and 50 two-tag deer licenses.
3. For Waubay National Wildlife Refuge, adjust resident license numbers from no more than 20 one-tag deer licenses to 75 one-tag deer licenses.

Motioned by Whitmyre, second by Locken TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended change to the West River deer hunting season to adjust resident license numbers from no more than 12,308 one-tag, 5,220 two-tag deer licenses and 400 three-tag deer licenses to 20,000 one-tag, 15,000 two-tag deer licenses and 10,000 three-tag deer licenses.

Motioned by Locken, second by Bies TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended change to the East River deer hunting season to adjust resident license numbers from no more than 24,510 one-tag and 2,800 two-tag tag deer licenses to 30,000 one-tag and 15,000 two-tag and 5,000 three-tag deer licenses.

Motioned by Whitmyre, second by Locken TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Upland Game

Switzer presented no recommended changes to the youth pheasant hunting season

Switzer presented no recommended changes to the resident pheasant hunting season

Switzer presented recommended changes to the pheasant hunting season to

1. Modify the season dates for Unit 2 (Renzienhausen Game Production Area, Renzienhausen State Game Bird Refuge including its shooting and retrieval zones, Gerken State Game Bird Refuge, and White Lake State Game Bird Refuge).
 - a. The season in Unit 2 is open beginning on December 1 and remains open for the remainder of the season ~~through the first Sunday of January~~; and
2. Modify the season dates for Unit 3 (Sand Lake National Wildlife Refuge in Brown County).
 - a. The season in Unit 3 is open beginning on the second Monday of December and remains open for the remainder of the season ~~through the first Sunday of January~~.

Motioned by Whitmyre, second by Bies TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented the recommended change to the grouse hunting season to modify the season start date from the third Saturday of October to the third Saturday of September for Lacreek National Wildlife Refuge and modify the season end date from the first Sunday of January to January 31.

Motioned by Bies, second by Locken TO APPROVE THE CHANGES AS PROPOSED. Motion carried unanimously.

Switzer presented no recommended changes to the quail hunting season

Switzer presented no recommended changes to the mourning dove hunting season

Switzer presented no recommended changes to the partridge hunting season

Switzer presented no recommended changes to the crow hunting season

Switzer presented no recommended changes to the cottontail hunting season

Switzer presented no recommended changes to the tree squirrel hunting season

Depredation Hunts

Kanta presented no recommendation to depredation permits but asked for the to grant the department authority to issue a specific number of depredations permits to respond to property damage by game animals that cannot be resolved by any other method.

Motioned by Whitmyre, second by Bies TO APPROVE RESOLUTION 21-04 (Appendix A) granting the department authority to issue depredation hunts for the next three years. Motion carried unanimously.

CWD Regulations

Kanta provided the recommended changes to the disposal of carcass remains for deer and elk as it pertains to chronic wasting disease.

CURRENT RULE 41:06:03:15. Chronic Wasting Disease endemic area defined. For purposes of §§ 41:06:03:16 through 41:06:03:19 and § 41:09:11:07 an endemic area is defined as any firearm deer or elk hunting unit in which any portion of a county confirms the presence of chronic wasting disease. In addition, any deer harvested during the archery, muzzleloader, and apprentice deer seasons and any elk harvested from Unit PRE-WRA within a county where chronic wasting disease has been confirmed would be subject to §§ 41:06:03:16 through 41:06:03:19 and § 41:09:11:07.

RECOMMENDED RULE Repeal existing rule.

CURRENT RULE 41:06:03:16. Interstate cervid carcass transportation restriction. Whole or partial cervid carcasses and head with antlers attached may not enter this state unless delivered to a licensed taxidermist, a game processor, or to the hunter's domicile. Cervid carcasses passing through the state are exempt from this section. The provisions of this section are effective July 1, 2020.

RECOMMENDED RULE 41:06:03:16. Interstate cervid carcass transportation and disposal requirement. Unless delivered to a licensed taxidermist or game processor, anyone transporting whole or partial cervid carcasses from another state into South Dakota shall dispose of all remaining cervid carcass parts with a waste management provider or a permitted landfill. Whole or partial cervid carcasses being transported through the state are exempt from this section.

CURRENT RULE 41:06:03:17. Intrastate cervid carcass transportation restriction. Whole or partial cervid carcasses and head with antlers attached may not be transported from an endemic area unless delivered to a licensed taxidermist, a game processor, or to the hunter's domicile. The provisions of this section are effective July 1, 2020.

RECOMMENDED RULE Repeal existing rule.

CURRENT RULE 41:06:03:18. Carcass disposal for hunter-harvested cervid. A person who transports cervid carcass parts from outside this state shall dispose of all remaining cervid carcass parts through a waste management provider or a permitted landfill. A person who transports cervid carcass parts from an endemic area in this state shall dispose of all remaining cervid carcass parts through a waste management provider or a permitted landfill. Cervid carcasses taken from an endemic area in this state that test negative for the disease are exempt from this section. The provisions of this section are effective July 1, 2020.

RECOMMENDED RULE 41:06:03:18. Intrastate cervid carcass transportation and disposal requirement. Unless delivered to a licensed taxidermist or game processor, anyone transporting

whole or partial cervid carcasses from the county of harvest shall dispose of all remaining cervid carcass parts with a waste management provider or a permitted landfill.

CURRENT RULE 41:06:03:19. Carcass disposal for wildlife processing facilities. Wildlife processing facilities, as defined by § 41:06:03:10, shall dispose of all remaining cervid carcass parts obtained from outside this state through a waste management provider or a permitted landfill. Wildlife processing facilities shall dispose of remaining cervid carcass parts obtained from an endemic area within this state through a waste management provider or a permitted landfill. Game processors licensed by another state or federal entity shall dispose of carcasses as required by the conditions associated with the license. The provisions of this section are effective July 1, 2020.

RECOMMENDED RULE 41:06:03:19. Carcass disposal for wildlife processing facilities. Wildlife processing facilities, as defined by § 41:06:03:10, shall dispose of all remaining cervid carcass parts with a waste management provider or permitted landfill. Game processors licensed by another state or federal entity shall dispose of carcasses as required by the conditions associated with their license.

CURRENT RULE 41:09:11:07. Cervid carcass disposal. A taxidermist shall dispose of remaining cervid carcass parts obtained from another state into South Dakota through a waste management provider or a permitted landfill. A taxidermist shall dispose of remaining cervid carcass parts obtained from a known chronic wasting disease endemic area within this state through a waste management provider or permitted landfill. The provisions of this section are effective July 1, 2020.

RECOMMENDED RULE 41:09:11:07. Cervid carcass disposal for taxidermist. A taxidermist shall dispose of all remaining cervid carcass parts with a waste management provider or permitted landfill.

Motioned by Whitmyre, second by Locken TO APPROVE THE CHANGES AS RECOMMENDED. Motion carried unanimously.

DIVISION OF PARKS AND RECREATION

Bridge City Lease Extension

Scott Simpson, parks and recreation division director, presented an amendment to extend the Bridge City lease for an additional 5 years.

Motioned by Whitmyre, second by Bies TO APPROVE THE BRIDGE CITY LEASE EXTENSION. Motion carried unanimously.

Lake Hiddenwood Access Road

Adam Kulesa, planning and development administrator, provided information to the commission included a background of the recreation area, explanation of the earthen dam/spillway breach that happened in 2018, and details about the latest proposal to restore access to the recreational area. The new proposed access road will come from the west and tie into the existing road infrastructure to access the park. Coordination with the local non-profit group is ongoing to see this project through completion. The department has committed to \$50,000 towards completion and the remaining will be come from local fundraising, volunteer labor, equipment, and donated materials.

Spring Creek Renovations

Brandon Brake, park manager, explained the Spring Creek Recreation Area is in the process of remodeling cabin 10, part of the restaurant kitchen and the C store. Cabin 10 has been placed on new concrete pillars to level it. The kitchen has a new wall behind the dishwasher with washable backsplash. The c store has new floor and has been partially shipped lapped with cedar planks from the old C dock. Our team has been very successful, and we are proud of our craftsmanship.

Swan Creek Indoor Fish Cleaning Station

Ryan Persoon, District Park Supervisor, presented information on the partnership between GFP and the SD Walleye Classic Inc. at Swan Creek Recreation Area. This partnership resulted in the construction of an indoor facility to provide sportsmen and women a heated and cooled place to clean their catch at all times of the year. This indoor fish cleaning facility enhances year-round recreational opportunities at Swan Creek Recreation Area and is a large economic benefit for the local community by drawing fishermen who take advantage of such a state-of-the-art facility.

Regional Technical Education Center Training

Lewis & Clark Recreation Area District Park Supervisor Shane Bertsch gave a presentation on an investment that was made in park staff. Park Maintenance Technical Training was held January 25 – 29, 2021 and February 8-12 at the Regional Technical Education Center in Yankton for 20 recently hired park maintenance and park managers from state parks and recreation areas across the state. Participants plan to pass on the training to other permanent and seasonal staff they work with in their parks. The cost per student for the 2 weeks of training was \$1,650.

DIVISION OF WILDLIFE

Nest Predator Bounty program

Keith Fisk presented the recommendation to extend the nest predator bounty program for 2021 and 2022. He explained the primary goal of the program is to enhance nest success for pheasants and ducks at localized levels by removing primary nest predators, like raccoons, striped skunks, opossums, red fox and badgers from the landscape. It is designed to increase youth and family participation in understanding and experiencing the tradition of trapping while enhancing our strong outdoor heritage.

Whitmyre noted it used to be 16 and under to trap without a license and new legislation makes it 18 and under. Pushed hard to begin trapping in March, could we make March a youth component for 2022 since we cannot in 2021.

Fisk explained the program requires a license to participate and if you begin the program April 1 it aligns with statutory requirements and for 2022 we would be able to allow the early start in March for youth as they will not require a license.

Whitmyre said while he would like to see the program start early, he does not want people to think they do not need a furbearer license to participate.

Fisk followed up noting the program will run from April 1-July 1, 2020 (unless \$500,000 cap is met) and March 1 -April 1 (for youth under 18 years of age) and then April 1-July 1 for all other participants (unless \$500,000 cap is reached).

Motioned by Whitmyre, second by Bies TO ADOPT RESOLUTION 21-06 (APPENDIX C) IMPLEMENTING THE NEST PREDATOR BOUNTY PROGRAM FOR 2021 AND 2022. Motion carried unanimously.

Wildlife Damage Management Strategic Plan

Kanta provided the Commission the wildlife damage management strategic plan for their approval.

Motioned by Whitmyre, second by Bies TO APPROVE THE WDM STRATEGIC PLAN. Motion carried unanimously.

Wild Turkey Management Plan

Chad Lehman presented the wild turkey management plan for the Commission's approval.

Motioned by Bies, second by Whitmyre TO APPROVE THE WILD TURKEY MANAGEMENT PLAN. Motion carried unanimously.

Land Donation – Pennington County

Paul Coughlin presented information regarding a land donation from Pennington County of the Wicksville Dam area. GFP has been managing Wicksville Dam as a GPA, but the County desires to transfer title to GFP. Resolution 21-05 in support of accepting the property was presented and adopted unanimously by the GFP Commission.

Motion by Bies, second by Spring TO ADOPT RESOLUTION 21-05 (APPENDIX B) AUTHORIZING THE TRANSFER OF THE WICKSVILLE DAM GAME PRODUCTION AREA TO GFP FROM PENNINGTON COUNTY. Motion carried unanimously.

Canada Goose Management Plan

Rocco Murano, senior wildlife biologist, presented a detailed PowerPoint on the Canada Goose Management plan.

Motioned by Whitmyre, second by Locken TO APPROVE THE CANADA GOOSE MANAGEMENT PLAN. Motion carried unanimously.

Preserve Update

Mark Ohm, Regional Supervisor, provided a brief update on private shooting preserve participation numbers. Records from the 2019-2020 season were analyzed. Almost 45,000 lines of records were entered and compared with the license database. These records indicated that 20,679 individuals hunted on preserves during this season which included 16,787 non-resident hunters, 3,561 resident hunters, and 331 that were not found in the license database. An electronic record database is being developed for

preserve operators to use that will be more efficient and more accurate than current record keeping/reporting processes.

Habitat and Access Update

Coughlin presented an update regarding Wildlife Division efforts to develop a Habitat and Access Plan. Priorities are to thoroughly examine aspects of the Private Lands Habitat Program, the Hunting and Fishing Access programs, and the public land management programs, and developing recommendations to reprioritize resources towards aquatic and terrestrial habitat and access efforts. A plan is scheduled to be available for implementation by July. Coughlin then presented information about 2020 Habitat Stamp projects completed on GPAs, and a rundown of projects slated for completion in 2021.

Jason Jungwirth, senior fisheries biologist, provided a PowerPoint presentation regarding Aquatic habitat stamp funds which will be spent on three types of projects: 1) Large scale lake restorations, 2) Small scale habitat and access projects, and 3) Dam maintenance projects. A number of aquatic habitat stamp projects have already been completed including Long Lake boat ramp updates, Murdo Dam spillway repair and Belvidere Lake spillway repair. Partnerships have been and will continue to be critical in maximizing the amount of projects that are accomplished.

Lake Alvin and Fairfax Dam Updates

Jason Jungwirth, senior fisheries biologist, presented information on two projects that have directly benefited from habitat stamp funds are the Fairfax Dam repairs and the Lake Alvin major restoration effort. Issues that were addressed in the Fairfax Dam repairs were filling a large void under the spillway, seepage under the spillway, concrete deterioration, leveling the embankment, grading and armoring the approach channel and updating the rip rap. Making this a joint, well rounded project, all the trails were updated with a new gravel base and the terrestrial staff is in the process of a new shrub planting on the Game Production Area. The Lake Alvin major restoration project is an update on the progress that has been made since the idea was presented to the Commission about a year ago. A GFP regional work group has been formed to work toward the restoration effort. A couple meetings have taken place to better define the issues and start working on developing the desired outcomes. Plans are to continue with internal meeting, start reaching out to potential stakeholders/partners and to start the process of hiring a professional engineering firm that specializes in this type of work.

Lake Francis Case and Lewis & Clark Fisheries Updates

Chris Longhenry, fisheries biologist presented an update on the fisheries at Lake Francis Case and Lewis and Clark.

License Sales Update

Heather Villa, administrations chief, provided an update on resident and nonresident license sales.

Adjourn

Meeting adjourned at 11:05 a.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Kevin Robling', with a stylized flourish at the end.

Kevin Robling, Interim Department Secretary

Appendix A
RESOLUTION 21-04
BIG GAME DEPREDATION HUNTS

WHEREAS, pursuant to SDCL 41-6-29.1, the Game, Fish and Parks Commission may authorize the Secretary of the Department of Game, Fish and Parks to issue a specific number of depredation permits to respond to property damage by game animals that cannot be resolved by any other method, and the Commission has promulgated rules to provide for big game depredation hunts designed to assist in reducing wildlife damage to property by big game species (deer, elk, antelope, and turkey); and

WHEREAS, applications for depredation permits have been received and a random drawing held to establish the lists of depredation pool hunters for each county or area; and

WHEREAS, it is anticipated that high populations of big game animals may cause property damage which in some instances cannot be resolved by any other method except by reducing the number of animals in a specific geographic area;

NOW, THEREFORE BE IT RESOLVED, that for the next three years (2021, 2022 and 2023) the Game, Fish and Parks Commission authorizes the Secretary of the Department of Game, Fish and Parks or his designee to issue no more than 600 permits plus an additional 200 landowner/operator permits) for each species (deer, antelope and turkey) per year and no more than 100 elk depredation permits per year, as the Secretary may deem necessary to respond to property damage caused by big game animals.

BE IT FURTHER RESOLVED, that in issuing all big game depredation permits, the Secretary of the Department of Game, Fish and Parks or his designee is authorized to establish when and where each permit is valid and the number, species, and sex of the big game animals permitted to be taken by the holder of each big game depredation permit.

BE IT FURTHER RESOLVED, this resolution shall replace in its entirety Resolution No. 16-13 previously adopted by this Commission to authorize the Secretary to issue depredation permits to respond to property damage caused by big game animals.

Appendix B
RESOLUTION 21-05

WHEREAS, the South Dakota Department of Game, Fish, and Parks (GFP) has expressed an interest in acquiring real property (Property) presently owned by Pennington County, which Property is described as:

The NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 in Township 2 North, Range 13 East of the BHM, Pennington County, South Dakota, containing 40 acres, more or less; and

WHEREAS, Pennington County, acting through its elected Board of County Commissioners, desires to gift and transfer title to the Property to GFP for use as a Game Production Area, conditional on its continued use for wildlife habitat, public hunting and fishing access, and other wildlife related outdoor activities; and

WHEREAS, the Department has for the previous 50 years managed the Property as the Wicksville Dam Game Production Area under a long-term Management Agreement with Pennington County, acting through its elected Board of County Commissioners; and

WHEREAS, the Department has evaluated and determined the Property continues to serve very well as a Game Production Area, offering wildlife habitat, public hunting and fishing access, and other wildlife related outdoor recreational opportunities; and

WHEREAS, the Department is authorized to accept gifts of property for Game Production Areas per SDCL 41-2-19, and desires to accept the gift of the Property upon confirmation of the gift by the Game, Fish and Parks Commission; and

WHEREAS, the Game, Fish and Parks Commission desires to acknowledge the Department's acceptance of this gift of the Property for continued use as a Game Production Area from Pennington County, acting through its elected Board of County Commissioners, and further acknowledge the extreme generosity and vision of the Pennington County Commission in taking such action to ensure outdoor recreation opportunities are available to all South Dakotans and visitors.

NOW, THEREFORE, BE IT RESOLVED, that the Game, Fish and Parks Commission does hereby confirm the decision by the Department to accept the transfer and gift of the Property from Pennington County, acting through its elected Board of County Commissioners, conditional on its continued use as a Game Production Area offering wildlife habitat, public hunting and fishing access, and other wildlife related outdoor recreational opportunities.

BE IT FURTHER RESOLVED that the Game, Fish and Parks Commission, on behalf of the citizens and sportspersons of South Dakota, does hereby acknowledge and express its deepest appreciation and gratitude to Pennington County, acting through its elected Board of County Commissioners for their generosity, and further acknowledge the outdoor recreation opportunities this gift will provide to South Dakotans and visitors for many years to come.

Appendix C
RESOLUTION 21-06

WHEREAS, pursuant to SDCL 40-36-9, SDCL 41-2-16, and SDCL 41-2-34, the Department of Game, Fish and Parks may conduct programs to control wild animals. The removal of nest predators from the landscape can enhance the nest success of pheasants, ducks and other ground nesting birds in South Dakota. Furthermore, such programs have proven to expose people to the trapping tradition and the outdoors; and

WHEREAS, Predator removal efforts on properties with habitat to increase nest success of pheasants and ducks has been used as a management technique in South Dakota for decades; and

WHEREAS, intensive predator removal efforts can enhance nest success of pheasants and ducks at localized levels when implemented at high intensities during the nesting season; and

WHEREAS, the Department of Game, Fish and Parks has previously operated this program and paid all expenditures for this program from the fund established in SDCL 41-2-34 (license dollars) and plans to utilize these funds for 2021 and 2022.

Now, therefore be IT resolved, that the Game, Fish and Parks Commission recognizes the Department of Game, Fish and Parks' desire to conduct the Nest Predator Bounty Program for 2021 and 2022 and proposes the following: 1) an expenditure of ten dollars per tail not to exceed \$500,000 for the bounty of nest predators each year, 2) participation is limited to South Dakota residents, 3) participants under the age of 16 and landowners harvesting nest predators from their own land are not required to have a license. All other participants must have a hunting, fishing, or trapping license, 4) during the 2022 program, from March 1 to April 1, only youth under the age of 18 will be eligible to participate and no license is required, 5) beginning April 1, 2022 all other ages may begin to participate but must have a hunting, fishing or trapping license for 2022 (except participants under the age of 18 and landowners harvesting nest predators from their own land) .

BE IT FURTHER RESOLVED, that the Nest Predator Bounty Program shall be operated from April 1 to July 1, 2021 and March 1 to July 1, 2022, to coincide with spring activity/movements of nest predators and the primary nesting season of pheasants, ducks, and other ground nesting birds. The method of take includes the shooting and trapping of nest predators in South Dakota. Some of these goals include but are not limited to: removal of 50,000 nest predators, expand the ETHICS SD program by 20%, and have 20% of bounty participants under the age of 18.

**Public Hearing Minutes of the Game, Fish and Parks Commission
March 4, 2021**

The Commission Vice chair Doug Sharp began the public hearing at 2:00 p.m. CT via conference call. Commissioners Travis Bies, Jon Locken, Russell Olson, Charles Spring, and Robert Whitmyre were present. Kotilnek indicated written comments were provided to the Commissioners prior to this time and will be reflected in the Public Hearing Minutes. Kotilnek then invited the public to come forward with oral testimony. Written comments attached.

Aerial Permit Adjustments

No verbal comments

Big Game Ammo Minimum Size and Type

Jeremy Silko – Rapid City, SD agrees with the verbiage to note it as expanding ammo.

Nonmeandered Waters Transportation Lane Process

Nancy Hilding, Prairie Hills Audubon Society – Black Hawk, SD raised a point of order that this may not be a legal meeting if Governor Noem appointed commissioners and they are not present. Voiced concerns about the process for NM transportation lanes. As for the most direct path language she feels it should be modified to sure it is safely navigable to ensure it is safely

Waterfowl Refuge

No verbal comments

Waterfowl Season Recommendations

No verbal comments

Public Lands and Waters

No verbal comments

The public Hearing concluded at 2:10 p.m.

Respectfully Submitted,



Kevin Robling, Interim Department Secretary