

**Minutes of the Game, Fish, and Parks Commission
June 3-4, 2021**

Chairman Russell Olson called the meeting to order at 1:00 p.m. CT. Commissioners Travis Bies, Jon Locken, Russell Olson, Doug Sharp, Charles Spring, Robert Whitmyre. Public and staff were able to listen via SDPB livestream and participate via video conference, conference call or in person call with approximately 50 total participants via zoom.

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 May 6-7, 2021 regular meeting minutes or a motion for approval.

Motion by Whitmyre with second by Bies TO APPROVE THE MINUTES OF THE May 6-7, 2021 MEETING. Motion carried unanimously.

Additional Commissioner Salary Days

Olson called for additional salary days. None were requested.

Budget Adjustments

Chris Petersen, administration division director, detailed the FY2022 operating budget for GFP and outlined necessary budget adjustment to cover increased cost for employee health insurance benefits. He explained the legislative budget process and timeline for FY22 implementation.

Motion by Whitmyre, second by Locken TO AUTHORIZE THE DIVISION OF WILDLIFE OPERATIONS BUDGETS, WILDLIFE CAPITOL DEVELOPMENT BUDGET AND SNOWMOBILE TRAILS BUDGET AS PRESENTED FOR FY2022. Motioned carried unanimously.

Nest Predator Bounty Program

Keith Fisk provided an update on the bounty program

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.

Justin Broughton, South Dakota Bowhunters/Pope and Young Club, Sioux Falls, SD, spoke in support of the 4 petitions put forward by SDBI related to elk license allocation, NR fee increases, and tag caps on NR archery deer and antelope seasons.

John Almont Sioux Falls, SD said he would like to discuss in person a better rate for seniors. - Not present or online

Nancy Hilding, 6300 West Elm, Black Hawk, SD 57718 or Prairie Hills Audubon Society, P.O. Box 788, Black Hawk, SD 57718 spoke regarding her concerns wanted to know if meetings will continue to be virtual so she doesn't need to travel to testify. She also noted she could not locate some of the minutes in the website archives.

Chris Burkholder, Gregory, SD wanting to get fishing and hunting license but couldn't obtain because they didn't have a photo id. Have spoken with Commissioner Bies and are inquiring what they can do to legally hunt in SD. Kotilnek followed up to let him know staff will be in contact with them to get the proper alternative documentation.

Rosie Smith, Glacial Lakes Tourism provided a brief update regarding current tourism promotion efforts noting how anxious people are to be out visiting South Dakota.

PETITIONS

Kirschenmann explained the petition process and introduced the petition received and presented the departments position

Archery Elk Licenses

Dana Rogers, petitioner presented his petition to Increase Archery Elk tag allocation to the equivalent percentage of archery first choice applications versus firearms first choice applications. Given review of the historical application vs. tag allocation data and the much lower average success rate, we request a review and change to add an additional 10% of opportunities for archery permits.

Motioned by Sharp, second by Whitmyre TO DENY THE PEITION. Motion carried unanimously.

Motioned by Sharp, Second by Locken TO APOPT RESOLUTION 21-11 (Appendix A) DENYING THE PETION. Motion carried unanimously.

Nonresident Archery Antelope Licenses

Dana Rogers, petitioner presented his petition to Change to an unlimited number of RESIDENT "any antelope" licenses may be issued for this season. Non- Residents can apply for ONE archery antelope permit (150 Maximum). Create a new unit PL1-41 eligible to non-residents, which would be good on private lands only for Any Antelope. No tag limit would be in effect for this unit. No person may apply for a license in PL1-41 without meeting the following conditions: 1) The applicant must have permission from an owner or lessee of private land to hunt antelope on the owner or lessee's property located within the state. 2) The applicant includes the name and telephone number of the owner or lessee of the private property granting the permission.

Motioned by Sharp, second by Locken TO DENY THE PEITION. Motion carried unanimously.

Motioned by Bies, Second by Whitmyre TO APOPT RESOLUTION 21-12 (Appendix B) DENYING THE PETION. Motion carried unanimously.

Nonresident Archery Deer Licenses

Dana Rogers, petitioner presented his petition to make the following changes – Unlimited RESIDENT any Mule Deer Buck/Any Whitetail deer licenses may be issued for units ARD-ST1, ARD-ER1, and ARD-WR1 and unlimited RESIDENT antlerless whitetail deer licenses may be issued for unit ARD-LM1. Non-Residents are eligible to apply for ONE Any Mule Deer Buck/Any Whitetail archery deer permit in unit ARD-ST1 with a license quota of 2,000 non-resident tags issued. These license would be good on public and private lands. The application deadline for this drawing should remain April 1. Create a new unit ARD-PL1 for non-resident archers which would be good on private lands only for Any Deer. No person may apply for a license in ARD-PL1 without meeting the following conditions: 1) The applicant must have permission from an owner or lessee of private land to hunt deer on the owner or lessee's property located within the state. 2) The applicant includes the name and telephone number of the owner or lessee of the private property granting the permission.

Motioned by Sharp, second by Bies TO DENY THE PEITION. Motion carried unanimously.

Motioned by Whitmyre, Second by Spring TO APOPT RESOLUTION 21-13 (Appendix C) DENYING THE PETION. Motion carried unanimously.

Big Game License Fees

Dana Rogers, petitioner presented his petition to change (39) Nonresident deer or antelope one-tag license, \$286; to (39) Nonresident deer or antelope one-tag license, \$435. Stipulate that all big game applicants MUST first purchase a small game license prior to application. (29) Nonresident small game license: (a) Sixteen years of age and older, \$115. (65) Any unit, other than elk, bighorn sheep, or mountain goat, for which no licenses have been allocated for the purpose of acquiring a preference point or any unit where a preference point is awarded for an unsuccessful application for license: (b) Nonresident, \$10. change to \$25

Motioned by Bies, second by Whitmyre TO DENY THE PEITION. Motion carried unanimously.

Motioned by Locken, Second by Bies TO APOPT RESOLUTION 21-14 (Appendix D) DENYING THE PETION. Motion carried unanimously.

DIVISION OF PARKS AND RECREATION

Lewis and Clark Resort Lease Extension

Scott Simpson, parks and recreation division director, presented a request to extend the lease at Lewis and Clark Resort. The concessionaire is looking to bring 4 bedroom lodges and additional campsites to Lewis and Clark. GFP would provide the 13 acres of land and concessionaire would provide capital of 1.2 Million dollars of investment. In doing this we request an extension to the lease for 9 years to allow the concessionaire to re-coop on his investment. This would be approximately \$10,000 of additional revenue to the department each year. This is a viable concession therefor the department is requesting and extension to this lease at the 5% for 9 years as we are currently receiving \$50,000 - \$60,000 in revenue.

Motioned by Bies, second by Locken TO APPROVE THE REQUEST AS PRESENTED. Motion carried unanimously.

Bush's Landing Ramp Project

Simpson provided an update on the boat ramp at Bush's Landing

Lake Vermillion Recreation Area Campground Expansion Project

Derek Door, park manager, provided a powerpoint explaining the campground expansion project at Lake Vermillion Recreation Area.

Good Earth State Park Programming Update

Jim Henning, park manager, provided an update on the programming provided at Good Earth State Park.

Revenue, Camping and Visitation Report

Al Nedved, Parks and Recreation Deputy Director, provided May's revenue, visitation and camping report. Park use and visitations continues to look strong for 2021 with increases in all three from last year.

DIVISION OF WILDLIFE

WDM Plan Update

John Kanta, terrestrials chief and wildlife regional supervisors, provided an update on the wildlife damage management plan.

AIS Field Operations and Communications Update

John Lott, fisheries chief, presented an update on aquatic invasive species field operations and communications.

GPA Disposal Evaluation and Next Steps

Paul Coughlin, program manager, presented information on GPA disposal evaluation and list of property that will be presented at future meetings for commission action.

Ducks Unlimited Addition to Renziehausen GPA

Coughlin provided information on the Ducks Unlimited Addition to Renziehausen GPA consisting of 160 acres in Marshall County that would be donated to GFP. These Parcels that improve public use on and access to existing Department lands; in-holding and round-out parcels that consolidate or connect existing Department lands; and parcels that facilitate more efficient and effective wildlife habitat or recreation management and development activities on existing Department lands

Ulmer Wilderness GPA Addition

Coughlin provided information on the Ulmer Wilderness GPA Addition located 20 miles northwest of Yankton at a cost of \$45,600.

Fall Turkey Hunting Season

Kanta provided information on the fall turkey hunting season.

Bighorn Sheep Auction Tag Summary

Kanta provided information on the bighorn sheep auction tag.

License Sales Update

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

Adjourn

Meeting adjourned at 8:35 a.m.

Respectfully Submitted,



Kevin Robling, Department Secretary

Appendix A
RESOLUTION 21-11

WHEREAS, Dana Rogers of Hill City, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated May 27, 2021, requesting that the Game, Fish and Parks Commission amend ARSD Chapter § 41:06:43:01 (Archery elk hunting season established) – to modify the allocation of licenses available for the archery elk hunting season for the reasons more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL §1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of modifying the allocation of licenses available for the archery elk hunting season; and

WHEREAS, increasing archery elk licenses will deviate from the current elk management plan; and

WHEREAS, the 2021 elk hunting season is already set and the drawing is finished for the 2021 hunting season; and

WHEREAS, archery elk license allocation is a topic be further discussed through the public comment for the revised elk management action plan.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution as adopted by the Commission shall constitute the Commission’s written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission's discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission's discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Dana Rogers of Hill City, South Dakota.

Appendix B
RESOLUTION 21-12

WHEREAS, Dana Rogers of Hill City, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated May 27, 2021, requesting that the Game, Fish and Parks Commission amend ARSD Chapter § 41:06:24:01 (archery antelope hunting season) – to limit the number of nonresident archery antelope licenses for the reasons more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL §1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of limiting the number of nonresident archery licenses; and

WHEREAS, the limitation of licenses may reduce nonresident archery hunter recruitment, retention, and reactivation; and

WHEREAS, the limitation of licenses will reduce nonresident hunter opportunity; and

WHEREAS, allocation of all limited-draw licenses, including antelope, will be a topic of discussion during the evaluation of the current deer license drawing process that will be conducted prior to making applications available for the 2022 hunting limited-draw seasons; and

WHEREAS, the Department will begin accepting applications shortly for resident and nonresident license under the current allocation structure.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution as adopted by the Commission shall constitute the Commission's written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission's discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission's discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Dana Rogers of Hill City, South Dakota.

Appendix C
RESOLUTION 21-13

WHEREAS, Dana Rogers of Hill City, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated May 27, 2021, requesting that the Game, Fish and Parks Commission amend ARSD Chapter § 41:06:22:01 (archery deer hunting season established) – to limit the nonresident archery licenses available for the reasons more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL §1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of limiting the number of nonresident archery licenses; and

WHEREAS, the limitation of licenses would reduce nonresident archery hunter recruitment, retention, and reactivation; and

WHEREAS, the limitation of licenses will reduce hunter opportunity; and

WHEREAS, allocation of all limited-draw licenses, including nonresident archery, will be a topic of discussion during the evaluation of the current deer license drawing process that will be conducted prior to making applications available for the 2022 deer hunting limited-draw seasons; and

WHEREAS, the Department has already begun processing nonresident archery deer applications under the current allocation structure.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution

as adopted by the Commission shall constitute the Commission's written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission's discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission's discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Dana Rogers of Hill City, South Dakota.

Appendix D
RESOLUTION 21-14

WHEREAS, Dana Rogers of Hill City, South Dakota, submitted a Petition to the Game, Fish and Parks Commission (Commission) dated May 27, 2021, requesting that the Game, Fish and Parks Commission amend ARSD Chapter § 41:06:02:03 (hunting license fees) – to increase the fee for nonresident licenses for the reasons more fully set out in the petition (hereinafter referred to as “the Petition”); and

WHEREAS, all members of the Commission have been furnished with and have reviewed a copy of the Petition; and

WHEREAS, the Commission has been advised that a copy of the Petition has been served on all members of the Interim Rules Review Committee and Director of the Legislative Research Council as required by SDCL § 1-26-13; and

WHEREAS, the Commission has been advised that SDCL § 1-26-13 requires that within thirty (30) days of submission of a Petition, the Commission shall either “deny the petition in writing (stating its reasons for the denials) or shall initiate rule-making proceedings in accordance with SDCL 1-26-4.”; and

WHEREAS, the Commission has been advised and is of the opinion that a hearing on the Petition is neither statutorily required nor necessary; and

WHEREAS, the Commission has reviewed and carefully considered the requirements and procedures set out in SDCL §1-26-13 and the contents of the Petition, including the reasons advanced by the Petitioner in support of increasing the fee for nonresident licenses; and

WHEREAS, the fee increase may reduce nonresident archery hunter recruitment, retention, and reactivation; and

WHEREAS, the legislature recently passed the requirement to obtain a habitat stamp for residents and nonresidents at a fee of \$10 and \$25 respectively; and

WHEREAS, nonresidents already pay a significant amount more for licenses compared to residents; and

WHEREAS, the Department will soon begin accepting applications for the 2021 hunting season under the current pricing structure.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby deny the Petition for the reasons hereinabove stated in this Resolution, which said Resolution

as adopted by the Commission shall constitute the Commission's written denial of the Petition and its reasons therefore.

BE IT FURTHER RESOLVED that the Petition, a record of the Commission's discussions concerning same, and this Resolution be made a part of the Minutes of the Commission meeting at which this Resolution is adopted, and further, that the Department be and it is hereby authorized and directed in compliance with SDCL §1-26-13 to serve a copy of an extract of that portion of the Commission minutes which pertain to the Commission's discussion of the Petition and its adoption of this Resolution, including a copy of the Resolution, on all members of the Interim Rules Review Committee and Director of the Legislative Research Council with copies also to be provided to the Petitioner, Dan Rogers of Hill City, South Dakota.