

Minutes of the Game, Fish, and Parks Commission
August 4-5, 2010

Chairman Kemink called the meeting to order at 1:06 pm at the Aberdeen Ramada Convention Center. Commissioners Randy Kemink, Jeff Olson, Mike Authier, John Cooper, Susie Knippling, Jim McMahon, and Jim Spies were present. Department Secretary Jeff Vonk was present along with media, staff, and public numbering about seventy.

Motion by Authier with second by Knippling TO GO INTO EXECUTIVE SESSION REGARDING PENDING LITIGATION. Motion carried unanimously. Executive session began at 1:08 PM and concluded at 1:44 PM.

Division of Administration

Action items:

Chairman Kemink requested any additions, corrections, and/or approval of the July minutes. Motion by McMahon with second by Olson TO APPROVE THE JULY MINUTES AS PRESENTED. Motion carried unanimously.

Kemink asked for any additional Commissioner salary days Olson requested 4, McMahon requested 2, Knippling requested 1, Cooper requested 1, Kemink requested 2, and Spies requested 1.

Motion by Authier with second by Spies TO APPROVE THE ADDITIONAL SALARY DAYS AS REQUESTED. Motion carried unanimously.

License list requests:

Lee's Meats & Sausage of Tea, SD requested a list of 2010 East River deer license holders for a mailing to promote the business. This would be at full fee.

Motion by Authier with second by Cooper TO APPROVE THE LICENSE LIST REQUEST FROM LEE'S MEATS & SAUSAGE AS PRESENTED. Motion carried unanimously.

Rock Communications, Ltd. representing Scheels All Sports requested a list of resident pheasant, waterfowl, and deer hunters for a direct mailing. This would be at full fee.

Motion by Cooper with second by Spies TO APPROVE THE LICENSE LIST REQUEST FROM ROCK COMMUNICATIONS, LIMITED AS PRESENTED. Motion carried unanimously.

Sunrise Custom Apparel of Spokane, WA, requested a list of the SD Pheasant Hunting Preserves to promote custom embroidered and silk screen products. This would be at full fee.

Motion by McMahon with second by Cooper TO APPROVE THE LICENSE LIST REQUEST FROM SUNRISE CUSTOM APPAREL AS PRESENTED. Motion carried unanimously.

The Custer Chamber of Commerce requested a list of 2010 elk license holders to promote Custer. The fee for this would be waived.

Motion by Authier with second by Olson TO APPROVE THE LICENSE LIST REQUEST FROM CUSTER CHAMBER OF COMMERCE AS PRESENTED. Motion carried unanimously.

Country Meats and Specialties of Harrisburg requested a list of 2010 antelope, elk, and deer license holders to mail a flyer with wild game processing information and prices. This list would be at full fee.

Motion by Olson with second by Spies TO APPROVE THE LICENSE LIST REQUEST FROM COUNTRY MEATS AND SPECIALTIES AS PRESENTED. Motion carried unanimously.

Nancy Turbak Berry for Senate requested a list of Sportsman's or General hunting license holders, 18 years of age or older in the Watertown area, to do a mailing for the 2010 campaign. This would be a full fee.

Motion by Authier with second by Spies TO APPROVE THE LICENSE LIST REQUEST FROM NANCY TURBAK BERRY AS PRESENTED. Motion carried unanimously.

Information items:

Director Petersen presented the License Sales Report ending July 27, 2010, indicating the seven months of fish license sales represents approximately 80% of projected sales. Current resident small game license sales are down 3.5%, resident annual fishing is down 2.3%, and nonresident annual fishing sales are down 5.7% for an overall 4.51% decline of sales. The decline in fishing license sales is estimated to represent a decrease of \$180,000 in revenue.

Petersen share a draft 2011 Commission meeting schedule for review and will become an action item at the next meeting.

Open Forum for Public Comment:

Tim Kessler welcomed the Commission to Aberdeen and Commissioner Cooper thanked staff for the tour of the Bluedog Fish Hatchery and goose depredation sites today.

Ty Smith and daughter, Regan, from Warner asked the Commission to consider allowing bowfishing for nongame fish in the northeast and begin earlier than April 24. He supports opening the lakes to bowfishing and keeping the streams closed.

Arnie Goldade of Aberdeen expressed his concerns regarding vandalism to vehicles belonging to fishermen while at Lake Jesse near Bristol.

Lee Cummings a business owner in the Black Hills indicated the fewer licenses available for elk and deer affects his business and is concerned about the population of mountain lions and decline in the deer population.

Public Hearing

The Public Hearing began at 2:00 PM and concluded at 2:04 (minutes attached).

Finalizations

Boat License Fees 41:04:05

Operations Director Bob Schneider presented no recommended changes to the proposal that will allow boat owners to renew boat licenses at the same time as other vehicles and trailers they own through the online process or at the County Treasurer's Office. This change was promoted by the Department of Revenue and would have a positive revenue impact of approximately \$23,000 per year.

1. Nonmotorized boats over 12 feet and boats propelled solely by electric trolling motors: 1 year-\$12.50, ~~3 years-\$25~~. Nonmotorized canoes owned by nonprofit youth organizations are exempt from license requirements when being used for organizational activities;
2. Motorboats under 19 feet: 1 year-\$20, ~~3 years-\$55~~;
3. Motorboats 19 feet and over: 1 year-\$40, ~~3 years-\$110~~;
4. Temporary fishing tournament boat license: 10 consecutive days-\$50.

Boat Licensing Period 41:04:05

Schneider presented no changes to the proposal.

1. **41:04:05:01.02. Licensing period.** Applicants may apply for either an annual or ~~three-year~~ license, except for a temporary fishing tournament boat license, which is valid for 10 consecutive days.

Motion by Knippling with second by Cooper TO FINALIZE CHANGES TO THE BOAT LICENSING PERIOD 41:04:05 AND TO BOAT LICENSE FEES 41:04:05 AS PROPOSED. Motion carried unanimously.

Duck Hunting Season 41:06:16

Chief Tom Kirschenmann presented the duck season proposed changes with no recommended changes to the proposal.

1. Increase the pintail daily limit from 1-2.

Motion by Olson with second by McMahon TO FINALIZE CHANGES TO DUCK HUNTING SEASON 41:06:16 AS PROPOSED. Motion carried unanimously.

Goose Hunting Season 41:06:16

Kirschenmann indicated the Service Regulations Committee of the US Fish and Wildlife Service did not approve the Central Flyway Council recommended increase of the daily bag limit of Canada geese and position limit of 8. Therefore, the daily bag limit of 3 and possession limit of 6 should be retained.

Motion by McMahon and second by Olson TO AMEND TO RETAIN THE DAILY BAG LIMIT OF 3 AND POSSESSION LIMIT OF 6 CANADA GEESE. Motion carried unanimously.

Motion by Olson with second by Spies TO FINALIZE THE GOOSE HUNTING SEASON 41:06:16 AS AMENDED. Motion carried unanimously.

Division of Parks and Recreation

Action items:

Custer State Park Mountain Lion Hunting Season

Chad Lehman presented the restrictions and license forms and fees to create a Custer State Park Mountain Lion Hunting Season indicating a majority of the public supports a reduction of mountain lions in the Black Hills which includes Custer State Park (CSP) and this season would allow additional harvest of lions. The recommended guidelines will regulate hunter numbers and periods of activity to mitigate disturbance to other wildlife and services in the park. A hunting season in Custer State Park would provide recreational opportunity and additional income.

Based on radio-telemetry data collected by SDSU research investigators, all the acreage of CSP is occupied by at least one mountain lion with more home range overlap among females. By 2009, 22 lions (including cubs) had been radio-marked in the park and during the 2009 lion hunting season, 12 of those were located exclusively within the unharvested portion of CSP, and 3 were located exclusively outside of CSP. For the remaining 7 cats, the average time spent outside of Custer State Park during the hunting season in 2009 was 36%. Based on SDSU research data from 2009-10, it is estimated that the Park has an average of 18 mountain lions (SE = 2, 95% CI = 13–23) on any given day. This proposal will help with the Department objective to reduce the mountain lion population in the Black Hills and will reduce the subpopulation of lions in the Custer State Park

Discussion included if a sportsman applies for both the regular season and the CSP season and had successful draws for both in the same year that the sportsman would have to choose which license he would retain. A concern was raised if a landowner purchased a regular license he would then not be eligible for the CSP license. Staff will review and address this before finalization.

1. Modify licenses forms and fees to add a CSP “any mountain lion” license for \$300.
2. The CSP mountain lion season will occur from January 1 through March 31 or until 5 mountain lions are harvested within the fenced portion of Custer State Park.
3. Hunters must attend a mandatory briefing.
4. No person may harvest more than one mountain lion in a season.
5. No person may harvest a mountain lion cub, or any mountain lion accompanying another mountain lion.

6. A person may hunt mountain lions with the aid of mountain lion hunting dogs in the fenced portion of Custer State Park.
7. Hunters must notify the Custer State Park office at least 12-18 hours prior to each day they plan to hunt in Custer State Park.
8. Licensed hunters may be accompanied by a registered houndsmen. Houndsmen, or mountain lion hound dog handlers must register at the hunter briefing or 24 hour prior to going into the field in order to pursue mountain lions with dogs in Custer State Park. A houndsmen registration form must be filled out by applicants so that Park officials have information on how many people and dogs will be pursuing mountain lions in Custer State Park. Houndsmen can only pursue mountain lions during an open season when accompanying a licensed hunter with a valid tag.
9. South Dakota Department of Game, Fish, and Parks staff reserves the right to accompany any mountain lion hunter hunting in Custer State Park.
10. Hunters and houndsmen will not be allowed to release dogs on tracks indicating multiple cats are traveling together. Female mountain lions with cubs may not be taken while using hounds. Hunters must harvest the first legal cat that they have reasonable opportunity to harvest and that they suspect with the best of their ability is non-lactating. If these restrictions of releasing dogs on multiple lions or failure to harvest the first legal cat are not obeyed, the licensed hunter will lose his/her license.
11. A person may use an electronic call to hunt mountain lions. The prohibition against the use of electronic calls to hunt big game animals described in 41:06:04:03 does not apply to the mountain lion hunting season.
12. A person may use any firearm, muzzleloader, or bow and arrow established by statute or administrative rule as legal implements for taking of deer.
13. All mountain lions harvested must be presented to a department representative within 24 hours of harvest for inspection.
14. The license cost \$300 (+\$5 habitat fee) will only be available to state residents through the drawing system.
15. A person who received a Custer State Park mountain lion license in any of the preceding nine years may not apply for a license in that season.
16. A person may not have more than one mountain lion license in any one year.
17. A person may apply for and receive a preference point for the Custer State Park unit.

Motion by Olson with second by Spies TO PROPOSE THE CUSTER STATE PARK MOUNTAIN LION HUNTING SEASON AS RECOMMENDED. Motion carried unanimously.

Land and Water Conservation Funds Grant

Director Hofer presented a memo and briefing on the Land and Water Conservation Fund (LWCF), how funds are allocated from the federal government, and the process for distribution of these funds across South Dakota. In the future, LWCF may receive a higher level of annual funding as part of the federal energy bill under consideration currently in Congress..

Randy Kittle indicated the application process was open from May 1 through June and 48 applications were received competing for just over \$300,000 available for local projects this year. The applications were reviewed and rated on a scoring system with 14 projects recommended to receive \$317,000 in assistance.

Hofer asked the Commission to endorse the staff recommendations of locally sponsored Land and Water Conservations Fund projects as presented and direct the Department to forward the list to the Governor for approval.

Motion by Cooper with second by McMahon TO ENDORSE THE FOURTEEN LWCF PROJECTS AS RECOMMENDED BY DEPARTMENT STAFF AND FORWARD TO THE GOVERNOR FOR APPROVAL. Motion carried unanimously.

Angostura Concession Contract

Sean Blanchette presented background and history of the relationship with the US Bureau of Reclamation and the Department regarding Angostura Recreation Area indicating 81 of the 86 seasonal trailers and cabins did not meet the waste water inspection requirements. It is necessary to complete a study, develop a plan, and estimate a cost to upgrade the systems. The Seventh Amendment to the Concession Lease will extend the agreement for one year allowing time to complete the study and develop a request for proposal (RFP) for the soon to be expired concession lease at Angostura. Park staff is also drafting a new 5-year permit for the trailer and cabin owners allowing for and encouraging public comment from the cabin owners.

The current concessionaire (Moyle) of sixteen years supports this amendment to extend the current agreement for one year.

Motion by McMahon with second by Olson TO APPROVE THE SEVENTH AMENDMENT TO THE ANGOSTURA STATE RECREATION AREA CONCESSION LEASE AS PRESENTED (Appendix A). Motion carried unanimously.

Information items:

Director Hofer outlined four challenges for the FY12 budget beginning with an expectation to: 1) reduce the use of general funds by \$500,000; 2) cover the increased cost of utilities to operate the parks; 3) to cover the shortfall for the cost of removal of trees to combat the Pine Bark Beetle infestation in CSP as federal funds are expected to be reduced for this purpose in FY12; and 4) repair and maintain park roads as a result of the reduction of state highway funds available for park roads. Hofer showed the 2004-2010 state park fee history and indicated the lodge fees, some camping fees, and the CSP 7-day pass are fees that may be modified next year. Any recommendations will be made at the October meeting.

Bob Schneider provided slides of flooding damage at Rosehill Dam when on July 30, when the earthen dam gave way on the 90-acre pond and to restore the dam will cost over \$1 million. The Lake Alvin dam had water over the top and the dam did not fail with the stream flooding. Crews are cleaning up the area. Engineers are reviewing the situation and will make recommendations. Lake Oakwood and Angostura had damage and staff is busy cleaning up and getting ready for campers.

Lake Francis Case remains high and waters from Rosehill, Lake Alvin, and Oakwood will end up in this lake. Lake Poinsett still has issues and 12 of the 18

districts have had flooding or storm issues. Staff is working overtime to keep parks in good operating order and revenues are holding their own.

Hofer indicated there are certain areas in the parks system that are in high demand and some residents of South Dakota would like to have an advantage in reserving camp sites. A survey of all states, indicated there are no reservation advantages granted to residents over nonresidents in terms of the availability of camping sites. Thirteen states do charge higher camping fees for nonresidents. In South Dakota nonresidents pay \$7.70 for making a campsite reservation. Residents of South Dakota do not pay that additional fee.

Director Hofer reported the January to July 2010 Revenue is keeping pace with last year with a 2% increase. The areas with flooding issues were the only districts with a slight decrease in revenue from last year. Visitation is steady showing a .6% increase over the July 2009 report.

Division of Wildlife

Action item:

Approval of Consent Orders

Department Attorney Richard Neill referenced the Shooting Preserve Report given at the July meeting indicating that four applications were denied for various reasons. Three of the denied operators requested a hearing which was scheduled on July 28th. A Stipulation and Consent to the issuance of Consent Decree Orders were agreed to by each operator and Secretary Vonk. Neill provided the documents for Commission review and respectfully requested the Commission approve the Stipulation and Consent Decree and authorize Chairman Kemink to issue the Consent Order.

Motion by Cooper with second by Authier TO APPROVE THE STIPULATION AND CONSENT TO THE ISSUANCE OF CONSENT DECREE AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONSENT ORDER AS PRESENTED (Appendix B & C). Motion carried unanimously.

Information item:

Switzer indicated the mountain lion management plan review process began one year ago and John Kanta held 11 public meetings that included public education and a survey. The public comment period was open during the month of July with 112 comments received with a wide range of public opinion on three themes: population dynamics and estimates, population objective, and management of lions outside of the hills in the prairie. A population objective of 175 (\pm 25) has been identified and Kanta wants a systematic harvest to achieve the goal to assist with a consistent management plan. Finalization of the plan will happen next week and be available to the public and on the website.

Kanta reported on population estimates with a PowerPoint presentation indicating 40 lions are being tracked with six going in and out of the park with 294 lions collared since 1998. Home range, mortality, litter size, prey selection, genetics, viable breeding healthy population, and other project specifics were presented.

A survey from Black Hills residents asking where population should be indicated 46% want it to stay the same with 30% want the population to be decreased slightly.

Action items:

Mountain Lion Hunting Season

Chad Switzer presented the mountain lion requirements and restrictions indicating the estimated lion population on opening day to be 223 in the Black Hills and presented the recommended changes.

1. Increase the license fees to \$25 (includes the \$5 surcharge).
2. A resident is limited to one mountain lion license per year.
3. Move language that pertains to the use of electronic calls from the Mountain Lion Season Chapter (41:06:61) to the Hunting Requirements and Prohibited Methods chapter (41:06:04).

Discussion included male to female ratio in the harvest limit, disease, Wyoming and Montana harvest quota, models of harvest of 40, 50, and 60 lions, reduce lions killed by cars, lions removed by the Department, and concern for the protecting the male population.

Chairman Kemink called for recess at 5:40 pm until the next morning. Meeting resumed at 8:05 am with Commissioners Kemink, Olson, Authier, Cooper, Knippling, McMahon, Spies, Secretary Vonk and staff, medial, and public of 30 present.

Mountain lion discussion continued with Commissioners recommending a harvest limit increase of 5 within the female harvest quota.

Motion by McMahon with second by Knippling TO INCREASE THE HARVEST LIMIT BY FIVE INCREASING THE FEMALE QUOTA BY FIVE FOR THE 2011 SEASON. Motion carried unanimously.

1. Increase harvest limit at 45 mountain lions or 30 female mountain lions.
2. Increase the license fees to \$25 (includes the \$5 surcharge).
3. A resident is limited to one mountain lion license per year.
4. Move language that pertains to the use of electronic calls from the Mountain Lion Season Chapter (41:06:61) to the Hunting Requirements and Prohibited Methods chapter (41:06:04).

Motion by McMahon with second by Knippling TO PROPOSE CHANGES TO THE MOUNTAIN LION SEASON WITH THE INCREASE IN HARVEST QUOTA AS RECOMMENDED. Motion carried unanimously.

Hunting Requirements and Prohibited Methods

Chief Tom Kirschenmann presented a recommended change allowing use of dogs and calls when hunting mountain lions. This change will accelerate completion of the hunt and further mitigate disturbances in the park.

41:06:04:03. Methods prohibited. A person may not use a bait station when hunting big game animals, including wild turkey and a person may not use an electronic call when hunting any big game animal except mountain lions. A bait station is a place where edible foodstuffs or minerals are placed or maintained as an attractant to game animals. The use of scents alone does not constitute a bait station.

Motion by Olson with second by Authier TO PROPOSE CHANGES TO HUNTING REQUIREMENTS AND PROHIBITED METHODS AS RECOMMENDED. Motion carried unanimously.

Deer Depredation Resolution 10-14

Kirschenmann presented Resolution 10-14 allowing the issuance of depredation pool permits by the Department Secretary with no changes from last year.

Elk Depredation Resolution 10-15

Chief Kirschenmann presented Resolution 10-15 allowing the Department Secretary to issue up to 50 elk depredation permits according to rule. He commented that elk depredation permits were used prior to the season and hunters have been used according to the regulations passed by the Commission last year.

Motion by Cooper with second by Olson TO APPROVE RESOLUTION 10-14 AND RESOLUTION 10-15 AS PRESENTED (Appendix D and E). Motion carried unanimously.

Information items:

Paul Coughlin presented the Land Acquisitions Report indicating addition of 154 acres to the Lone Tree GPA and the 157 acre addition to the Brandt Water Access Area have been advertised and will be brought to the Commission at the October meeting for final action. Commissioner Knippling indicated she has seen the acquisition to the Lone Tree GPA and it is very nice. She plans to visit the Brandt Access area before October.

Commissioner Cooper indicated the Brandt Water Access project is one under consideration by the Tony Dean Acres Committee. Cooper indicated the Committee was organized in 2009, and has been raising funds in memory of Tony Dean. More than \$106,000 has been raised for public access and hunting opportunity, they plan to develop partnerships with organizations and provide matching fund for many projects. Currently, they are working on a million dollar grant application with the North American Wetland Council. More information is available at TonyDean.com.

Curt Robertson presented the HuntSafe Team Award to the Milbank team and introduced each member. The team was nominated by Jayme Pekelder and collectively they have over 100 years of dedicated service.

Doug Alvine introduced Regional Advisory Panel (RAP) member and former GFP Commissioner Neil Bien. Bien shared the Panel has met seven times and appreciates getting to know the staff and topics with valuable information exchanged. Bien appreciates the effort the Department has made to listen to landowners and the support and dollars in the wildlife damage management program. Alvine indicated one idea generated from the RAP meeting was to have a loaner program with decoys to encourage those who don't have decoys to experience hunting without making the investment of decoys. Director Leif shared that communication is very important and the RAP meetings provide valuable input for the Division.

Spencer Vaa presented the waterfowl population outlook stating that South Dakota has the most ducks ever, due to the abundance of water. 2010 should have some tremendous hunting with over 5.7 million ducks and plenty of geese.

The Department asked the Central Fly to increase bag limit and the federal level did not agree but set the ground work for an increase next year in possession limits and Central Flyway recommended three times the daily limit for traveling hunters and may see this change next year. There was discussion on giving geese to food banks and the Flyway Council listened with dialogue to begin a way to make this happen in the future.

Spencer Vaa is retiring in October and thanked Commission for working with him the last 21 years and happy how everyone works together. Director Leif recognized Vaa's contribution to the Division of more than 40 years and his most notable contribution has been as a veteran and receiving a purple heart in Vietnam.

Scott Lindgren gave a PowerPoint presentation on Canada goose depredation showing a typical site, population index and objective, statistics, and tools to combat depredation.

Scott Simpson and Chris Marsh gave a PowerPoint promoting and encouraging waterfowl hunting and providing educational opportunities. Marsh developed a mapping system with field staff observing waterfowl, making an overlay map to be updated weekly online showing where the waterfowl population and opportunity exists. This is easy to use and a demonstration was given showing how to use the website mapping.

Mary Clawson provided photos showing access improvements on Game Production Areas using planks and oversize so little boats can be put on the water, and pilot program placing duck blinds on Long Lake and Redlin GPA's. A Youth Waterfowl Camp is scheduled at Blue Dog Hatchery on August 7 to educate and encourage youth to hunt waterfowl.

Thea Ryan indicated the Outdoor Campus developed waterfowl education programs for children 3-12 years old that includes duck identification and how to use

decoys. The Waterfowl Extravaganza was geared for families showing the basics of using decoys, blinds, identifying birds, and included recipes and ways to prepare the waterfowl. The Outdoor Campus will continue developing waterfowl education and Becoming an Outdoors Woman will have waterfowl classes.

Brian Blackwell reported on the special regulations on Reetz Lake as it is managed as a trophy fishery for walleye, perch, and bass. He reviewed population estimates, growth, recruitment, reproduction, trophy population, condition, angler use, and catch rates.

Scott Simpson gave an update on the Outdoor Campus West construction indicating the cold storage building is 85% complete with the shop/lab building about 55% complete. Contractors plan to have the building enclosed by October for the winter work to continue. The geothermal wells are drilled and will begin connecting them to the structures.

Director Leif presented information on license revenue and the history of license fees. There have been no increases in the last five years and sales have been steady. License fees and federal funds are the major funding sources for the Wildlife Division expects strong receipts from the Pittman Roberts federal funds.

The Western Association of Fish and Wildlife Agencies held their annual meeting in Alaska in July. Commissioner Olson represented the Commission along with 40 other Commissioners representing 38 states. Other states are interested in the Walk-In Program and how it works, Spencer Hawley was awarded the Lifetime Membership Award, and South Dakota is fortunate to have such a good relationships and funding resources.

Director Leif indicated the topics and discussions were good and looking forward to the meeting in Montana next year.

Tom Kirschenmann handed out the 2010 Mountain Lion Hunter Survey Report and John Lott handed out pan fish briefing document.

Motion by Olson with second by Cooper TO ADJOURN MEETING. Motion carried and meeting adjourned at 11:05 AM.

Respectfully submitted,

Jeffrey R. Vonk,
Department Secretary

Appendix A
**SEVENTH AMENDMENT TO ANGOSTURA
STATE RECREATION AREA
CONCESSION LEASE**

This SEVENTH AMENDMENT TO ANGOSTURA STATE RECREATION AREA CONCESSION LEASE between the South Dakota Department of Game, Fish and Parks, hereinafter referred to as the "Department" and Angostura Resort Management, hereinafter referred to as "Concessionaire." This amendment is subject to the terms of and of the Regulations promulgated by the Game, Fish and Parks Commission identified as ARSD Article 41:13, Park Concession Leases effective March 21, 1990, and to all terms and conditions of Contract No. 14-06-600-3633, memorandum of understanding, hereinafter referred to as "MOU" and any amendments thereto or replacement contracts between the Department of Game, Fish and Parks and the U.S. Bureau of Reclamation, hereinafter referred to as Reclamation. The Concessionaire has been provided a copy of ARSD Article 41:13, effective date March 21, 1990, and the MOU between the Department and Reclamation.

WHEREAS, The Department and the Concessionaire entered into a concession lease agreement on April 5, 1991, and such agreement subsequently was amended July 10, 1991, February 27, 1992, January 8, 1993, June 5, 1995, December 18, 2006, and March 6, 2009, and;

WHEREAS, Angostura Recreation Area, and the concession property within, is on land owned by Reclamation and managed by the Department; and

WHEREAS, Reclamation has completed a Resource Management Plan (RMP) for Angostura Reservoir and such RMP will affect the terms and conditions of future concession leases, and;

WHEREAS, certain Concessionaire development and improvements may be required to take place as a condition of a new concession lease, the extent of which has yet to be determined; and

WHEREAS, the Department, Reclamation, and the Concessionaire agree that a short-term extension of this Concession Lease is necessary to allow adequate time for a future development and improvement plan to be developed and a new long term concession lease structured.

NOW THEREFORE, it is agreed to by the parties to amend this Concession Lease agreement as follows:

1. Section 1, Term of Lease, shall be deleted in its entirety and replaced by the following:

Section 1. Term of Lease

- (a) This lease shall be for a term beginning on January 1, 1993, and ending on December 31, 2011.
2. Except as amended herein, the terms and conditions of the concession lease agreement dated April 5, 1991, as subsequently amended on July 10, 1991, February 27, 1992, January 8, 1993, June 5, 1995, December 18, 2006, and March 6, 2009, shall continue to remain in full force and effect.

Dated this _____ day of _____ 2010

DEPARTMENT OF GAME, FISH AND PARKS

BY: _____

Douglas Hofer, Director
Division of Parks and Recreation

CONCESSIONAIRE

BY: _____

Gilbert Moyle, President
Angostura Resort Management, Inc.

APPROVAL

IN WITNESS THEREOF, and having the authority to do so, I approve the above and foregoing amendment to the Concession Lease and terms contained therein this ____ day of _____, 2010 pursuant to the authority granted to the undersigned.

US BUREAU OF RECLAMATION

BY _____

(Designate office and title)

Appendix B and C still pending

(Appendix D)

RESOLUTION 10-14

**BIG GAME OTHER THAN ELK AND MOUNTAIN LION
DEPREDATION HUNTER POOL**

WHEREAS, the Game, Fish, and Parks Commission has promulgated rules to provide for a big game depredation pool of hunters designed to assist in reducing wildlife damage to property by big game species other than elk and mountain lion, and;

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

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

NOW, THEREFORE LET IT BE RESOLVED THAT, 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 the maximum number (600 permits plus an additional 200 landowner/operator permits) of depredation pool permits to depredation pool hunters to respond to property damage caused by game animals.

BE IT FURTHER RESOLVED, that in issuance of the depredation pool 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 game animals other than elk and mountain lion permitted to be taken by the holder of each depredation pool permit.

(Appendix E)

RESOLUTION 10-15

ELK DEPREDAATION HUNTS

WHEREAS, the Game, Fish, and Parks Commission has promulgated rules to provide for elk depredation hunts designed to assist in reducing wildlife damage to property, and;

WHEREAS, applications for elk permits have been received and a list of elk applicants is available in Game, Fish, and Parks license application records, and;

WHEREAS, it is anticipated that high populations of elk have caused 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 LET IT BE RESOLVED THAT, the Game, Fish, and Parks Commission authorizes the Secretary of the Department of Game, Fish, and Parks or his designee to issue up to 50 elk depredation permits (as approved in rule) to respond to property damage.

BE IT FURTHER RESOLVED, that in issuance of the elk 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 game animals permitted to be taken by the holder of each elk depredation permit.

Public Hearing Minutes of the Game, Fish, and Parks Commission
August 5, 2010

Public Hearing Officer Chuck Schlueter began the hearing at 2:00 PM indicating the hearing would follow the items listed on the Agenda numbered 6-9 under Finalizations. Schlueter will read the written comments received for each item then ask those wishing to present oral testimony come forward to provide their name and address on the sheet by the microphone and to address the Commissioners.

Boat License Fees and Licensing Period

Bill Baker wrote concerned with lack of law enforcement on lakes and opposed the increased cost of licenses.

Gerald Wickstrom wrote opposing the elimination of the three year boat license option which amounts to a fee increase.

No oral testimony received.

Duck Hunting Season

John Fuglsang of Pierre emailed supporting an earlier start date for the "High Plains" duck season as ducks have started their migration by October 9th.

No oral testimony received.

Goose Hunting Season

No written or oral testimony received.

The public hearing concluded at 2:04 PM.

Respectfully submitted,

Jeffrey R. Vonk, Department Secretary