

**SOUTH DAKOTA
STATE REPORT
Issues Update 2009**

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DIVISION OF WILDLIFE

Pheasant Population Status

Each year South Dakota's pheasant population is monitored by August roadside brood surveys to provide a statewide Pheasants per Mile (PPM) Index. This index reached a 45-year high in 2007 (7.85 PPM) and the 2008 Index (8.56) surpassed the 2007 mark by 9%, only to be exceeded during a few years of the Soil Bank era. Approximately 76,000 resident hunters harvested 875,000 pheasants and 100,000 nonresident hunters harvested 1,059,000 pheasants; a total harvest of 1,934,000 pheasants. The 2008 pre-season pheasant population was estimated to be approximately 10.3 million birds. Despite a delay in corn harvest and inclement weather conditions for the latter portion of the season, exceptional pheasant numbers provided great hunting opportunities and was followed with high hunter success, as pheasant hunters averaged 11 birds per hunter. Estimated economic impact to South Dakota was \$219.6 million dollars.

Quality nesting cover, coupled with mild, open winters and favorable weather conditions during the peak hatch, have been the main reasons for South Dakota's pheasant population surge over the past 6 years. At the cornerstone of pheasant production are Conservation Reserve Program (CRP) acres. South Dakota's CRP acreage leveled off at about 1.6 million acres in 2006, while 385,000 acres have expired and the majority of these acres were converted to production agriculture in 2007 and 2008. Overall impact to the pheasant population can not be accurately determined; however the loss of those acres in key locations of the state will most likely result in a negative impact to the pheasant population.

2008 Walk-In Area Program for Hunter Access

A record level of almost 1.2 million acres of private land was enrolled in the Walk-In Area program for the 2008 hunting season. Despite the net increase in acres statewide, the 2008 enrollment contained 12,998 less acres in permanent, undisturbed habitat for pheasant hunting in eastern South Dakota than in 2007 and 25,249 acres less acres of permanent, undisturbed habitat in 2006. This decrease in permanent, undisturbed habitat was due to primarily CRP contract expirations in 2007-08. In 2008, GFP began implementation of the Controlled Hunting Access Program (CHAP) which is similar to Montana's Block Management program. Twelve CHAP areas totaling 21,596 acres were enrolled statewide in 2008.

CRP Status and Farm Bill

On September 30, 2009, 234,666 acres of CRP will expired in South Dakota. This will bring CRP enrollments in South Dakota down to slightly less than 1 million acres. Long-term, CRP enrollment in South Dakota will depend on conservation provisions in the 2008 Farm Bill. Of special concern is the reduction of the CRP acreage cap in the 2008 Farm Bill from 39.2 to 32 million acres. Because of this reduction it is unlikely that FSA will authorize a general CRP signup in 2009 or 2010.

GFP has been working proactively with its partners to create new opportunities to enroll land into CRP. On March 27, 2008, South Dakota was given clearance to take enrollments for South Dakota's two CP38 proposals. South Dakota was allotted 20,700 acres to enroll land specifically for wildlife habitat. South Dakota's CP38 acres were split between a pheasant nesting habitat proposal (20,200 acres) in eastern & central parts of the state and a sage grouse habitat proposal (500 acres) in the northwest corner of the state. In less than two weeks, South Dakota allocated all the acres set aside for the pheasant nesting habitat proposal. An additional 30,000 acres were approved and the practice was fully enrolled at 50,200 acres as of March 2009. A request for 20,000 additional acres for the pheasant CP38 practice was submitted to FSA national and denied. GFP created a proposal for a west river (west of the Missouri River) grassland bird SAFE to convert 20,000 acres of cropland to grassland habitat. This proposal was presented to the NRCS State Technical Committee and approved in March 2009 and now waiting for approval by FSA in Washington D.C. Other continuous CRP practices including CP23, 23a, 27, 28, and 37 are approaching full enrollment levels as well. This will eliminate the ability for larger fields to be enrolled in light of no general CRP signups planned for the foreseeable future. Lower commodity prices and high input costs in 2009 present a unique opportunity to increase CRP interest and enrollment provided we have allocated acres to use.

South Dakota CREP Proposal

South Dakota is developing a Conservation Reserve Enhancement Program (CREP) proposal for the James River Watershed. The objective for the James River CREP proposal would be to establish wildlife habitat and access to 100,000 acres. Contracts would be 10 to 15 years in length and GFP would pay an additional 40% above CRP rental rates and pick up additional cost-share to establish practices. Hunting and fishing access would be required for all lands enrolled under this CREP. An Environmental Assessment of the CREP proposal and public comment period has been completed. GFP is currently waiting for administrative approval and PAYGO funding authorization to begin enrollment the James River Watershed CREP.

Mentored Hunting Program

During the 2008 South Dakota Legislative Session, a Mentored Hunting bill was passed that allowed the Department of Game, Fish, and Parks to implement a hunting program to introduce the sport of hunting to youth between the ages of 10 and 15 without completing the Hunt Safe Course. This program would allow a parent or guardian to purchase big game licenses which would allow a youth to harvest one antlerless deer, one doe/fawn antelope, and one turkey.

The program would also allow a youth to participate in small game hunting; however the adult mentor's daily bag limit would include the game harvested by the mentored youth. The program requires the mentored hunter to be under direct adult supervision and that the adult mentor has successfully completed a Hunter Education Program. If the adult mentor is not the parent or guardian of the mentored hunter, written permission must be obtained and in possession while hunting.

Participation in big game seasons in the first year of the program was higher than anticipated. A total of 1,166 mentored hunters participated in big game seasons with a total of 1,110 deer, 236 turkey, and 172 antelope licenses issued. Of the 1,166 hunters, 265 hunters had licenses issued for more than one season. Eighty-three percent of the youth participating were 10 or 11 years of age. Although the majority of youth participating were male (908 male, 258 female), it is encouraging to see the interest expressed by young female outdoor enthusiasts. The level of participation in small game hunting is more difficult to measure as the mentored youth were allowed to hunt under the mentor's license; however information is being gathered through annual hunter harvest surveys sent to a random sample of license holders.

Title VI Land Transfer

Under authorization of the Pick-Sloan Act, the Oahe and Big Bend dams were constructed on the Missouri River in South Dakota resulting in the flooding and loss of 423,710 acres of terrestrial wildlife habitat along the river. The Fish & Wildlife Coordination Act called for the mitigation of this loss, but the federal government never followed through with appropriate or adequate mitigation measures.

To satisfy mitigation requirements, Title VI of the Water Resources Development Act of 1999, as amended authorized the transfer of over 90,000 acres of land adjacent to the Missouri River from the Corps of Engineers to State of South Dakota "for fish and wildlife purposes, or public recreation uses, in perpetuity." Components of Title VI law include:

- Fee title transfer of "take land" adjacent to the reservoirs to the State of South Dakota, Cheyenne River and Lower Brule Sioux Tribes.
- Establishment of a \$108 million Trust Fund for the State of South Dakota. The Title VI Trust Fund, plus any interest earned during capitalization, will total about \$118 million when fully capitalized. This will generate projected annual interest revenue of \$4.72 million to be used to: (1) restore, improve and create terrestrial wildlife habitat on the transferred land; (2) protect archaeological, historical and cultural sites located on the transferred land; (3) maintain, develop and operate recreation areas on the transferred lands; (4) purchase and administer wildlife leases (off of the transferred lands); (5) develop and maintain public access to and protect wildlife habitat and recreation areas on the transferred land.
- Title VI legislation also requires compliance with the National Historic Preservation Act, Archaeological Resources Protection Act, and Native American Graves Protection Act. Enforcement and compliance authority with these acts currently remains with the Corps of Engineers, pending a Programmatic Agreement as required by the legislation. A comprehensive cultural and archeological site inventory survey of the transferred lands as

required by the Title VI legislation is also nearing completion. This information will assist managers in future operation, management and development on Title VI lands.

To date, 71,635 acres of former Corps of Engineers lands have transferred to the Wildlife Division to be managed as Game Production Areas, with 250 acres remaining to be transferred in the near future. Additionally, the 35 designated recreation areas (1,434 acres) transferred to the State in 2001 and 2002. The Division of Parks and Recreation operate these areas as part of the state park system.

Missouri River Reservoir Conditions

Conditions have improved greatly with significant moisture in the basin this year. Lake Oahe is currently at elevation 1611 msl. which is 28 feet higher than last year. The base of flood control elevation on Lake Oahe is 1607.5 and maximum normal operating pool is 1617 msl. It is amazing what a difference a year can make. This rise in elevation has flooded vegetation that grew during the drought years which will provide good spawning conditions for many species of fish and also will be excellent rearing habitat for small fish. The outlook for fishing in the future is excellent.

Anglers coming to the Missouri River to fish this spring are finding good fishing and healthy fish. Walleye fishing has been excellent and the salmon are starting to take off. Many anglers are also reporting good catches of smallmouth and white bass at the present time. Fishing pressure on Lakes Oahe, Sharpe and Francis Case, for the majority of the open-water season was estimated at 1,757,000 hours for 2008. Walleye were the most sought after species in 2008 with an estimated 507,000 harvested from these three reservoirs during the creel survey period. Walleye were followed by smallmouth bass, white bass, channel catfish and salmon in decreasing order of estimated catch. These fisheries resources are a very important component of available outdoor recreation in South Dakota.

Fisheries Regulation Frameworks

The Aquatics Section of the Wildlife Division has been working on regulation frameworks, or “toolboxes”, for approximately five years. Frameworks for walleye and black bass have been completed with plans for the implementation of these frameworks in 2010. Implementation will involve a strong public information and education effort during 2009. Instead of allowing existing regulations that do not match regulation packages in the framework to remain unchanged, regulations that do not currently match framework regulations will be changed to one of the framework regulations for special management waters or go back to statewide standard regulations. Public involvement will certainly influence the regulation choice for a water. If the public is not supportive of a regulation in the framework, standard statewide regulation will be recommended. Acceptance of the toolbox process by Game, Fish and Parks fisheries staff has been good and they have a great deal of ownership in the product and the process.

There will be a very small number of lakes with regulations that do not match those in the established frameworks, and these will be considered experimental. Experimental regulations

must have thorough justifications, a detailed evaluation plan established, and will only be in place a specified number of years before final evaluation of the regulation occurs. Experimental regulations may some day be added to the framework or replace existing regulations in the framework. Currently, two experimental walleye regulations and no experimental bass regulations exist.

Current regulation frameworks are as follows:

Walleye/Sauger/Hybrid

Year-round 15" minimum size limit with at most one fish ≥ 20 ", four fish daily

Year-round 15" minimum size limit with at most one fish ≥ 20 ", two fish daily

Partial-year 15" minimum size limit with at most one fish ≥ 20 ", four fish daily

Year-round 28" minimum size limit, one fish daily

No minimum length with at most one fish ≥ 20 ", four fish daily (statewide regulation)

Smallmouth and Largemouth Bass (in combination)

14-18" protected slot with at most one fish ≥ 18 inches, five fish daily

15" minimum length limit, five fish daily

No size limit, 5 fish daily (statewide regulation)

Aquatic Nuisance Species Management in South Dakota

Issues related to Aquatic Nuisance Species (ANS) have found their way into the national spotlight frequently over the past two years. In 2007 quagga mussels were discovered in Lake Mead in Arizona. Since then zebra and quagga mussels and a number of other ANS have invaded waterbodies across the west. To this point, South Dakota has not experienced many of the most destructive ANS infestations and is currently in the enviable position of focusing on pro-active rather than re-active management of ANS threats. Starting in 2007 the South Dakota Department of Game, Fish and Parks (SDGFP) began the process of drafting a comprehensive ANS Management Plan for the State. As part of the planning process, the Department contracted with South Dakota State University to draft an assessment of ANS Risks in the State. During 2007 and 2008 a number of stakeholders meetings were held with State and Federal Natural Resource Staff as well as State Tribes and Non-Profit Groups in order to ensure involvement in the planning process. The ANS management plan was submitted to the National ANS Task Force and received final approval in December 2008, with eligibility for Federal funding for 2009.

Since that time, SDGFP has progressed with plan implementation with a number of management efforts across the state. SDGFP contracted with several public school teachers to develop a curriculum related to ANS threats in South Dakota for students in grades 3-12. A website on ANS issues in South Dakota has been developed associated with the SDGFP Wildlife Division web page. During the summer of 2009, SDGFP Fisheries Staff in central and eastern South Dakota will be carrying out ANS monitoring in conjunction with annual fisheries assessment work and several questions related to ANS issues will be added to creel surveys.

Two days of ANS training will be offered in May for natural resource staff, marina operators and members of the public. Outreach and education along with monitoring remain the primary tools for ANS management in South Dakota as we continue to pay close attention to the growing ANS threats across the nation.

Construction of Outdoor Education Facility

The South Dakota Department of Game, Fish & Parks Division of Wildlife is building a new outdoor education and regional office facility in Rapid City. The Outdoor Campus-West will sit on 33 acres of mixed-grass prairie, hardwood and coniferous trees, and spring-fed ponds and streams. The property is located on the outskirts of South Dakota's second-largest city and is adjacent to a 32-acre city park.

The programming for the facility will be centered around the Division's mission, along with the Core Concepts for Conservation Education approved by AFWA. Programs will be split amongst hunting, fishing, outdoor skills and outdoor education concepts. The facility is expected to open in late 2010.

Regional Advisory Panels Created

In an effort to enhance agency communication and outreach efforts, the Division of Wildlife moved forward in 2008 with a new initiative to develop 'Regional Advisory Panels'. The primary purpose of these panels is to achieve an elevated level of outreach and feedback on division programs and policies. Each panel is comprised of nine interested citizens that reside in each of the four administrative regions of the Division of Wildlife. The stated purpose of the panels is *"to assist in developing ideas and solutions to address the challenges and opportunities that the wildlife division is facing and will face in the future"*. It is hoped that the panels will provide an additional link between wildlife division staff and commissioners and the people that the Agency serves. The panels will also promote greater public awareness and understanding of fish and wildlife management challenges

All four advisory panels held inaugural meetings in fall of 2008. The first meeting was used for orientation on the desired direction of the panels and generation of ideas that panel members would like to discuss in future meetings. Although each panel generated a somewhat diverse list of issues to address, the common thread to all was a desire to discuss and identify ways to recruit young hunters and anglers into the group of users that enjoy the abundant outdoor recreational opportunities available in the state.