

# GAME, FISH, AND PARKS COMMISSION ACTION PROPOSAL

## Public Waters Chapter 41:04:02

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>January 8-9, 2026</b>	<b>Pierre</b>
	<b>Public Hearing</b>	<b>March 5, 2026</b>	<b>Pierre</b>
	<b>Finalization</b>	<b>March 5-6, 2026</b>	<b>Pierre</b>

### DEPARTMENT RECOMMENDATION

**Recommended changes from last year:**

1. Amend § 41:04:02:40 to restrict Iron Creek Lake in Lawrence County to a no-wake zone.

### SUPPORTIVE INFORMATION

Iron Creek Lake and the associated Water Access Area (WAA), located in western Lawrence County, have been publicly owned since the 1930s. The lake was created by the Works Progress Administration (WPA) under President Franklin D. Roosevelt’s administration. Originally owned by Lawrence County, the property was sold to the South Dakota Department of Game, Fish and Parks (GFP) in 1969 for \$1, with the intent of preserving it as a WAA for future generations.

The WAA includes a 24-acre lake (within a 35-acre total area) that serves as a premier fishery for panfish and several trout species, which have been stocked by GFP fisheries staff since 1938. Iron Creek Lake is a small waterbody that attracts a wide range of recreational users, including anglers, paddleboarders, canoeists, and kayakers. Larger watercraft, such as pontoon and fishing boats, are also commonly used by Iron Creek cabin owners.

The owners of the Iron Creek campground and surrounding property (the Sleep family) have requested this regulation change. Their primary concerns are **safety** and **user conflict**. The lake is too small to safely accommodate jet skis or large boats operating at speeds above no-wake.

### DRAFT ADMINISTRATIVE RULE CHANGES

41:04:02:40. Lawrence County public water safety zones. ~~Repealed.~~ Lawrence County public water safety zones are as follows:

- (1) The waters of Iron Creek Lake are a "no wake zone."

### RESIDENT/NONRESIDENT CRITERIA

1. The Issue: On a small 24-acre lake, shoreline erosion and user disturbance are concerns when boats exceed no-wake speeds. During the busy summer months, high-speed activities such as jet skiing or tubing can disrupt shore anglers and non-motorized users, leading to recreational conflicts.
2. Historical Considerations: Current cabin owners, who typically use fishing or pontoon boats, already respect the lake’s small size and are expected to support this rule change.
3. Biological Considerations: Reducing wake will help prevent shoreline erosion.

4. Social Considerations: The lake is heavily used in summer by a diverse group of recreators swimmers, paddleboarders, canoeists, kayakers, and anglers.
5. Financial Considerations: NA

#### RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? No
2. Does the regulation increase the opportunity for new and existing users? Opportunities should remain consistent. Other lakes in Region 1 support high-speed recreation such as tubing, skiing, and jet skiing.
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? Iron Creek Lake will remain a destination in the Black Hills to enjoy a quiet hills water body full of a variety of recreational uses.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? This will maintain the current atmosphere of Iron Creek Lake for the future.

#### FISCAL IMPACT

None or minimal.

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

### State Game Refuges Chapter 41:05:02

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>January 8-9, 2026</b>	<b>Pierre</b>
	<b>Public Hearing</b>	<b>March 5, 2026</b>	<b>Pierre</b>
	<b>Finalization</b>	<b>March 5-6, 2026</b>	<b>Pierre</b>

**DEPARTMENT RECOMMENDATION**

**Duration:** Beginning during the 2026/2027 hunting season

**Requirements and Restrictions:**

1. "Waterfowl Refuge" means a refuge with a closed season for all migratory waterfowl.

**Recommended changes from last year:**

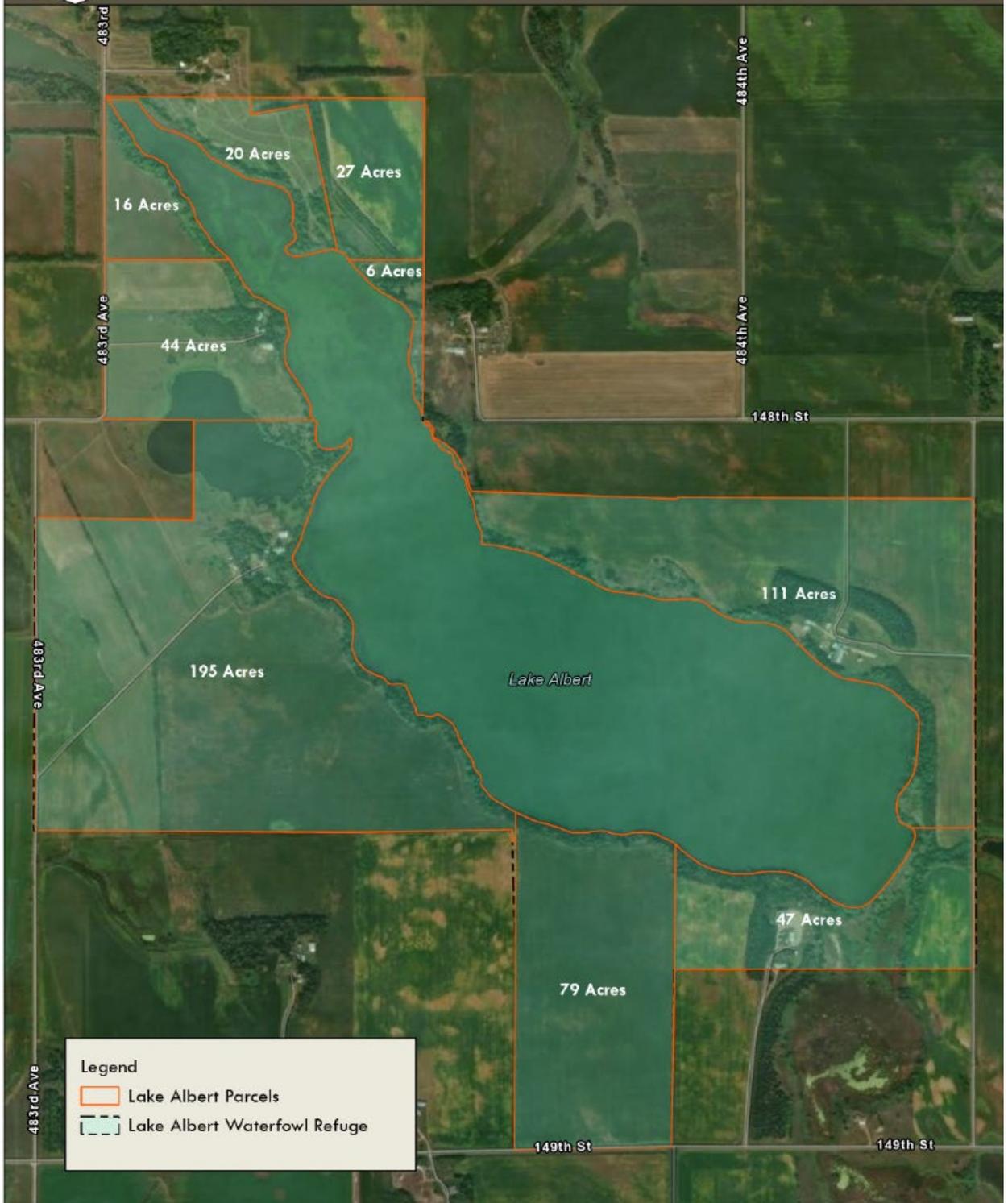
1. Modify § 41:05:02:25 to remove the Lake Albert State Waterfowl Refuge.

**SUPPORTIVE INFORMATION**

Lake Albert Waterfowl Refuge is comprised of private property owned by eight landowners. The landowners formally requested that their property to be removed from the Waterfowl Refuge status and have provided signed consents to remove their property. By removing the refuge status, landowner control over hunting access on their property will be restored. Many of the landowners have faced goose depredation issues or had hunters asking to access their property, but due to the refuge status, they were unable to allow hunters to harvest waterfowl within the boundaries of the refuge. Most waterfowl in the area are actually taking refuge or using the Big Stone Power Plant Waterfowl Refuge as a resting stop, where water tends to stay open longer and is located just four miles north.



# Lake Albert Waterfowl Refuge - Grant County



**DRAFT ADMINISTRATIVE RULE CHANGES**

41:05:02:25. Grant County refuges. Grant County refuges are as follows:

(1) Eye State Game Refuge comprises outlet one of government lot three in the southeast quarter of section nine, township 121 north, range 48 west of the fifth principal meridian; and

~~—(2) Lake Albert State Waterfowl Refuge comprises government lots one, two, four, and those portions of government lots three and five located in the southwest quarter of section 35, township 121 north, range 47 west of the fifth principal meridian; government lots one, other than the north 40 rods, two, four, five, six, seven, eight, nine, and the northeast quarter of the southeast quarter and the southeast quarter of the southeast quarter of section one, township 120 north, range 48 west; and the north half of the southwest quarter and all but the north 40 rods of the northwest quarter of section six, township 120 north, range 47 west; and~~

~~(3)~~ (2) Big Stone Power Plant Waterfowl Refuge comprises all of section 12, township 121 north, range 47 west except all land and water within the fence surrounding the cooling pond; the evaporation pond in section 7, township 121 north, range 46 west and a 100-yard-wide area adjacent to the evaporation pond fence including road rights-of-way; the south 660 feet of section 1, township 121 north, range 47 west; the south 660 feet of the southwest quarter of section 6, township 121 north, range 46 west; the south 660 feet of the southwest quarter of the southeast quarter in section 6, township 121 north, range 46 west; and that portion of land in section 11, township 121 north, range 47 west that is enclosed by the railroad track unloading loop and that is bounded on the west and north by the railroad track unloading loop.

**RESIDENT/NONRESIDENT CRITERIA**

1. The Issue – Lake Albert Waterfowl Refuge consists of Lake Albert and surrounding privately owned property. Landowners have recently desired to take their property out of refuge status so they can allow hunting access and control who waterfowl hunts on their property.
2. Historical Considerations – Starting in 1975 Lake Albert Refuge was started on a trial basis. In 1980, landowners surrounding Lake Albert signed consent agreements to officially put their land into waterfowl refuge status.
3. Biological Considerations – Waterfowl – primarily Canada geese had been using Lake Albert as a resting area for many years when there was less available water on the landscape. Within the last 10 years, geese and other waterfowl more often utilize Big Stone Powerplant Waterfowl Refuge (4 miles north), Lake Farley (6 miles west), and Big Stone Lake (5 miles northeast).
4. Social Considerations – In the early years of the refuge, large numbers of waterfowl hunters would line the refuge boundaries and pass shoot. This activity is almost non-existent currently and landowners would like to give permission to waterfowl hunt on their properties now.
5. Financial considerations – N/A

**RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA**

1. Does the proposed regulation inhibit a user’s ability to participate? No
2. Does the proposed regulation increase the opportunity for new and existing users? Yes, taking property out of refuge status will give the landowners the ability to allow permission for waterfowl hunting on their property.
3. How does the proposed regulation impact the next generation of hunters, anglers, trappers and outdoor recreationists? It will provide another location to waterfowl hunt with permission.
4. Does the proposed regulation enhance the quality of life for current and future generations by getting families outdoors? Yes, those landowners who own land within the waterfowl refuge have not been able to give permission to waterfowl hunters in the past. This will allow those landowners to give permission to waterfowl hunters, including family.

**FISCAL IMPACT**

None or minimal.

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

## Hunt for Habitat Licenses

### Chapter 41:06:61

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>January 8-9, 2026</b>	<b>Pierre</b>
	<b>Public Hearing</b>	<b>March 5, 2026</b>	<b>Pierre</b>
	<b>Finalization</b>	<b>March 5-6, 2026</b>	<b>Pierre</b>

### DEPARTMENT RECOMMENDATION

**Duration of Recommendation:** Beginning in 2026.

**Licenses:** Licenses issued may not exceed 10 big game animals annually.

**Season dates and open units:** Valid during any dates and open units permitted by the requirements and restrictions for each hunting season.

**Requirements and Restrictions:**

1. As authorized by SDCL 41-6-84, the Commission may provide for a special license that allows a person to hunt one or more game animals and shall promulgate rules, pursuant to Chapter 1-26, to establish the season and guidelines for the season, and to establish the fee provisions.
2. The Commission may establish a nonrefundable application fee, not to exceed ten dollars for any resident and not to exceed twenty dollars for any nonresident, to apply for the special license.
3. Any resident or nonresident who is eligible to hold a hunting license in this state may submit an unlimited number of applications for Hunt For Habitat licenses. Unsuccessful applicants will not accrue preference points for these drawings.
4. Successful applicants shall be selected by drawing.
5. Tags issued with a Hunt For Habitat hunting license are valid during any hunting season provided in Article 41:06 that allows the licensee to take any animal that is permitted if the licensee abides by the requirements and restrictions for the hunting season.
6. Each Hunt For Habitat license/tag shall be valid during the calendar year of drawing or subsequent calendar year.
7. Proceeds from the application fee collected shall be used for habitat programs.
8. The Commission shall, before the fourth Tuesday in January of each year, report to the Senate and House standing committees on agriculture and natural resources and on appropriations regarding the activities authorized by this section. The report shall include a description of the season established, the number of licenses issued, the amount of revenue generated, and the progress of the habitat programs funded under this section.

**Recommended changes from last year:** Modify ARSD 41:06:62:03 by removing the specific number and types of licenses available with no more than the maximum number of licenses authorized by the SDCL 41-6-84. GFP Commission would approve number and types of licenses available for the hunt for habitat raffle via administrative action.

## SUPPORTIVE INFORMATION

The authority for the GFP Commission to create the Hunt for Habitat raffle was established by the South Dakota Legislature in 2019 to generate additional revenue for wildlife habitat.

Just over \$2 million has been generated from Hunt for Habitat raffle license application fees from 2019 to 2025.

Year	Revenue
2019	\$320,950
2020	\$392,210
2021	\$329,920
2022	\$194,580
2023	\$245,840
2024	\$268,310
2025	\$272,610

## DRAFT ADMINISTRATIVE RULE CHANGES

**41:06:62:03. Number of licenses.** ~~One "any bison" license, two "any deer" licenses, and three license packages with each having one "any deer" and one "any elk" tag may be issued. Both residents and nonresidents are eligible to receive the single "any deer" tag deer licenses, the license packages and the "any bison" license, provided no more than one license package may be issued to a nonresident.~~ No more than ten big game licenses may be issued for the hunt for habitat raffle. Both residents and nonresidents are eligible to receive a single license or license package containing more than one license type, provided no more than one same license package may be issued to a nonresident.

## RESIDENT/NONRESIDENT CRITERIA

1. The Issue – NA
2. Historical Considerations – NA
3. Biological Considerations – NA
4. Social Considerations – NA
5. Financial considerations – NA

## RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? NA
2. Does the regulation increase the opportunity for new and existing users? Yes, increases the number of licenses from nine to ten.
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? NA
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? NA

## FISCAL IMPACT

GFP anticipates approximately \$50,000 to \$100,000 of additional revenue in 2026.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_

# GAME, FISH AND PARKS COMMISSION ADMINISTRATIVE ACTION

## Hunt for Habitat – License Raffle Package

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>January 8-9, 2026</b>	<b>Pierre</b>
	<b>Public Hearing</b>	<b>March 5, 2026</b>	<b>Pierre</b>
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## LICENSE ALLOCATION BY SPECIES

### 2025 Package

- 1 Custer State Park Trophy Bison
- 1 Any Deer
- 1 Custer State Park Deer
- 3 Any Deer and Elk Package

\*Nine total licenses

### 2026 Recommended Package

- 1 Custer State Park Trophy Bison
- 1 Custer State Park Trophy Bison and Any White-tail Deer Package
- 1 Any Deer (Statewide – excludes Custer State Park)
- 3 Any Deer (Statewide – excludes Custer State Park) and Elk Package

\*Ten total licenses

