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OUT OF DOORS

Affiliated with the National Wildlife Federation

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America's greatest outdoor spots? Obama picks 100

By Chris Hesla

To reconnect Americans to nature, the Obama administration is promoting 100 projects nationwide -- two in each state -- such as new urban parks, wildlife refuges and walking trails as well as completing gaps in Wisconsin's Ice Age Trail and restoring the Bronx' Harlem River.

The projects are part of President Obama's Great Outdoors Initiative, announced last year, and result from 50 meetings between state leaders and senior federal officials. They won't receive new federal funding but technical support and guidance.

"These projects represent what states believe are among the best investments in the nation to support a healthy, active population, conserve wildlife and working lands, and create travel, tourism and outdoor-recreation jobs across the nation," Secretary of the Interior Ken Salazar said Thursday afternoon in announcing the final

50-State America's Great Outdoors Report. They include:

--24 projects to restore and provide recreational access to rivers and other waterways -- such as establishing the Connecticut River as a National Blueway and expanding recreational opportunities at the confluence of the Mississippi and Minnesota Rivers in the Twin Cities;

--23 projects to construct new trails or improve recreational sites -- such as completing gaps in the Ice Age Trail in Wisconsin and expanding the multi-use Shingle Creek Trail in Florida;

--20 projects that will create and enhance urban parks -- such as rehabilitating wetlands habitat and building new outdoor

recreational opportunities on Chicago's South Side and increasing river access at Roberto Clemente State Park and restoring the Harlem River in the Bronx; and

--13 projects that will restore and conserve America's most significant landscapes -- such as conserving Montana's Crown of the Continent, establishing the Flint Hills of Kansas as a new easement-based conservation area, and conserving the native grasslands of North and South Dakota.

--11 initiatives to establish new national wildlife refuges, national park units and other federal designations.

--Five projects that will assist states and communities to protect key open space and five initiatives to educate young people and connect them to nature.

When Obama announced his initiative, he asked for leadership from the Department of the Interior, Department of Agriculture (USDA), the Environmental Protection

Agency, and the White House Council on Environmental Quality.

In the next month, Salazar will name an Interior official to lead each project utilizing the current resources from its bureaus, including the National Park Service, the Bureau of Land Management, the Bureau of Reclamation, and the U.S. Fish and Wildlife Service.

"The America's Great Outdoors Initiative turns the conventional wisdom about the federal government's role in conservation on its head," Salazar said in a statement. "Rather than dictate policies or conservation strategies from Washington, it supports grassroots, locally driven initiatives."



BARCODED FLATS

**SDWF recently held their Annual Pheasant hunt
and Buffalo shoot raffle drawings for 2011,
this years winners are;**

**Pheasant Hunt; Gary Ehasalu, PA
Buffalo Shoot; Kevin Halverson, SD**

*SDWF would like to thank all of our supporters
for buying a chance to win one of these adventures.*



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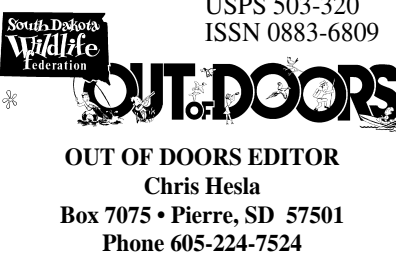
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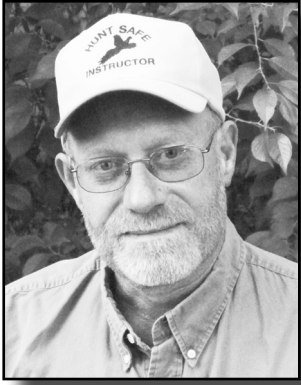
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President's Column *by Bill Antonides*



President,
Bill Antonides

Sometimes I get the feeling we are in the movie Ground Hog Day—the same things keep happening over and over, and there seems to be no way back to normalcy. Consider the Open Fields Doctrine; sportsmen and other conservationists have consistently defeated nearly annual legislative efforts to weaken the Doctrine in the last decade. However, what an outspoken minority of legislators could not do, the Executive Branch of South Dakota government was able to partially accomplish by mandating changes in GF&P policy. The day before the regular pheasant season opened, our Conservation Officers were again given new direction on how and when to check hunters on private land.

Granted, the new policy does not expressly forbid all compliance checks on private land, as some had hoped for. In fact, Conservation Officers are still expected to check hunters and fishermen on private land, as long as they act within the limits of the policy.

Nevertheless, the Open Fields Doctrine—as it applies to Conservation Officers—has been weakened. If nothing else, the policy puts Conservation Officers in the position of potentially justifying their every move to Monday morning quarterbacks. Because the policy is open to interpretation and cannot cover every conceivable situation, and because the policy does not permit some traditional methods and checks, the officer may be left wondering if it is possible to both do his job and keep his job.

Once again, a little background on the Open Fields Doctrine appears to be in order. Forgive me if this sounds repetitive, but it is necessary to keep the public informed. One of the most important duties of our Conservation Officers is to ensure the laws protecting our wildlife and other natural resources are fairly and equitably enforced. In America, wildlife belongs to the public. Since the vast majority of the 77,000 square miles of land in South Dakota is privately owned, the 50 plus Conservation Officers simply must enter private land to check hunters, fishermen, trappers, and other users of our natural resources. To be effective, they usually do so unannounced. Without the Open Fields Doctrine, a two-tiered system of enforcement is established, wherein those on public land are held to a higher standard than those on private land.

All law enforcement officers, including Conservation Officers, operate under the protection of the Open Fields Doctrine. The doctrine is similar to the common law "Privilege to Trespass" concept. Both principles recognize some situations may require certain persons to enter private property without the owner's consent. The Open Fields Doctrine, simply put, allows "government agents" to enter open fields to perform their duties. The Open Fields Doctrine was first defined by the US Supreme Court in 1924 as the result of the *Hester v. United States* case. In its decision, the U.S. Supreme Court stated, "...an individual may not legitimately demand privacy for activities conducted out of doors in fields, except in the area immediately surrounding the home."

The doctrine has been reaffirmed many times since then by state and federal courts, including the SD Supreme Court. In 1984, the US Supreme Court clarified the doctrine by stating, "...open fields, while private property, are not 'effects' within the meaning of the 4th Amendment, and society does not recognize a reasonable expectation of privacy in an open field." The court also declared, "...putting up 'no trespassing' signs does not create a reasonable expectation of privacy. Government agents can cross fences and trespass without a warrant or reasonable suspicion because fencing and 'no trespassing' signs cannot change the non-private character of an open field." The South Dakota Attorney General affirmed the courts' opinions in 2004. To reiterate: the Open Fields Doctrine does not apply to protected areas such as homes and yards, and is not a violation of constitution rights.

Conservation laws and enforcement of those laws have provided for the recovery and protection of many species of wildlife. Compliance and license checks ensure sportsmen follow established seasons, bag limits, license requirements, and other restrictions necessary to conserve and sustain wildlife populations. These checks serve a significant role in wildlife management and the continued protection of our natural resources. Compliance checks also play an important role in protecting landowners against trespass and vandalism.

Society as a whole derives great benefit from the work of Conservation Officers. The Open Fields Doctrine is of critical importance to the ability of Conservation Officers to accomplish the duties laid out for them. Any law or policy which requires the officer to obtain permission from the landowner, or have probable cause of a crime being committed, or which otherwise interferes with the officer's ability to lawfully enter open fields, will significantly weaken the ability of Conservation Officers to protect the natural resources which belong to us all.

True stewards of the land know that having their name on the deed does not give them absolute control over everything that flies, walks, swims or crawls across the landscape. Being a landowner in this country grants many special privileges, but along with those privileges come immense responsibilities. A landowner who truly cares for his property should not complain too loudly about the occasional intrusion into open fields by "government agents," for it assures him others are held to the same standards he demands of himself. Likewise, legitimate sportsmen should welcome checks by Conservation Officers, as they are necessary to ensure the future of their sport.

The SDWF will continue to work to ensure our Conservation Officers are able to protect our wildlife, water and lands in a professional and efficient manner. The price of indifference is simply too high.

"What man does not understand, he fears; and what he fears, he tends to destroy." W.B. Yeats

Letter to the editor

Why I give to SDWF

Dear Chris:

Please find my membership dues and contribution to SDWF for this year. I noticed in the President's column that membership recruiting and donations were off this year and do hope you are able to get things back on track, I do want to state, as a non-resident member, why I contribute to your organization. I was born and raised in SD; I reside in another state because of my structural engineering profession. I grew up hunting and fishing throughout SD, from fishing with my grandfather downstream of Big Bend Dam to deer hunting with my family in the Black Hills, Butte and Harding Counties. My family bird hunted every year from the little Moreau to Mission. I contribute because of the traditions I grew up with and the fact I still bird hunt areas I hunted when I was 12 (44 years), not because hunting lands in my state of residence have decreased or been polluted. I love to hunt where I feel comfortable and SD offers that comfort to me. It is a homecoming for me every year.

I am sure many of your non-residents members have similar statements. Many of us support your efforts to keep family memories and traditions alive.

Thanks

Jim, California

Critics fire at Daugaard directive on hunting checks

GF&P Commission surprised by policy change

Re-printed from the Rapid City Journal

The policy directive by Gov. Dennis Daugaard limiting access to private property by state conservation officers has angered critics in the sporting community and surprised members of the state Game, Fish & Parks Commission.

GF&P Commission Chairman Jeff Olson said Thursday that he wasn't aware of the policy directive developed by Daugaard staffers and upper-level GF&P Department officials until he read it in the Journal on Wednesday.

"Since we were not included in the discussion, there is not much I can say," Olson said. "But I believe I know how the sportsmen feel about this issue, since it has been debated in the Legislature year after year."

Efforts to change state law so that conservation officers must have landowner permission before entering private land for hunting and fishing compliance checks have repeatedly failed in the

South Dakota Legislature. Daugaard's policy stops short of requiring that permission. But it does say that unless officers have reason to suspect illegal activity, compliance checks should be conducted in the vicinity of public roads and section lines, along field borders and where hunters are congregated or where hunters have traveled in vehicles.

Bill Antonides of Aberdeen, president of the South Dakota Wildlife Federation, said in an email Thursday that the policy directive will hurt wildlife law enforcement in South Dakota and force officers to use different standards in checking hunters on public and private land.

"This really sets up two classes of hunters: those who hunt public land and are subject to unannounced compliance checks and those who hunt private land and have no reason to fear enforcement of any but the most blatant violations," Antonides said. "Even those violations are OK if done outside the view from a public road."

Antonides, a former conservation officer who worked for GF&P for 18 years, said officers try to use roads and section lines to make compliance checks on private land when possible. And the policy directive might work in some situations where checks near roads or section lines make sense, he said. But it won't work in other situations, such as where hunters are at a marsh or field or shelterbelt over the hill and out of sight, Antonides said.

"If nothing else, please remember that the best cases are generally made in the field, not on a road. And the unethical hunter knows that," he said. "Keeping the CO on public land and roads gives the unethical hunter a huge advantage."

Former GF&P conservation officer and regional wildlife program manager John Wrede of Rapid City said Daugaard's policy reflects an executive branch that is exercising too much power and not enough cooperation and wisdom. Wrede, who worked for GF&P for 31 years, said the "open-fields doctrine," which authorizes officers to enter private land away from homes and adjoining buildings without seeking landowner permission is an essential law-enforcement tool that has been affirmed by courts.

Wrede said restricting that legal doctrine with a policy directive was ill-advised.

"The governor's office and the executive branch have become nothing short of autonomous and dictatorial, and they've further chosen not to entertain any discussion or recommendation from anyone that may have differing opinions," Wrede said. "This is a kingdom building exercise that

is not in the best interests of South Dakota or its resources."

Daugaard senior aide Tony Venhuizen said the policy directive was not developed in a vacuum. GF&P senior officials in Pierre were involved, and Daugaard also considered the opinions of others, including sportsmen, Venhuizen said.

"The governor met with the South Dakota Wildlife Federation leadership last year, during the campaign, to discuss this issue, and he was aware of their views as he made this decision," Venhuizen said. "The governor hopes to strike a balance between private property rights and the need for effective enforcement of the law, and he believes this is a reasonable compromise."

Daugaard's policy directive is less restrictive than his initial preference stated during his 2010 campaign. That would have required conservation officers to get landowner permission before entering private property for compliance checks.

But this directive nonetheless answers many of the concerns that landowners have expressed, said state Rep. Mike Verchio, R-Hill City, a past supporter and sponsor of failed legislation to impose that landowner-permission provision in state law.

"My whole thrust was to have the officers interact more with the property owners," Verchio said. "It's more a common courtesy type of thing."

Verchio praised GF&P Secretary Jeff Vonk for work to improve relationships between GF&P and landowners. Verchio said further attempts to restrict the use of the open-fields

doctrine might not be needed if Daugaard's policy succeeds.

"This does plenty for me. I think this was kind of what we were pushing for," he said. "Sometimes to make your point you overreach a little just to make your point and accomplish things. I'd much rather have it done this way."

Like Jeff Olson, GF&P Commissioner John Cooper of Pierre was unaware of the policy directive before the newspaper report. Cooper, who served as GF&P secretary for 12 years and had a career as a federal wildlife agent before that, said he also worries about enforcement problems because of the new policy.

"Enforcement is a critically important issue in wildlife management, and I don't want to see our officers hamstrung," Cooper said. "If we give this policy a try and it's not working and there are specific instances where officers are hamstrung, will we reconsider it? I hope so."

Cooper and Olson agreed that most conservation officers already take the kind of steps included in the policy, when it works for individual law-enforcement situations. But they worry about other situations.

"Does this mean that out at ABC goose hunting club where people are out in the pits, officers have to wait back at the lodge or out on the road to check the hunters?" Cooper said. "So if somebody doesn't have a license when they come back, they can just say 'No, I wasn't hunting out there.' And the officer doesn't know, because he couldn't get out there to see."

Cooper said GF&P has worked to improve relations with landowners. He wonders if the problems now are being overblown.

"Is this a legitimate issue out there, that landowners have had so much grief with our officers?" he said. "Or did this just get overblown into a political thing?"



Corps downplays threat

WASHINGTON - The Missouri River is unlikely to flood again in 2012, but regions downstream from its reservoirs have been left vulnerable by damage to levees and other flood-control structures, the Army Corps of Engineers says.

Brig. Gen. John McMahon, who oversees the corps' management of the river, told lawmakers Tuesday there is no way the agency could have anticipated the amount of flooding that occurred this year when heavy spring rainfall combined with a massive snowmelt to overwhelm the reservoirs.

There's a low probability of that reoccurring next year, but "nobody can see the future," he told the Senate Environment and Public Works Committee.

"The system is more vulnerable next year now than it was last year," he added.

Flooding this year caused \$2 billion in damage to flood-control projects nationwide, including \$500 million to \$1 billion along the Missouri River, far outstripping the Corps of Engineers' repair budget. The Obama administration has not asked Congress for money to pay for the repairs.

Let downstream areas dry out, corps says

The Corps of Engineers also has decided against releasing large amounts of water from the reservoirs this fall to make more room for next spring's snowmelt because the agency needed areas downstream to dry out so repairs could begin, McMahon said.

The Corps of Engineers is under pressure from many lawmakers to change the way it manages water levels in the river reservoirs to prevent a recurrence of this year's flooding.

"I fear that the corps is planning to move forward under the assumption that this was a one-off event," said Sen. John Thune, R-S.D., who told the panel that the corps missed opportunities this spring to accelerate water releases from the reservoirs to limit the extent of the flooding.

In South Dakota, towns such as Pierre, Fort Pierre and Dakota Dunes spent a long summer battling flooding. In Dakota Dunes, some residents still are working to get back in their homes after flooding damage.

"When you see all of the damage that was done by this flood, more consideration has to be given to flood control," said Sen. Chuck Grassley, R-Iowa.

'Prudent actions based on the information'

McMahon said the Corps of Engineers released water from the reservoirs this spring because of the heavy snowpack but was overwhelmed by the rains that came in May, June and July, creating a flood estimated to occur only once every 500 years. The corps was "taking prudent actions based

on the information we had at the time," McMahon said.

A bill introduced in the House last month would force the Corps of Engineers to recalculate the reservoir storage needs based on this year's flooding. The corps now manages the water levels based on a formula intended to prevent a flood of the size that occurred in 1881. This year's flood eclipsed that one.

The legislation requires the corps to recalculate the amount of space needed in the reservoirs for flood control and to adjust water levels before the runoff season each spring. The bill is sponsored by Rep. Steve King, R-Iowa, and cosponsored by Rep. Kristi Noem, R-S.D., and a bipartisan group of other lawmakers from Iowa, Missouri and Nebraska.

A shift in thinking about upstream reservoirs

Senators from the Dakotas and Montana have in the past urged the Corps of Engineers to maintain sufficient water levels upstream to protect recreation and other uses of the reservoirs, but the flooding is changing some of the lawmakers' thinking.

N.D. asks Army to lower level of Lake Sakakawea

Sen. John Hoeven, R-N.D., said the Northern Plains appears to be in a wet period and that the Corps of Engineers needs to manage reservoir water levels "based on the conditions on the ground." His state's water commission is asking the Army to lower one of the reservoirs, Lake Sakakawea, by 2.5 feet. Fellow North Dakotan, Democrat Sen. Kent Conrad, said that sticking with the current

management plan "is not going to cut it in these extraordinary weather conditions that we confront."

Montana senator warns against acting too quickly

But Sen. Max Baucus, D-Mont., cautioned the Corps of Engineers against putting more emphasis on flood control, expressing concern that would result in excessive water releases.

"You can't just willy-nilly turn off the dams to try to control" flooding, he said. Revising the management plan, known as a master manual, takes "time and thought."

Sen. Tim Johnson, D-S.D., stopped short of calling for a rewrite of the management plan.

"There are no easy answers, but the issue of flood control on the Missouri River is vitally important to the economy," he said.

The plan's last revision took 14 years and \$33 million. Pressed by a committee member to estimate how long it would take to revise the plan again, McMahon would only say "one to X years."



"A system of conservation based solely on economic self-interest is hopelessly lopsided. It tends to ignore, and thus eventually to eliminate, many elements in the land community that lack commercial value, but that are (as far as we know) essential to its healthy functioning. It assumes, falsely, I think, that the economic parts of the biotic clock will function without the uneconomic parts. It needs to relegate to government many functions eventually too large, too complex, or too widely dispersed to be performed by government."

~From A Sand County Almanac by Aldo Leopold

SD Wildlife Federation Donors

At the 2003 Winter Board Meeting, the SDWF Board created the SDWF Wildlife Legacy Council. The Council was created to allow recognition of the people who support SDWF above and beyond their membership and raffle donations.

Thank you to the following donors for their contributions to the SDWF. Please consider becoming a member of the Wildlife Legacy Council. SDWF is a 501(c)3 non-profit, all donations are tax deductible. These tax-deductible contributions will speak volumes for the future of the SDWF's Wildlife Legacy Council! Please consider your donation today. Donations can be sent to SDWF, PO Box 7075, Pierre, SD 57501.

The Legacy Council consists of five different donation levels: Level V Eagle \$1,000 & Above; Level IV Buffalo \$500 - \$999; Level III Elk \$250 - \$499; Level II Deer \$100 - \$249; and Level I Pheasant \$50 - \$99.

October 2011

LEVEL V EAGLE CHAPMAN, JOHN W. - PA	LUTZ, BOB - MT McMASTERS, LEIGH - SD	BURNS, KENDALL - CA BURTON, DON - CO	KRODINGER, LAWRENCE - MO LARSON, GREG - SD
LEVEL IV BUFFALO LEMONDS, JIM - SD WORDEN, JAMES - CA	MUDD, WILLIAM - KY PAUL, K-LYNN - AZ	CARDINAL, DANIEL - WI CASLER, DAVID - MO	METRY, MARK - WI MOHS, GERALD - ND
LEVEL III ELK SCHERSCHLIGHT, JEFFREY - SD TOSCANA, VIC - SD	SATTTLER, ARNOLD - SD SEELEY, GARY - KS	CHRISTOPHERSON, M.E. - SC CUSTER, GEORGE - TX	OCHOCKI, ROBERT - CA PAXTON, GARY - OK
LEVEL II DEER BRAKEBUSH, CARL - WI CROUCH, GARY - TX	SPEER, HOY - AR SWORDS, L.F. - MS	DOMINIANI, DAVE - NE GARVEY, GARY - OH	PETERS, DUANE - SD PONTO, NORBERT - SD
DRESSING, BRIAN - SD HEEDUM, ROGER - NE	WARE, WILLIAM - MS LEVEL I PHEASANT ALLEN, H. DUANE - TN	GRIFFIN, JOHN - OK HEIDELBAUER, JEFF - SD	SIMON, DARREL - SD WAHL, STAN - SD
	BUCKNER, EVERETT - AR BUCKNER II, WILLIAM - AR	HELLEBUSCH, JIM - MO HOCH, JAMES - CA	WILLMOTT, HARRY - MN KETTER, JEFFREY - WI

September 2011

LEVEL IV BUFFALO SCALET, CHUCK & GINGER - SD	LEVEL II DEER KIEFT, LARRY - MI	LEVEL I PHEASANT CONROY, JOE - MN
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August 2011

LEVEL III ELK ALLSHTRON, KEN - SD	LEVEL II DEER FELL, TOM - AL GILBERT, JIM - CA	LEVEL I PHEASANT GARNES, CHESTER - MN SHOEMAKER, TIM - OH
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July 2011

LEVEL II DEER BEALKA, BOB - WI RITCHEY, CHARLES - MI WIDMAN, RICH - SD	LEVEL I PHEASANT GREENWOOD, KEN - OK HANSON, HOWARD - MN NELSON, LAWRENCE - SD	SAMPSON, TERRY - SD SNYDER, ADAM - IN WELCH, HARVEY - IL	WHEELER, STEPHEN J. - SD
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June 2011

LEVEL III ELK JOHNSON, VIRGIL - SD PHEASANTS FOREVER, INC. YANKTON AREA CHPT, - SD	LEVEL II DEER EDER, PHIL - MN PORISCH, ROBERT - IA RANEY, THOMAS - KS	ROBERTS, TOM - SD WILMS, DALE - CA WINTER BROS. UNDER- GROUND, INC. - SD	LEVEL I PHEASANT DAVIDSON, JOHN - SD HATCH, DUANE - SD SAMPSON, TERRY - SD
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May 2011

LEVEL V EAGLE ROBERTS, STEVEN - MN	LEVEL II DEER FOXWORTHY, ROBERT - KY LINDNER, RONALD - SD	CRISSMAN, EARLE - SD HANSEN, VIRGIL - SD	LOWE, STEVEN - MI MILLER, RICHARD - SD
LEVEL IV BUFFALO OLSON, JEFF G. - SD SPORTSMAN'S CLUB OF BROWN CO. - SD	LULEWICZ, JERRY - SD MADSEN, ROYCE - SD O'REILLY, LARRY - MO	HIX, DOUGLAS - ID JAFFREY, DR. BRETT - TN JONES CO. SPORTSMAN'S CLUB - SD	POLENZ, ALLAN - OR POPOWSKI, JOHN - SD STENSLAND, JOHN - IA
LEVEL III ELK ROCKY MOUNTAIN ELK FOUNDATION BIG SIOUX CHAPTER - SD	LEVEL I PHEASANT ANDERSON, EDWIN - TN BELL, BOB - MN CRAIN, NEIL - LA	KASISCHKE, CARL - MI KIESECOMS, BOB - IL KLODOWSKI, MARK - IN KLUNDT, SCOTT - SD	TRAVERS, MD, HENRY - SD VAA, SPENCER - SD

April 2011

LEVEL V EAGLE DAKOTA SPORTSMAN, INC. - SD NAT'L WILD TURKEY FEDERATION - SD	LEVEL IV BUFFALO THE SPORTSMAN'S CLUB OF BROWN CO - SD LEVEL III ELK KOCVARA, FRANK - NV	LEVEL II DEER CONNELL, CRAIG - SD HALL, CARL - KY MAYES, TERRY & LA REE - SD SCHUPP, TERRY - AZ WORSHAM, JERRY - WA	LEVEL I PHEASANT ELSHOLTZ, ROBERT - MN MELBY, DAVID - MN TESCH, CURT - SD
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March 2011

LEVEL V EAGLE BEADLE CO. SPORTSMAN'S CLUB - SD HIGH PLAINS WILDLIFE ASSOCIATION - SD	LEVEL III ELK 29-90 SPORTSMAN'S CLUB - SD HECLA COMMUNITY SPORTSMEN - SD JOHNSON, ERIC - MN PHEASANTS FOREVER NORTHERN OAH CHAPTER - SD	JUNGERS, ROMAN - WI KRETCHMAN, JIM - SD MADLAND, JON - SD MADSEN, CARL - SD NORDBY, DAVID O. - CA	GAGEBY, CHARLES - SD HOFTIEZER, GREG - SD LIPPINCOTT, ROB - TX MATOUSEK, WILLIAM - SD PICEK, LARRY - SD PICKART, PHILLIP - SD QUAIL, TONY - SD ZAJECHOWSKI, JOHN - WI ZIMMERMAN, HERB - CO
LEVEL IV BUFFALO BLACK HILLS SPORTSMAN CLUB - SD BROOKINGS WILDLIFE FEDERATION - SD LEE, KARL O. - SD SD WALLEYE UNLIMITED - SD	LEVEL II DEER ANDRESEN, RICH - SD BRICK, RICHARD - CA DENISON, LARRY - VA	LEVEL I PHEASANT AKKERMAN, STEPHEN - MN BAGAU, TERRY - MN BAKER, FRED - OH BALKEN, DUWAYNE - MN BROWN, ALLEN B. - SD FARMERS STATE BANK - SD	

February 2011

Level III ELK STAMMER, MARLIN - CA	DIVICH, DUANE - TX DONOVAN, JR., JOHN - SD	PESEK, RON - SD LEVEL I PHEASANT ANDERSON, JR., RALPH - NE BORMANN, DANIEL - WI	DRAKE, ROBERT - SD EVANS, RALPH - FL PAHL, RUSSELL - SD
LEVEL II DEER CAMPBELL, STUART - SD	HEMPEL, TODD - SD LEVISEN, ARLO - SD		

January 2011

LEVEL IV BUFFALO OLSON, DR. JEFF - SD	LEVEL II DEER ABDALLAH, GENE - SD McCARLSON, PAUL - SD McCARTHY PROPERTIES - SD	PARCEL, KERRY - SD WIDMAN, MARK - SD LEVEL I PHEASANT GILBERT, DAVE - SD	PARR, MARK - SD RUMPCA, HAL - SD
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December 2010

LEVEL III ELK SCHROEDER JR, KENNETH - SD	LEVEL II DEER COOPER, JOHN - SD DeBOER, JAY - SD	PEDERSON, TIM - SD LEVEL I PHEASANT MEDEIROS, PAUL - CA	MILLER, O. LARRY - SD
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November 2010

LEVEL II DEER GOGGINS, ROBERT - MN GREENWOOD, KEN - OK MCGARRY, PAT - SD	LEVEL I PHEASANT ANTONIDES, BILL & LILA - SD HEFFRON, GEORGE H. - CO KUCSMA, GEORGE - OH	METRY, MARK - WI NEISSL, JR., E.J. - AR O'KEEFE, DAN - MN STREETER, DONALD - FL	WALDRON, HOWARD - MA
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Invasive species threat brings fishing regulations



PIERRE—The state Game, Fish and Parks Commission decided Thursday the James, Big Sioux and Vermillion rivers in South Dakota must be closed to taking of any baitfish.

So will the segment of the Missouri River below Gavins Point dam in South Dakota. The bans are intended to protect other South Dakota fishing waters from the spread of invasive species such as Asian carp. Immature Asian carp, also known as silver carp, resemble gizzard shad. Shad are a popular bait fish and a source of food for some game fish species. The bans don't apply to tributaries of those rivers yet. "We do have some things we need to work out with the bait industry," state fisheries chief John Lott said. The commission also moved forward with a list of aquatic nuisance species for the first time. There are 19 species on the list, including 10 types of fish, four types of plants and five types of invertebrates. The new rule prohibits possession of aquatic nuisance species except under special circumstances. The listing was supported in testimony from spokesmen for the South Dakota Walleyes Unlimited and the Izaak Walton League of America.

The immediate fears are Asian carp, which have been found in the Missouri River below Gavins Point, and zebra mussels invading South Dakota fishing waters. "The threat isn't coming. It's here," Izaak Walton official Paul Lepisto of Pierre said. The listed fish species are black carp, common carp, grass carp, bighead carp, silver carp, European rudd, giant snakehead, Northern snakehead, bullseye snakehead and blotched snakehead. The listed plant species are brittle naiad, curly pondweed, didymo and Eurasian water-milfoil. The listed invertebrates are New Zealand mudsnail, rusty crayfish, zebra mussel, quagga mussel and Asian clam. In other fishing-rules action, the commission lifted the special size limit for smallmouth bass on Lake Sharpe and agreed to allow fish spearing on Mud Lake and Cottonwood Lake in Roberts County. Anglers have been prohibited from keeping any smallmouth bass or largemouth bass that are longer than 14 inches and shorter than 18 inches caught from Lake Sharpe. They also have been limited to keeping only one smallmouth or largemouth 18 inches or longer. The commission agreed to take those restrictions off Lake Sharpe. No one testified in person about it, but the commission received a handful of written comments that tended to favor taking the size limit off Lake Sharpe. Karl Palmer, a guide from Fort Pierre, said his clients are disappointed when they can't keep smallmouth bass in the 14- to 18-inch range they catch on Lake Sharpe. He said tourism would benefit from lifting the limit on what he described as a "world class" smallmouth fishery.

"Humankind has not woven the web of life. We are but one thread within it. Whatever we do to the web, we do to ourselves. All things are bound together. All things connect."

~Chief Seattle, 1855

CSP bighorns showing signs of improvement

CUSTER STATE PARK — The disease that virtually wiped out the big-horn sheep population at Custer State Park may be waning.

Four lambs have survived so far this season and park wildlife officials see hope, although it is much too early to tell of the success definitively.

“We’re optimistic that they will survive this winter,” said Chad Lehman, a wildlife biologist with the park.

Eight lambs were born this spring.

In December 2004, the sheep within the park were about 200 strong. But in January 2005, biologists began to see dead bighorns within the park.

It was the beginning of an all-age die-off that was the result of *Mycoplasma ovipneumoniae*, a pneumonia-causing pasteurilla bacteria.

Now, between 20 and 25 bighorns live within the park; seven are rams.

This die-off is not an isolated incident. Bighorn populations in Colorado, Wyoming and Arizona, among other states, have faced similar fates. Lehman said the disease sometimes takes nine to 15 years to run its course — the park is in its seventh year.

The adult bighorns are showing signs of immunity to the disease, but the lambs are still suffering. In 2010, Lehman said “five lambs came down with ewes off the cliffs over here. Within two weeks, they were all dead.”

Biologists used antibiotics on the sheep, but Lehman said he didn’t know how effective they really were.

Outside the park, the Black Hills’ main bighorn herd is on the decline.

Biologists knew that mountain lions were killing a significant number of lambs. They began a study in which lambs were fitted with radio collars

that would emit a “mortality signal.” What wildlife officials found was a surprise.

“We’re looking specifically to see what lions are doing to the herd, but what we found was that perhaps a bigger issue is the pneumonia complex,” John Kanta, the regional wildlife manager with the South Dakota Game, Fish and Parks, said previously.

“We assumed that in the main Black Hills herd we didn’t have any of that going on. Actually, as part of our research ... we found we are losing a lot of lambs to pneumonia up here,” he added.



The department is in its second year of a three-year field study in which the ewes and later lambs are radio collared.

In 2010, all 25 lambs collared died. Thus far in 2011, only two of the 28 lambs collared are still alive — the main cause of death is pneumonia, followed closely by mountain lion predation. Other causes of death have included falls, abandonment and hypothermia.

“It doesn’t appear that it is an all-age die-off, and that has us scratching our heads a bit,” Kanta said.

The rams and ewes appear to remain in good health, and there are other

lambs remaining in the herd that were not collared.

“There is not a lot we can do about it,” Kanta said.

The department tried an experimental vaccine last year, but “it doesn’t appear to have worked.”

This year the biologists will try another vaccine, “one that was developed based specifically on the strain of bugs we have here,” Kanta said.

“We have a declining population, and that is not a good outlook,” he said.

Not even the salmon strong enough to battle Missouri River’s power

PIERRE — The incredibly heavy flows of water that the U.S. Army Corps of Engineers sent flooding through the Missouri River dams this summer appear to have carried a lot of salmon downstream, too.

The concern now is what might have happened to the populations of baitfish such as smelt that provide an important food source for prized game-fish such as walleye, northern pike and salmon.

The state Game, Fish and Parks Commission received a presentation on the current status of Lake Oahe’s salmon population Friday from one of the department’s fisheries biologists, Robert Hanten.

During the discussion, commissioner John Cooper, of Pierre, a former state secretary of game, fish and parks, strongly suggested the

department put together an analysis of the baitfish populations currently and provide a comparison to three years ago.

Cooper said the situation could be similar to what happened in 1997 when the smelt population was severely diminished because the corps had to release large volumes of water for weeks on end.

He told Hanten it would be good to get on it “the soonest you can” because it would have “a huge usefulness” in explaining to anglers and the general public what might be ahead, such as game fish losing weight and growing slowly.

He said Lake Oahe already has lost a lot of its gizzard shad, another baitfish species.

“That’s what’s on people’s minds right now: Are we going to suffer some issues?” Cooper said. “They’re craving that info.”

Hanten said creel surveys indicate that 524 salmon were caught by anglers on Lake Oahe during 2011’s main fishing season. In 2010, the same methods indicated anglers took 8,429, or some 15 times as many.

Hanten said a comparison of fishing hours hasn’t been made yet for the two years. But, he said, there clearly was less success. “In general, I think anglers had a tough time locating salmon,” he said.

Salmon don’t naturally reproduce in Lake Oahe. Instead, eggs are collected from adult female salmon taken from the Missouri River, then the eggs are fertilized at a state hatchery and raised until they’re about as long as a man’s palm is wide. At that point they’re stocked in Oahe again.



Executive Director's Update *by Chris Hesla*

I hope all your outdoor experiences this Fall have been enjoyable, safe, and productive. Some residents and non-residents don't understand how much game is available to hunt in South Dakota, even in down years like this one, compared to other states. That is why SDWF fights so hard for equal access (for residents and non-residents) to game through the lottery system. Because it is not based on ability to pay or ownership of private property, the lottery guarantees everyone an equal chance at game licenses.

I hope you all have a safe hunting season this Fall!

South Dakota limits the number of out-of-state waterfowl licenses to avoid over commercialization of this resource. The great majority of the 4,000+ non-residents who apply for a waterfowl license get

their desired license. SDWF and other stakeholders work collaboratively to respect property rights; support the economic and quality of life benefits of hunting; and, most importantly, preserve our hunting and fishing heritage. Do you think we would have world-class waterfowl hunting in South Dakota if the non-resident numbers weren't limited? Every year I hear from non-residents who urge the SDWF to continue its efforts to appropriately allocate the number of licenses. They want to ensure appropriate harvesting and bird counts so they can continue to experience the best waterfowl hunting in the nation.

The SDWF Camo-Coalition, lobbying arm of SDWF, is preparing for the January 10th start of the legislative session. I'm sure there will be attempts to change the way the state handles licenses (landowner transfer tags) and on the budget authority of the GF&P Commission. Through your financial and advocacy support, the SDWF

Camo-Coalition continues to have a daily presence in the halls of the Capitol. We are able to employ two lobbyists to advocate for your perspective. The SDWF continues to be the ONLY outdoor/conservation organization that has this representation of our members.

SDWF's strength lies in its membership. Everyone is asked to be active members. There are many different ways to be involved:

- The first is done-being a member of SDWF.
- Get your hunting partner(s) to join SDWF. Membership is a bargain at \$20 a year.
- Sign up for the SDWF Camo-Coalition daily legislative e-mails by going to www.sdwfcamo.net and hit the "Join" button. Membership in the SDWF Camo-Coalition and the daily Legislative updates are FREE.
- Become educated on the topics and be willing to contact your local legislators.
- Attend your local cracker barrels, make your voice heard, and make sure your legislators are accountable to you with their votes.
- Plan to be in Pierre on Monday, February 13th from 7:30 am until noon for the 10th annual "Camo-Day at the Legislature".
- Financially support SDWF by participating in fundraisers.

SDWF is the leading advocate and voice for the common outdoor enthusiast. We are working to protect what we have today while working with landowners and others to preserve our wildlife and environment for future generations.

Working together we can and do make a difference!

Corps outlines its 2012 plan for managing Missouri River

PIERRE - The latest management plan for Lake Oahe calls for the Missouri River reservoir to start the winter season Dec. 1 with 11 to 12 feet of free space available for taking additional water next year.

The question looming for people along the river is whether the U.S. Army Corps of Engineers is holding too much water back this fall.

It is the same question some people who closely watch the river were asking last spring before the deluge came.

The corps estimates that 57.1 million acre-feet of water will be in storage starting this winter. That is slightly more than the 57 million acre-feet in storage at the start of last winter.

Run-off poured last spring and summer into the Missouri River system as never before on record. There wasn't sufficient room left in the reservoirs to handle all the water.

The sandbags, dikes, damage and repairs from the flooding can still be seen throughout Pierre, Fort Pierre, Dakota Dunes and Sioux City. Some places remain closed to the general public. The corps officially declared the flood over Oct. 17.

Corps officials will hold a meeting in Pierre tonight (Wednesday), starting at 7, to outline their Missouri River annual operating plan for 2012.

The meeting is at the Best Western Ramkota convention center.

Last spring there were widespread worries that Oahe was getting too high because of heavy snowfalls in the later winter, followed by more snow and rains in the spring.

People had to evacuate and protect hundreds of homes and businesses in low-lying areas in late May and early June.

Oahe eventually rose within inches of topping its emergency flood-control gates last summer, as the U.S. Army Corps of Engineers sent water pouring through the dam at levels much greater than ever before.

Releases from Oahe averaged 160,300 cubic feet per second in May and 150,500 cfs in June, followed by 130,500 cfs in August and

80,500 cfs in September. The highest average for any previous month in the dam's 44 years of operations was 59,300 cfs.

Emergency spillways had to be opened at Garrison dam in North Dakota and Fort Peck dam in Montana to keep water from going over the tops.

The corps' current plan calls for Oahe's surface to be at an elevation of 1608.4 feet above sea level on Nov. 30. The record pool elevation was set June 26 at 1619.7 feet.

The corps began its series of fall management meetings in Omaha, Neb., on Oct. 24, followed by sessions in Missouri, Kansas and Montana.

The corps met Tuesday in Bismarck. After tonight's meeting in Pierre, the corps' final meeting will be in Sioux City, Iowa, on Thursday.

The corps want to keep a lot of water flowing through the dams this winter. Release rates are predicted to be about 22,000 cubic feet per second from Gavins Point dam for December through February.

At the upstream end of the chain of six reservoirs, releases from Fort Peck dam in Montana are set for 10,000 cfs in December and 12,000 cfs in January and February.

Releases from Garrison dam in North Dakota are targeted for 19,000 in December and 24,000 cfs in January and February.

In South Dakota, winter releases from Oahe dam are planned to average 23,800 cfs with "substantial" variances based on circumstances, according to the corps.

Those include demand for hydropower electricity and the potential for flooding of parts of Pierre and Fort Pierre because of icing conditions.

That is a higher than typical number.

Big Bend dam, which essentially serves as a pass-through for Oahe releases, will be maintained at the normal elevation of 1420 to 1421. Likewise, releases from Fort Randall dam will run approximately 19,600 cfs to accommodate the Oahe releases.

The corps expects to have the flood-control zones available at all six reservoirs when the spring run-off season begins.

During next spring and summer through the fall end of the navigation season on the downstream river, releases from Gavins Point dam are expected to vary between 26,000 cfs and 52,000 cfs. Oahe dam releases will be tied to the Gavins Point releases during the navigation season.

Pool elevations could vary by 20 feet on Fort Peck, Garrison and Oahe next year. The corps forecasts that Oahe, for example, could range from 1594 to 1616 feet above sea level.

That would put Oahe within four feet of the top of the emergency spillway gates again.

The Oahe pool's elevation is forecast to gradually fall to 1607.1 by the end of December and begin rising again in late winter to 1607.8 by the end of March.

The corps doesn't plan to attempt a spring pulse in 2012 and instead seeks to focus on assessing the effects from the historically high natural rise of 2011. The spring pulse has been a management tool used in recent years as part of the river recovery program for wildlife.

The corps also expects sandbars will be sufficiently high for two bird species, piping plover and interior least tern, to have nesting habitat without special management of the river's flow in 2012.

The corps estimates 2011 runoff to total approximately 61 million acre-feet of water flowing into the Missouri River system. The runoff year covers March 2011 through February 2012.

For comparison, the corps' five simulated models for 2012 run-off covering March 2012 through February 2013 have a mid-point, or median, of 24.4 million acre-feet. The corps' simulations predict a 1 in 2 chance that number will prove accurate.

The five simulations range from 16.2 million acre-feet at the lower end to 34.3 at the upper end. There is a 10 percent chance the actual run-off will be higher and a 10 percent chance it will be lower.