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# OUT OF DOORS

Affiliated with the National Wildlife Federation

VOLUME 49, NUMBER 1

# Legislative Notes and Opinions

BARCODED FLATS

By Bill Antonides  
Copyright January 2009

Winters are tough in South Dakota. Besides the mind-numbing cold, mountains of snow, frozen pipes and cars that won't start, we also have to worry about the annual legislative session. If history is any indicator of future performance, sportsmen need to pay close attention when the legislature is at work.

Our conservative state, which is generally quite fiscally responsible, is roughly \$100 million dollars in the red. While this isn't even pocket change to the federal government and a good many corporations, it is a very big deal for a sparsely populated state like South Dakota. Our schools need funding. Our roads and bridges need repairs. We keep passing laws, but can't provide sufficient funding for law enforcement, not for the patrolmen on the highways, nor the courts, the prisons, or the parole system. In fact, every state agency could use a few more bucks to adequately maintain the programs they have.

Yet, at least the first five bills introduced in the house and the first two in the senate this year pertain to sportsmen's issues. In my mind, most of these bills don't even merit consideration in our legislature. These battles have already been fought, many of them year after year in one form or another. It is astounding how much time and energy is expended on what would appear to most people to be relatively trivial matters. Of course, these matters are not trivial to sportsmen and other conservationists, or to the legislators who introduced them.

Remember the battle over what would be the state dessert? Kuchen won out because those of us who love pumpkin pie remained silent, thinking perhaps there were bigger issues to tackle. Now we have a state dessert most people can't even spell, we still don't have an adequate funding mechanism for our schools, and my Thanksgiving dinners are ruined because I know I will soon be eating an inferior dessert.

In the end, most of our legislators exhibit a willingness to listen to their constituents, and exert a good deal of common sense when it comes time to vote. This happens in great part

because sportsmen take the time to educate themselves on the issues and make their opinions known to their legislators. The amount of common sense shown when it comes time to vote is generally in direct proportion to the number of sportsmen who speak up.

There were five bills posted on day one of the 2009 legislative session which are definitely not in the sportsman's interest, and many more which require careful thought. Simply reading the title of the bill gives no real clue to the actual meaning and consequences, intended or otherwise. The five bills are listed below, along with a very brief explanation:

HB1002-Provides for the transfer of certain monies from Game, Fish & Parks to the county road bridge fund.

For a great many years, a portion of sportsmen's license dollars went to road repairs in the county of sale. This money was considered reimbursement for the service of county treasurers, who were at that time in charge of license sales and went through considerable work to distribute and sell the licenses. About a decade ago, this practice was determined to be a prohibited diversion of Game, Fish and Parks funds, and the state was in danger of losing millions in federal cost-share dollars every year. The responsibility for county treasurers to handle the licenses was taken away, the new computerized system we have today was put in place, and the counties no longer directly received a payment from the GF&P. However, in recognition of the fact sportsmen pay taxes on the fuel they use in pursuit of fish and game, a portion of the gas taxes collected by the state were set aside for use by the counties on township roads. This was a fair and reasonable solution.

HB 1002 would take a dollar from every license sold and give it back to the counties for the road and bridge fund. The thinking is sportsmen use these roads, which in fact they do. The fallacy of charging an extra dollar for every license sold is the presumption sportsmen don't pay for road maintenance. In fact, sportsmen already pay their fair share of taxes to maintain the roads. Far worse than the dollar surcharge is the fact this would again be a diversion of funds, and the state would lose millions of dollars in federal aide.

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## Executive Director's Update *by Chris Hesla*

The 2009 Legislative Session is in its 5th day of a 40 day sessions. It has been very slow regarding introduced legislation that would impact our outdoor experiences here in South Dakota.

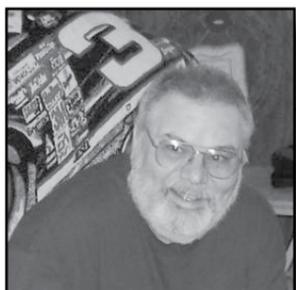
Monday, February 2, 2009, 7:30 am until noon, marks the 7th Annual "Camo Coalition Day" formerly known as Outdoor Enthusiasts Day will be held.

Donate a day of your time to help protect your hunting and fishing heritage here in South Dakota. Come to Pierre and let's fill the halls of the Capital.

The daily legislative e-mail list is going out at least once a day. If you want to receive it e-mail me at [sdwf@mncomm.com](mailto:sdwf@mncomm.com) and say subscribe.

Thank you for all that you do, we do make a difference.

Don't forget to come out and support "Camo Coalition Day" on Monday, February 2, 2009.



## President's Column *by Rieck Eske*

Our annual legislative session is now in progress, and we need your help. If you haven't already e-mailed Chris to subscribe to his daily legislative updates, please do so. Just send an e-mail to [sdwf@mncomm.com](mailto:sdwf@mncomm.com) and ask to be added to the mailing list.

There are already four house bills and one senate bill posted that we need to defeat, and more on the way:

HB 1002—Provides for the transfer of certain monies from Game, Fish & Parks to the county road bridge fund.

HB 1003—Clarifies the application of common trespass law and provides for the recovery of damages against trespass.

HB 1004—Provides for the killing of Mountain Lions under certain circumstances and provides for the disposition of such Mountain Lion.

HB 1005—Requires that certain land acquisitions by the Game, Fish & Parks be bought upon condition of subsequent legislative approval.

SB 02-Revises the number of certain nonresident waterfowl licenses.

SDWF Vice President Bill Antonides has provided an explanation and his opinion of these and other bills elsewhere in this issue of Out of

Doors. You can read more about these bills in the daily e-mail updates, learn about new ones as they are filed, and also keep track of bills we support. There are also links to your legislators. Once you get the hang of it, you will find it very easy to communicate with your elected officials.

The general legislative direction all over the nation is for wildlife to be privatized and commercialized, and South Dakota is no exception. That is why it's so important to sign up for the daily legislative e-mails. It is also why it's so important to belong to the SDWF. We are the only organization actively lobbying for the sportsmen and conservationists of this state. You can join by simply paying your annual dues at one of our many affiliated clubs, or by contacting us at the address or phone number at the bottom of this page.

As a reminder, our annual Outdoor Enthusiast Day (Camo Coalition Day) will be on February 2, starting at 7AM at the Capital. Please join us; we can and do make a difference. You can e-mail or call Chris or myself for more information.

Carry on the Tradition.

It is very important to belong to SDWF because we are the only organization actively lobbying for the sportsmen and conservationists of this state.



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**Legislative Notes & Opinions . . .**

There is no way around this. Sportsman's dollars must be spent according to federal regulations if the state wants its share of the federal dollars collected from special taxes on sportsmen.

HB1003-Clarifies the application of common trespass law and provides for the recovery of damages against trespass.

State law allows unarmed retrieval of legally taken small game and waterfowl from private land under very specific and limited circumstances. However, any trespass is still a violation of common law, a carryover from the days before the original 13 British colonies became the United States of America. Landowners can sue for damages caused by trespassers, including damages caused by hunters retrieving small game as allowed by law. This is right and proper.

It is an extreme rarity when any discernable damage is done from this unarmed trespass. Because damages are rare and hard to prove, this bill allows landowners to collect a minimum of \$500 every time someone steps foot onto their private property without permission. If a hunter happens to get on the wrong land and is given the choice of a potential criminal trespass conviction, or simply writing a check for \$500 and letting the matter drop, many outdoorsmen might opt to write the check. The practices of obtaining money through threats of arrest and of charging an excessive or exorbitant fee are often referred to as extortion. It is not in society's best interest to legalize either practice.

The bill is mainly designed to stop unarmed retrieval of small game, which it will. It will also bring our civil courts to a grinding halt when property owners everywhere figure out this bill will allow them to collect \$500 every time someone puts a foot onto their property. If kids retrieve a ball from a neighbor's yard, the neighbor can sue them or their parents for \$500 per child. Are you a bird watcher, or do you like to take hikes? Either stay on the roads and sidewalks, or bring your checkbook. This attempt to clarify common law baffles common sense.

HB1004-Provides for the killing of mountain lions under certain circumstances and provides for the disposition of such mountain lion.

State law currently provides for a season on mountain lions, and allows persons to protect themselves, their pets and their livestock from lions through lethal means. In addition, GF&P experts work tirelessly to ensure problem lions are killed. However, state law does not allow an unlicensed person who kills a lion to keep the hide. There is a good reason for this ban. If folks were allowed to keep the trophy, they would be much more apt to perceive danger.

HB 1004 promotes a shoot-on-sight philosophy for mountain lions, allows the shooter to keep the lion, and destroys any attempts by the GF&P to manage the animals in their natural habitat. It reflects the often irrational fear and contempt many people feel for these magnificent animals.

HB 1005-Requires that certain land acquisitions by the Game, Fish & Parks be bought upon condition of subsequent legislative approval.

Translation: The rights of sportsmen and landowners who want to see land preserved in perpetuity for conservation purposes are not important. HB 1005 all but completely prevents the acquisition of Game Production Areas by dragging out the process to unreasonable limits. Sportsmen will not be allowed to spend their dollars as they wish, nor will landowners have the freedom to sell their property to whom they want. The privatization and commercialization of wildlife cannot flourish where there is abundant public land, hence the need to control the number of acres available.

SB 2-Revise the available number of certain nonresident waterfowl hunting licenses.

This bill was addressed at length in a previous edition of the Out of Doors. In short, several years ago a deal was

*... Continued from page 1*

struck to allow special nonresident waterfowl tags to be made available in a handful of counties in the Pierre area. The tags were valid only on private land, and were primarily for the benefit of commercial hunting operations whose land attracted significant numbers of migrating Canada geese. As part of the agreement, large tracts of private land were rented to the GF&P for use by the general public. A substantial number of licenses were allowed to be issued, as no one really knew how many would be needed to fill demand.

As time passed, demand for the special licenses dropped, and it became apparent not all of the licenses were needed to satisfy the original intent. Unsold licenses were considered by some to be "leftover" licenses, which they felt should be made available in other portions of the state. The facts that these licenses were for the commercial hunting of migratory Canada geese on a small segment of the Missouri River, and that nearby private land was made available for free use by the public were ignored. Some of the licenses were transferred to other areas, and were made valid on both public and private land. Now there is demand for even more of these licenses to be transferred to northeastern South Dakota.

The net effect of bringing in more nonresident waterfowl hunters will be the same as what has happened with pheasant hunting. Pheasant hunting has been commercialized, pure and simple. It has been commercialized because we have the birds, there is no control on the number of licenses issued, and there are not enough public hunting areas to meet demand (see HB 1005, above).

We already have a significant number of nonresident waterfowl licenses available for all areas in the state. The unsold commercial hunting licenses from the Pierre area are not "leftovers" to be used elsewhere. Doing so will negatively impact waterfowl hunting, not only for resident hunters, but for the nonresident hunters who do get licenses. Unlike pheasants, waterfowl cannot be heavily hunted and be expected to stay in the same general area. A pheasant's home range is within a mile or two. The range of a duck or goose may span continents. It only takes one hunter to clear a wetland of ducks for a considerable period of time.

The bills discussed above are just the beginning of the annual onslaught. There are also potentially good bills, such as SB 1, which cleans up a lot of the ambiguities and contradictions currently written into state law. Several bills deserve careful consideration; HB 1052 is a good example. The bill defines trophy antelope, deer and elk, and establishes a large civil penalty for the unlawful taking of trophy animals. While the idea seems reasonable, I am a firm believer that the certainty of punishment is much more important than the severity of punishment. Most poachers do not expect to be caught, so the deterrent effect of large penalties is not as substantial as might be expected. In addition, the average Joe Six-Pack committing a violation while hunting on public land is far more apt to be caught than someone with the resources to hunt on private land. If a law can't be enforced fairly and equitably, I'm not sure we want it. However, a number of my Federation colleagues disagree, and I respect their opinions.

We certainly have a lot to accomplish this year, and thankfully the SDWF is very effective at fighting for sportsmen's rights. The Federation is effective because it has grassroots support from every corner of the state and beyond. While our fervent hope is all sportsmen will join the Federation, your voice is every bit as important as your money. Legislators do listen to their constituents. If enough of us can make a reasonable case for our side, we will win. If we remain silent, we will lose. Make sure YOUR voice is heard.

*Bill Antonides is the Region 2 SDWF Vice President, a retired SD Conservation Officer, and a Certified Wildlife Biologist. He can be reached at billantonides@abe.midco.net*

The bill is mainly designed to stop unarmed retrieval of small game, which it will.

# WELCOME TO 2009 THE YEAR OF SCIENCE

By Charles R. Berry Jr

The Year of Science is a nationwide effort to engage the American public in activities that will stimulate their interest in the process of science. The overall goal of this celebration is to focus on “how we know what we know,” and to help connect YOU to the amazing science that is contributing so much to our lives.

Science provides the foundation for fish and wildlife management decisions in South Dakota. The new book titled “History of Fisheries and Fishing in South Dakota2” gives the history of fisheries science in management (Chapter 19), research (Chapter 21), and education (Chapter 22) in South Dakota. Former Fisheries Chief Dennis Unkenholtz wrote that the 1950s were a turning point when scientific studies began to influence fisheries management (Figure 1). He wrote, “At that time, the only fisheries data were qualitative in nature – fishing was good or slow, populations were high or low.” Today’s fisheries scientists rely on a variety of high-tech tools to gather precise data in the laboratory or field (Figures 1 and 2).

Wildlife management has a similar history, with emphasis in the 1950s on making more hunting possible for more people3. For example, research in the 1950s led to the introduction of Hungarian partridge, Merriam’s turkey and Chukar partridge. The history of the predator bounty links past wildlife management to the Year of Science theme. Wildlife biologists in the 1950s used new methods to determine the size of wildlife populations. Their data showed that predator control by bounty payments caused no improvement in game populations but did cost money that might have been used for habitat management, which was more important to survival. However, the public and the legislature did not believe or accept the science, and the bounty system continued for many years.

## Public Understanding of Science

Perhaps if the public in the 1950s had a greater understanding of wildlife management science, they might have accepted the biologists’ conclusions about the value of the bounty system. Even today, public opinion surveys indicate that the public has a poor understanding of the nature of science. The public is often unsure about the process of scientific research and sometimes even skeptical of its value. This is bad news at a time when science means so much to our lives. South Dakota needs a scientifically literate public to support the State’s commitment to opening frontiers of knowledge about physics, health, energy, and the environment – and, yes, about our fish and wildlife populations and their habitats.

The word “science” probably brings to mind visions of charts, facts, measurements, text books, and lengthy reports, but these are only part of the story. Just as importantly, science is also a process of discovery. The scientific data are only as good as the process used to discover them.

A public that understands the process of science is a public that is able to make informed decisions about options for habitat conservation, or about boating, fishing, and hunting regulations, or about other quality of life factors. South Dakota needs a public that is also able to distinguish science from non-science, and recognize attempts of special interest groups to drive public perceptions with biased science and biased information.

The overall goal of this celebration is to focus on “how we know what we know,” and to help connect YOU to the amazing science that is contributing so much to our lives.

## South Dakota’s Year of Science Program

The South Dakota Wildlife Federation and a dozen other institutions in South Dakota (and the number is growing each week) have joined the Coalition for the Public Understanding of Science ([www.copusproject.org](http://www.copusproject.org)). Members of the Coalition will be shining a spotlight on science in 2009 to improve public understanding about how science works, why it matters in South Dakota, and who South Dakota scientists are.

This article in your Out-of-doors newspaper, and those in other outlets are one way you will be hearing more about The Year of Science. Most universities will have programs, and other organizations are also involved including The Sioux Falls Outdoor Campus of the Game, Fish and Parks Department, the South Dakota Academy of Science, and the Museum of Geology.

While The Federation will focus on the natural sciences (ecology, biology, hydrology, geology), the Year of Science in South Dakota is also about the other natural sciences (medicine, physics, chemistry) and social sciences (human dimensions in wildlife, rural sociology, consumer science) and about the intersection of science in art, journalism, religion, philosophy, politics and policy.

## Educators and Organizations – Get involved!

Heads-up! Educators. Research indicates that students and teachers at all levels have a poor understanding of the nature of science. To address this problem, the Coalition has created a freely accessible web-based resource that provides a new approach for teaching the nature of science. Its goals are to (1) improve teacher understanding of the scientific enterprise and (2) provide materials and tools that enable K-16 teachers to incorporate the true nature and process of science throughout their teaching.

Go to [www.understandingscience.org](http://www.understandingscience.org) to find a dynamic representation of the real process of science, science stories, scientist profiles, cartoons, science in the news, activities for students, vetted lesson plans, teaching tips and strategies, clarifications of misconceptions, and friendly but comprehensive background material.

Get your organization involved if you care about science and want to help us improve scientific literacy! It is easy to participate. There is no cost and your only obligation is to do something to promote the objectives of the Year of Science. Your activities will receive statewide and even national publicity because you are a member of the Coalition. Registering your organization at the Coalition web site takes about 2 minutes and gives you access to all Year of Science logos, newsletters, and other information to help you create an educational program to address Year of Science goals.

## Show me the data!

Show me the data. This is the take-home message I tried to convey to a group of kids who had signed up for a summer science class. As we stood beside a pond where I had set nets to capture fish, I told them a fictitious story about one of their Dads who went fishing in this pond and didn’t catch any fish. This happened several times so he believed that the pond didn’t have enough fish and therefore needed stocking. He called the Game, Fish and Parks Department and asked the state fish biologist to stock more fish.

... Continued on page 6

# GFP Finalizes Purchase of Outdoor Education Property in Rapid City



options that would work both physically and economically for the citizens of our state. We still have a great many details to work through, but our plan is to do so at an optimistic pace to have this facility open to the public in 2010.”

Vonk noted that the property purchase received financial support from the John T. Vucurevich Foundation and the Rapid City Izaak Walton League to help complete the sale.

GFP will be using expertise gathered over the past decade in the operation of The Outdoor Campus facility in Sioux Falls to help lay some of the foundation of an education facility in Rapid City. They continue to meet with civic leaders in Rapid City to gather input, including representatives from city government, the school

district, local sportsmen’s groups and others.

Vonk said that an official timeline and budget for the project had not been finalized. “It is important that we are confident we have the basic information in hand for this unique project. It will be a top priority for us through 2009. We will build both support and momentum towards completion of what will be a great facility for outdoor enthusiasts of all ages.”

“This is a wonderful bit of history for our agency,” GFP Secretary Jeff Vonk said.

PIERRE, S.D. – The South Dakota Game, Fish and Parks Department has purchased property in Rapid City for the development of a Division of Wildlife outdoor education facility and regional office.

The 33-acre property is along Sturgis Road at the western edge of the city. The property was formerly owned by Northwest Engineering.

“This is a wonderful bit of history for our agency,” GFP Secretary Jeff Vonk said. “We looked in detail at

## Road Fund Money Transferred to Counties

PIERRE, S.D. – Earlier this week, the South Dakota Department of Revenue transferred over \$1 million to counties for deposit in the special highway fund for each county as part of an annual allocation.

Legislation in 1999 created the funding source to replace funds that each county had been receiving from the Game, Fish and Parks Department for assistance county treasurers had provided with the sale of general hunting and fishing licenses.

The legislature acted to replace the funds to the counties with a law appropriating \$1,033,269.10 in Department of Transportation Highway funds to a special county highway fund. Money from this account is then distributed to each county in the same amounts as were distributed by GFP for license fees in calendar year 1997.

Hunters annually purchase an estimated 21.6 million gallons of gas in South Dakota in the pursuit of their sport. These gas purchases generate \$4.5 million in gas tax revenue.



# South Dakota Wildlife Federation Donors

At the recent 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(c3) non-profit, all donations are tax deductible.

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Roman Jungers II, WI  
Carl Kasischke, MI  
John & Kathleen Kelley, SD  
Lewellyn Keller, MN  
Arlie Klipstein, WI

Rev. Jack Koch, MN  
John Koutsky, IL  
Al Kurtenbach, SD  
Richard Larsen, SD  
Greg Larson, SD  
Steven Lowe, MI  
Bob Lutz, ID  
Ken Maloney, MI  
David Manning, MN  
Jim Martin, SD  
William Matousek, SD  
Paul McCarlson, SD  
Albert McHugo, CA  
**David Melby, MN**  
Mark Miller, SD  
O Larry Miller, SD  
William Mudd, KY  
Kent Mundon, SD  
Kirk Murphy, SD  
Vern Murra, SD  
Wayne Muth, SD  
Lawrence Nelson, SD  
Gale Nitteberg, SD  
**David Nordby, CA**  
Andrew O'Connell, MN  
Dan O'Keefe, MN  
Robert Ochocki, CA  
Kerry Parcel, SD  
Norman Parkin, CA  
K Lynn Paul, SD  
John Paulson, MN  
Duane Peters, SD

**Philip Pickart, SD**  
Scott Picker, WI  
Glenn Plumb, SD  
Alan Polenz, OR  
Robert Porisch, IA  
Charlie Rokusek, SD  
John Ross Sr., WI  
Terry Sampson, SD  
**John Schmid, CO**  
James Schmidt, SD  
Darrel Simon, SD  
Orv Smidt, SD  
Jim Snyder, SD  
Mike Spielmann, NE  
Howard Stanley, TX  
John Strandell, MN  
Gregg Styles, FL  
Charles Tibbals, FL  
Kenneth Tibble, MI  
Arden Trandahl, SD  
Spencer Vaa, SD  
**Cecil Van Tuyt, KS**  
Robert Weisenburger, MI  
Herbert Whetstone, MN  
Mark Widman, SD  
Mike Williams, SD  
Dan Winger, SD  
Mark Wismer, SD  
Walter Wolf, IL

### Level II Deer \$100-\$249

Mel Adams, TN  
Edwin Anderson, SD  
Rich Andresen, SD  
Robert Bealka, WI  
Harry Bell, MS  
Steve Block, WA  
**Carl Brakebush, WI**  
Richard Brick, CA  
Dick Brown, SD  
John Burrows, NV  
Norm Buxcell, SD  
**David Casler, MO**  
Stuart Cambell, SD  
Craig Connell, SD  
Gary Cowles, AL  
Jim Dahlberg, SD  
Dennis Darrington, SD  
Larry Denison, VA  
John Dennis, NV  
John Dillon, UT  
Brian Dressing, SD  
Mark Duda, CO  
Thomas Eaney, KS

Dennis Eckert, SD  
Dave Eisenbeisz, CO  
Kenton Eisenbeisz, SD  
Larry Eisenbeisz, MN  
Robert Elbe, WI  
Robert Foxworthy, KY  
Fred Garland, SD  
**Jim Gilbert, CA**  
Robert Goggins, MN  
Dean Fitzler, SD  
Forrest Flint, MN  
Carl Hall, KY  
**Howard Hanson, MN**  
Roger Heedum, NE  
Jim Hellebusch, MO  
Alene Hix, MO  
Ron Island, SD  
F. Lee Jackson, AL  
Darrell Johnson, SD  
Larry Kieft, MI  
Frank Kocvara, NV  
James LaMaack, CA  
Ron Lindner, SD

**Rob Lippincott, TX**  
Jerome Loucks, AZ  
Jerome Lulewicz, SD  
Patrick Lyons, SD  
Harvey Malon, SD  
**Terry Mayes, SD**  
Pat McGarry, SD  
Leigh McMasters, SD  
**Loyal Messerschmidt, SD**  
Larry Mette, SD  
Bill Meyers, SD  
Gerald Mohs, ND  
**Mel Morris, SD**  
William Mudd, KY  
Karlton Nagel, NE  
Karlton Nagel, NE  
Norm Neilan, SD  
Gerald Nelson, MN  
Jeff Olson, SD  
Larry O'Reilly, MO  
Gary Palmer, SD  
CJ Pete Pedersen, NC  
Ron Pesek, SD

Peter Prokop, MI  
Timothy Raver, WY  
Tom Roberts, SD  
Troy Ryan, MN  
**Arnold Sattler, SD**  
**Donald Sattler, SD**  
Carey Schave, SD  
Bruce Schuerenbrand, SD  
David Schubauer, SD  
Terry Schupp, AZ  
Ken Schroeder, SD  
Steven Shoemaker, NE  
John Simpson, SD  
Curt Tesch, SD  
Paul Vinatieri, SD  
Gary Wald, SD  
Harvey Welch, IL  
Winter Brothers, SD  
**Stephen J Wheeler, SD**  
Brian Wiswall, SD  
Jerry Worsham, WA  
Kenneth Zoellner, CA

### Level III Elk \$250-\$499

29-90 Sportsmen's Club, SD  
Thomas Flesher III, OK  
Kenneth Halstrom, SD  
Eric Johnson, MN  
Virgil Johnson, SD

James Juckette, MO  
Karl O. Lee, SD  
Jim Lemonds, SD  
Herb McClellan, SD  
Jan Nicolay, SD

**Jeffrey G Olson, SD**  
Pheasants Forever Northern  
Oahe Chapter  
Tim Rainey, MN  
Gary Seeley, KS

Craig Stadtfeld, SD  
Marlin Stammer, CA  
Dale Wilms, CA  
Yankton Area Pheasants  
Forever, SD

### Level IV Buffalo \$500-\$999

Black Hills Sportsmens  
Club  
Max & Stephanie Sandlin, SD

Sportsman's Club of  
Brown Co.

SD Walleyes Unlimited, SD  
Roger Steinberg, MN

### Level V Eagle - \$1000 and above

Beadle Co. Sportsmans  
Club  
**John W. Chapman, PA**

Dakota Sportsmen  
Inc., SD  
Richard Dillon, MN

High Plains Wildlife, SD  
Kenneth Michalek, WA  
Republic National  
Distributing Company, SD

**SD Chapter of NWTF, SD**

## Year of Science. . . . Continued from page 4

The biologist replied "Before we stock fish, we collect data on the fishes in the lake. We use standard methods and standard nets, and then we count, identify, weigh and measure fish and then analyze the data to determine the facts about the fish populations. Then, we decide whether stocking is needed."

The kids helped pull in the nets and found about 100 fish of six species – black bullheads, northern pike, green sunfish, orange-spotted sunfish, fathead minnow, stickleback. The kids saw predator and prey, male and female of different sizes, and lots of little fish showing that there was spawning and survival.

From this small sample of fish the kids got the idea that the pond fish community was healthy and didn't need stocking. One of the kids said "It shows that my Dad is a bad fisherman."

Show me the data. What powerful words! These four words lead to shorter arguments, more accurate decisions, and new knowledge when studies are started because the data isn't there. Science should trump belief when spending public money to manage the State's land and water habitats and the fish and wildlife that use them.

### The Challenge to Scientists

Scientists need to convince people that they have developed honest procedures for understanding how the world works, that they can put confidence limits around most of their conclusions, and that their track record shows that they have achieved reliable, if still incomplete, knowledge.

This is the goal of the South Dakota members in the Coalition for the Public Understanding of Science 2009. Find more information at the Year of Science web site ([www.yearofscience2009.org](http://www.yearofscience2009.org)) and watch future issues of Out-of-doors as we explore the people, processes, products, and problems of fish and wildlife science in South Dakota.

#### Footnotes

1. Dr. Charles R. Berry Jr. is an Adjunct Professor in the Department of Wildlife and Fisheries Science, South Dakota State University, and Leader of the Cooperative Fish and Wildlife Research Unit, U. S. Geological Survey.
  2. The book titled "History of fisheries and Fishing in South Dakota" is available for \$10 from the Game Fish and Parks web shop: <http://www.sdgfp.info/shop.htm>
  3. The beginnings of scientific fish and game management in South Dakota is covered in a special history (1909-1959) prologue to the 1959 Annual Report of the Department of Game, Fish and Parks.
  4. Acknowledgements: Support for Year of Science activities is from South Dakota State University's New Ideas Fund, Briggs Library, College of Agriculture, and Department of Wildlife and Fisheries Science.
- Figure 1. Methods used to track animal movements has advanced from primitive methods, such as sewing a string with a float on a fish, to modern biotelemetry techniques. Radio collars on elk or implanted transmitters in fish not only indicate the location of the animal, but also send to the biologist's receiving antenna certain physiological measurements such as heart rate and temperature (photo by S. Wilson).
- Figure 2. Bird feathers were once used only to determine the species, age, and sex of a bird, but modern technology allows scientists to get chemical and DNA information from a single feather to determine the species and where the bird was reared.

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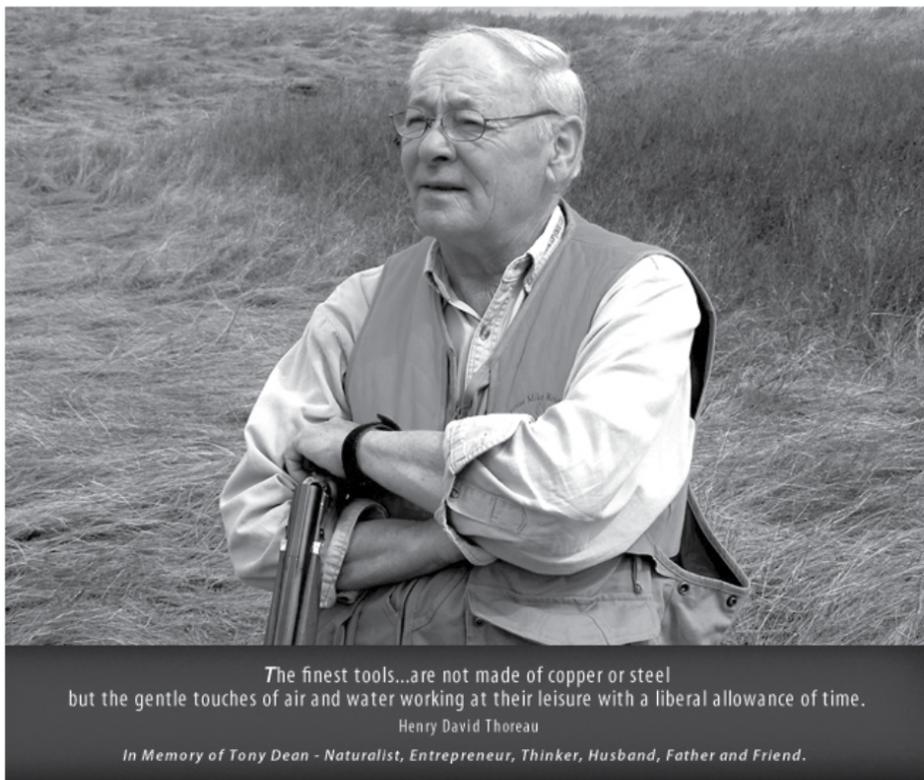
These tax-deductible contributions will speak volumes for the future of the SDWF's Wildlife Legacy Council! Please consider your donation today. Names in *ITALICS* indicate that the Legacy Member has made their 2008 contribution to the SDWF Wildlife Legacy Council. Names in *ARIAL* indicate that the Legacy Member has made their 2009 contribution to the SDWF Wildlife Legacy Council.

# Tony Dean's Memorial Acres

A fund has been established to provide a fitting memorial for a well known South Dakotan who fought tirelessly for sportsmen and natural resource conservation.

Veteran outdoor communicator and conservation leader Tony Dean of Pierre died October 19th, 2008. Dean's family and friends are now teaming up with the South Dakota Parks and Wildlife Foundation to provide a way for people to contribute to a memorial fund which will continue his legacy. The fund will be used to purchase land in South Dakota. The land will become a wildlife management area, provide public outdoor recreation, and carry on Tony Dean's commitment to environmental education. A Memorial Fundraising Committee has been established and is working closely with major conservation organizations to design a project that will form partnerships to honor Tony's long time dedication to South Dakota's natural resources.

Tony produced the award winning Tony Dean Outdoors TV show as well as Dakota Backroads Radio for over 20 years. He also wrote articles and columns for many regional publications. He tried to educate his audience and readers about threats to the environment and habitats, and he urged them to become active in enhancing the opportunities for hunters and anglers.



"Tony always wanted the average person to be able to enjoy the great outdoors," said Tony's wife Dar. "We hope the people who enjoyed Tony's shows and writing will step up and enable us to do this for him."

Former South Dakota Game, Fish and Parks Secretary John Cooper, Co-Chair of the Fundraising Committee, was a long time friend of Tony Dean. "Tony fought to protect wetlands, grasslands, clean air and water," Cooper said. "He worked to ensure that people will always have a place to fish, hunt, learn about and enjoy everything nature has to offer, so this is a very appropriate way to honor the commitment Tony had both to conservation efforts and to enhancing opportunities for public recreation."

A Tony Dean's Acres Memorial Fund has been established through the South Dakota Parks and Wildlife Foundation, to allow individuals, businesses and organizations to make tax deductible contributions to the fund. Tax deductible contribution payable to Tony Dean's Acres Memorial may be sent to:

Tony produced the award winning Tony Dean Outdoors TV show as well as Dakota Backroads Radio for over 20 years.

South Dakota Parks and Wildlife Foundation  
 Tony Dean's Acres Memorial  
 523 East Capitol Avenue  
 Pierre, SD 57501

## Framed Print Helps Preserve Native Prairie

The Grass Lake Conservation club recently purchased a framed print entitled "The Prairie Trail" by Harvey Dunn.

Money from the sales of prints will be used to help pay for easements to preserve native prairie around the Dunn family's Kingsbury country homestead. U.S. Fish and Wildlife service easements will ensure the land remains in its native condition.

The Grass Lake Conservation Club presented the framed print to the Florence Community Center. Pictured on the left is Florence mayor Pat Callan receiving the print and Lynn A. Johnson and Mark Aslesen of GLCC presenting the print.

David Ode of GF&P gave a talk on grassland preservation at the meeting.



*Editor's note: In the latest Farm Bill, Congress had created a program called Sodsaver, with a provision written into it allowing that the 5 Gov.'s of the Prairie Pothole regions had the option to opt-in or stay out of this very important Conservation practice. Gov. Mike Rounds of South Dakota has not signed South Dakota's producers into this option of the current Farm Bill. SDWF sent the following letter on the 13th of January 2009, asking his support and sign South Dakota up!*

January 13, 2009

Governor Mike Rounds  
 Capitol Building  
 500 E. Capitol Ave.  
 Pierre, SD 57501

Dear Governor Rounds:

The 3500 members of SDWF, along with thousands of other conservation-minded individuals, strongly support the Sodsaver Program in the latest farm bill. We believe you are a Governor capable of seeing the big picture, and again ask that you sign onto the program. After reading your comments printed in newspapers across the state, we are concerned you might be unduly influenced by arguments with little or no factual basis, and without addressing the concerns of all those who will be impacted. Virgin soil is not something you can get back. Once it is broken, it is gone; no amount of work and expense can replace it.

We understand the Farm Bureau and the Corn Producers of South Dakota believe the Sodsaver concept is poorly thought out. In reality, the Sodsaver concept is the product of over five years of careful research and fact finding by a wide range of groups. Most notably, both the Government Accountability Office (GAO) and the Congressional Research Service published detailed reports in 2007 which further validated the concerns of the conservation community. The title of the 64 page GAO report says it all: "Farm Program Payments Are an Important Factor in Landowner's Decisions to Convert Grassland to Cropland."

*Other misconceptions include:*

- Sodsaver will take an important "right" away from commodity producers. This is simply not true. Crop insurance is not a right. Crop insurance is a device that was designed to help commodity producers through rough weather events, and is funded by tax paying citizens of the United States. Taxpayers simply should not be forced to subsidize the destruction of one of the most endangered ecosystems on earth. If landowners wish to plow native prairie, they should do so at their own risk.
- Sodsaver is just another burdensome regulation. Sodsaver is not in any way regulatory in nature. Landowners could still bring native prairie into crop production, but would simply not be eligible for crop insurance on those specific acres. In fact, Sodsaver is about smaller government. By removing crop insurance eligibility from certain lands, the decision to plow grass will now need to be based solely on free market signals.
- Sodsaver could cause landowners to lose all USDA payments on all their land: Frankly, many of the conservation-minded groups wish this was true, but it isn't. Sodsaver is "tract specific," meaning only the specific native acres that were broken would be ineligible for crop insurance.
- It is not fair that Sodsaver only applies to eastern South Dakota: Actually, it is fair. Sodsaver is targeted to where native grassland loss is most acute. Over the past six years, approximately 80% of native prairie loss has been in east river SD. Also, the areas with the most loss are in the east river prairie pothole region, which is critical to waterfowl reproduction and upland wildlife.
- The Sodsaver definition of native prairie is unworkable: The definition of native prairie for the purpose of implementing Sodsaver was carefully and explicitly reviewed by key individuals with extensive FSA experience to assure the program could be fairly and consistently applied. Definitions offered by ag groups, on the other hand, are so broad as to allow almost any land to be broken, including some of the most critical tracts.

The members of the SDWF, along with the 25 conservation groups that contacted you and urged you to opt into the Sodsaver program, again request that you sign onto this very important conservation tool. We believe you can be a visionary for all, and a leader of your colleagues. Please help insure the natural prairies we all enjoy today will be there for future generations, and thank you for your consideration of this very critical issue.

Sincerely,  
 Chris Hesla