

**REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Lamplighter Inn & Suites
4020 Parkview Dr, Pittsburg, KS**

- I. CALL TO ORDER AT 1:00 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE April 17, 2014 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. Agency and State Fiscal Status (Robin Jennison)**
 - 2. 2014 Legislature (Chris Tymeson)**
 - B. General Discussion**
 - 1. Tourism Update (Linda Craghead)**
 - 2. 2015 Turkey Regulations (Jim Pitman)**
 - 3. Mined Land Restoration Project (David Jenkins)**
 - C. Workshop Session**
 - 1. Park Regulations (Linda Lanterman)**
 - 2. Fishing Regulations (Doug Nygren)**
 - 3. Late Migratory Bird Seasons (Tom Bidrowski)**
 - 4. Five-year review of the Kansas Threatened and Endangered Species Lists**
 - a. T&E Task Committee Recommendations (Ed Miller)**
 - b. Department Recommendations (Robin Jennison)**
 - 5. Use of dogs to track wounded deer (Lloyd Fox)**
- VII. RECESS AT 5:00 p.m.**
- VIII. RECONVENE AT 6:30 p.m.**
- IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS**

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

- 1. Early Migratory Bird Seasons (Tom Bidrowski)**
- 2. KAR 115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms. (Brad Simpson)**
- 3. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (Lloyd Fox)**
- 4. KAR 115-4-2. Big game and wild turkey; general provisions (Lloyd Fox)**
- 5. KAR 115-25-1. Prairie chickens; open seasons, bag limits, and possession limits; permit. (Jim Pitman)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on June 19, 2014, to reconvene June 20, 2014, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment. If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911. The next commission meeting is scheduled for Thursday, August 21, 2014 at Kansas Wetlands Education Center, 592 NE K157 Hwy, Great Bend, KS

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, April 17, 2014
Great Plains Nature Center
6232 E 29th St N, Wichita, Kansas**

Subject to
Commission
Approval

I. CALL TO ORDER AT 1:00 p.m. CDT

The April 17, 2014 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at the Kansas History Center, Topeka. Chairman Lauber and Commissioners Don Budd, Tom Dill, Randy Doll, Gary Hayzlett, Roger Marshall and Robert Wilson, were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

The Commissioners and Department staff introduced themselves (Attendance roster - Exhibit A).

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Agenda revised to reflect 6:30 PM evening schedule instead of 7:00 PM

IV. APPROVAL OF THE January 9, 2014 MEETING MINUTES

Commissioner Hayzlett moved to approve the minutes as presented, Commissioner Wilson second. Approved. (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Kenny Bock, Kingman – The Corvette Club would like to do a photo shoot at Cheney Lake and make a donation to KDWP so each car does not have to have a sticker on it. The event is planned for Sunday April 27 and will take about one hour with 30-35 corvettes. Craghead – Park manager from Cheney is here, Ryan Stucky, he will be happy to work with you on that.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Linda Craghead, assistant secretary, presented this update to the Commission (Exhibit C). Robin unable to be here on time and asked me to present fiscal status to you. Park revenue, protocols, policies and business changes have had a significant effect, 36.22 percent increase from the prior year; overall 5.92 percent positive change from prior year. Key is, cash balances will be more important, moving completely away from state general fund (SGF), now only EDIF (lottery funds); hope to move away from support with operations,

but not sure we can totally. Cabin Fee Fund and Park Fee Fund, projections little less than last year, hope marketing campaign will help with that. Things are moving in right direction in respect to agency. Chairman Lauber – What about negative months? Cindy Livingston – That is just when money hits the accounts and when it showed up in accounts. Craghead – Also, had note with all cabins through Wildscape and we still have an agreement with them and they receive a small amount because of assistance setting up this program; pleased administrators and legislature worked with us then. Chairman Lauber – Will we build up surplus if we don't build any more cabins? Craghead – Not set up to pay operating expenses so coming out of CFF. Commissioner Marshall – Why so far behind in WFF? Sexson – Holding our own, no large increases, no fear of falling back. License sales begin to show because of decrease in upland game numbers. Chairman Lauber – Decrease in gun sales from last year. Sexson – These figures are not federal funds, these figures come from license sales; had 75 percent reimbursement from federal funds not shown here. Falling behind on those because in the process of getting those drawn down. Craghead – Federal revenue not reflected in this report. Commissioner Marshall – EDIF funds down? Craghead – That money was a onetime proviso to pay off cabins to Wildscape, now strictly an apportionment from the legislature. Commissioner Marshall – It changes year to year? Craghead – Yes.

2. 2014 Legislative Update – Chris Tymeson, chief legal counsel, presented this update to the Commission. We are about 10 days from the legislature coming back, April 30, back for 10 days for veto session; authorized 90 days every year, have run over in the past, 108 days, but anticipate 90 days. Nothing is done until final bell rings. Few bills still alive from last year: SB50 on boater education. SB94, classify muzzleloaders the same on federal and state level. SB223 on crossbows, no bill needed as they are allowed by all hunters during big game archery hunting. SB272, new this year, controlled shooting areas and removed cap by county on number of acres, one county bumping against cap and one 2/3 up, currently limit is 3 percent, passed and signed by Governor and is now 5 percent. SB276, LPC, basically says USFWS has no ability to manage lesser prairie chickens in the state; passed out 30-10 in Senate, amended in House about arresting federal officers and other items, House committee passed and is on House calendar. SB281, on removing redbelly snake and smooth earth snake from T&E list. We opposed this bill and it did not pass out, but another bill popped out because of this. There is a process we use to add and remove species. SB323, conservation easements, 50-year lifespan instead of perpetuity, started hearing from some of our partners, grassroots of sportsmen and women and that is how this was made, failed April 4, died on final action in the Senate 23-16. SB357, hunter education bill allowing more than one deferral, started with one-year program to take someone out hunting, at minimum felt like should be two-year program, three deferrals requested, passed Senate, House debated and passed it out at two deferrals, has to go to conference, that is how LPC could get back in there. A lot of bills out there that might or might not happen in this conference committee, two meetings and one more possible, expect this one to happen. SB366, purchase of ground 397 acres in Cherokee County, has to have NRDA funding would pay 100 percent of land, Senate passed, House has done nothing on it. SB370 another purchase of land, considered conferenceable item. SB447, gun bill, amended section on forfeiture of firearms that would come to the agency, passed in House as HB2473, amended in House, passed in Senate in conference in now in HB2578, originally class C firearm licenses bill. Senate substitute for HB2118, would have repealed Kansas Nongame and Endangered Species Act, was amended, put in House, stricken from calendar. HB2422, technical cleanup bill on boat taxation, signed April 4. HB2538

(antler bill), change ownership of wildlife, and grant first refusal to wildlife unlawfully hunted on their property, passed House and is conferenceable. HB2595, two fossils, tylosaurus and pteranodon, are now official state fossils and can be used to promote western Kansas. Couple bills tabled: HB2626, use of dogs to track wounded/dead deer, looking at regulatory process rather than statute; HB 2627, hunter education test, didn't go anywhere. HB2694 had hearing, didn't go anywhere. Late bill, HB2737, dangerous wildlife bill from years ago, most recent bill would have added primates and wolves to that list. Chairman Lauber – Where is that bill? Tymeson – Didn't go anywhere. Chairman Lauber – Impassioned primate owners out there. Do you think antler bill will stay where it is? That is a dangerous precedent. Tymeson – A balance, have to see where it goes. Commissioner Budd – Opinion of legislative session? Tymeson – Proud of sportsmen (conservation orgs, etc) that have stepped up this year and had a cohesive crowd this year. Legislature on two-year budget cycle so had time to look at bills they wouldn't normally look at. SB272, SB357, HB2422, and HB2595 still out there, if get hunter education bill out we would feel good, hope to get land bills out too. Chairman Lauber – What about two snakes? Tymeson – Jason will talk to you about that.

B. General Discussion

1. Tourism Update – Linda Craghead, Assistant Secretary of Tourism and Parks, presented this update to the Commission (Exhibits D, E). Busy timeframe from leisure time frame and turkey hunting standpoint. Did any of commissioners see coverage of launch in Wichita on April 9? Logan Mies is out promoting Kansas, credit to Ryan Stucky, Mike Satterlee and Brian Haug who helped get that event kicked off on April 8 at Cheney State Park. Hosted Heartland Byway conference last week. Nineteen byways and people from 11 states met in Manhattan. Sending e-blast for marketing to all licensed hunters and fisherman, important to capture emails, 200,000 people first target, hopefully it will pass on and shared from there. From earlier report, WFF is \$50,000 ahead from last year. Feedback appreciated. Insert handed out that will be delivered in several newspapers. Entered into two agreements for media coverage, Scott Linden's rooster road trip ends up in November at Cabela's; and Jeff Fuller focusing on waterfowl and turkey hunting and some fishing. Go look at archery range at El Dorado state park, three people here who would be happy to host you, Seth Turner, Randy Just and Tyler Burt. Serving as host to first capital campground at Cedar Crest with Governor and his family, working with Coleman and looking for other corporate sponsors. Sand Hill State Park, near Hutchinson, ready soon – paving roads, etc, hoped to open Memorial Day weekend but not going to make it. Went to Chicago to work with international travel agents, looking for new and unique trips (met by appointment only every 20 minutes), beginning to fill itineraries for several countries. Significant opportunities out there, put information out there and they come to us. Michael Pearce – Date on capitol campground? Craghead - May 30 and 31. Pearce – Surprised to see how many races there are in the state. Have all of the races been compiled in one place so people can find them? There is a growing interest. Craghead – Working to do that, last week in May, Dirty Kanza 200 will be held in Emporia. Kansas is drawing people from other countries; go to TravelKS.com, trying to get out there. Pearce – Forgot Theresa Vail's media event. Craghead – Miss Kansas got her turkey at Gov's turkey hunt. Working with farmers and landowners along the byways, asking them to put emblem in driveways to show bikers are welcome to come in and get water from the hydrant; organized in Wabaunsee County already. Biking opportunities more impressive and gaining notoriety. Bike trail at Wilson SP is up for

national nomination and Scott SP for historical significance. At launch showed we have a great state to visit, itinerary out on TravelKS.com sight. Commissioner Marshall – Where are itineraries for countries? Craghead – Worked out individually for those countries, like Nickerson. New itineraries every week for domestic travelers.

2. Fishing Regulations – Kyle Austin, hatchery supervisor, presented this report to the Commission (Exhibit F). Handful of changes: Glen Elder and Lovewell, add 35-inch minimum length limit on blue catfish, first stocked in 2010, seeing 20-23 inch fish being caught, want them to get sexual maturity. Glen Elder also has zebra mussels now want to give more protection to blue catfish there. Changed Lenexa Lake to 13- to 18-inch slot limit on bass, stockpiling. LeClere Lake in Coffeyville removed minimum length limits on largemouth and channel catfish. Three locations new on CFAP program: Hays Vineland Park Pond, Hutchinson North Pond and Scott State Fishing Lake, regulations to protect them from a lot of pressure in the beginning. Crappie population expanding so protecting walleye and saugeye. Critzer Reservoir in Linn County online for four to five years, want to remove minimum length on crappie. Change to a 5/day creel limit on blue catfish at Coffey Lake (Wolf Creek), zebra mussels established and blue cats tend to eat zebra mussels, hope will start to reproduce naturally several fish at 35 inches. Change 115-25-14 to include a new trout stocking location: Herington Father Padilla Pond will be added to the list of Type 2 Waters, which require a trout permit only for trout anglers from November 1 through April 15. Revoke 115-18-21 that requires floatline fishing permit (\$2.50) was established so that the Department could evaluate the program by sending out a survey to all permittees. We would like to remove the requirement to possess a permit while floatline fishing because program evaluation is no longer necessary. Commissioner Dill – I had a question from the Glen Elder area, asked if during walleye spawn we could not fish for 2-3 weeks, I said I would ask. Austin – I have seen that and I did night time creel survey for a couple of years back to back; no impact, less than five percent of fish are being caught during the spawn and the vast majority are males. Could close memorial weekend and have better luck. Commissioner Dill – He said it was literally shoulder to shoulder fisherman. Austin – That is one of the times of year fisherman can catch walleye off the shore, not everyone has a boat.

3. Park Regulations – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit G). New handout on six regions (Exhibit H). In anticipation of the completion of a campground construction project at Sand Hills State Park, this park needs to be added to a portion of the current regulation 115-2-3 and added to the list of recreational vehicle seasonal camping permits, with El Dorado, Milford, and Tuttle Creek State Parks (includes utilities) per month, per unit (annual camping permit and annual vehicle permit required); \$272 for 1 utility, \$332 for 2, \$392 for 3 and annual camp permit, want \$432 for 3 and \$372 for 2 utilities and have 64 sites going in there. In Reno County north of Hutch and is going to be popular. What makes it appealing is it is close to Hutchinson and is popular for equestrian traffic; want to manage right and needs to be at higher rate. State cabins, bring to you when we want increases in cabin fees, ran numbers and occupancy rate, when renting weekend have to rent for two days, running 70 percent to 80 percent capacity; want to raise rate \$10 per weekend night, \$20 for weekend; average rate would be \$105 and \$120 for two-bedroom cabins in prime season. Move traffic to week days, difficult to schedule weekends. Worked on cabins to keep them upgraded and need to manage those and bring occupancy rate to manageable rate and spread it out a little. Looked at neighbors and clearly need to increase. Commissioner Dill – What cabins are you

looking? Lanterman – Hillsdale SP, adding 50 campsites and within that looking at 8-10 cabins, just have to get funding right. Commissioner Dill – Adding new locations rather than more cabins at existing areas? Lanterman – Added two new at Wilson, not open yet; added five at Clinton, the last of Corrections cabins. Commissioner Marshall – When will they open?

Lanterman – Not sure. Commissioner Dill – What is approximate cost of cabins? Craghead – Not sure, were built by Corrections in the past, have to factor in site prep. Todd Workman - About \$180,000 to \$200,000, moving them in was expensive. Looking at private construction options and building in clusters. Onsite stick building is a newer concept, but hasn't solicited bids yet.

Commissioner Dill – What about high schools who build houses? Craghead – Always looking for sponsors. Commissioner Budd – What kind of promotion could you make with Corvette club, or something like that? Parks moving nationwide on campaign, on national front where we haven't been before because of Tourism. Kansas is only state who has facilities mapped and sent to national database. We are thin and at times a lot of work. Craghead – Manage business like a business, request is \$10 increase for weekend nights. Chairman Lauber – Can we vote on this today? Tymeson – Yes. **Commissioner Budd moved to increase cabin fee by \$10 per weekend night (all cabins except Wilson and Perry that were increased last year, during prime season), Commissioner Hayzlett second to approve increase (Exhibit I).**

Ron Klataske – Preserve natural character of state parks and what we can do for restoration. Restore grasslands on Sand Hills SP to natural condition and remove the trees; conservation community has mentioned this over the years, started out with grassland resource that is quite unique. Lanterman – Ryan is here today and he is manager, started to do that a year ago, look at manager's plans and take those ideas and take it up through the chain of command. Klataske – At Lovewell, noticed observation area, same thing has happened, it has grown up in trees. Prairie dog colonies important, other species reliant on them. Chairman Lauber – Is it our issue that the trees grow up or naturally occurring? Klataske – Grasslands don't survive without some management, mowing, burning and cutting. Commissioner Budd – Has Audubon ever thought about coming forward with proposals to participate in partnerships. Klataske – Could be. Like at Lovewell, people with chainsaws. Missouri spends time on preserving habitat in their state parks. Lanterman – We would need that, for many years Sand Hills was a satellite area, but will have people there and was used for trails only. We do manage areas on our state parks. Chairman Lauber – Prairie dogs, we do manage for those species. Klataske – One of most eastern-most colonies. Neighbors have never had trouble with those prairie dogs. Kill off brome and reintroduce native grass.

Break

Chairman Lauber – Gave permission to gentleman to speak. Martin Grimes, Wichita – Resident all my life, bird hunting in 1995, friend talked me into deer hunting in 1998, work for Coleman so travel a lot. Time limited when I could hunt deer, Thursday or Friday after opening season, change time a little, allows rifle hunters time in rut, having trouble seeing deer right now, hunt out by Cheney. Can't bird hunt anymore because of knees, I'm 68 years old. When windy in Kansas don't see deer, working people don't have time to get out on opening day, extend time period to thanksgiving. Asking for opportunity in earlier time, thinking about giving it up because of opportunity. Appreciate your time. A lot of poaching in this state, hard for private individuals to get place to hunt. Glad law enforcement is there but would like to see more of them. Chairman Lauber – There is a lot of factors involved with that.

4. Late Migratory Bird Seasons - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit J). Annual U.S. Fish And Wildlife Service (USFWS) frameworks establish maximum bag and possession limits, season lengths, as well as earliest opening and latest closing dates. States must operate within the frameworks when establishing state-specific waterfowl seasons. Late migratory game bird frameworks are published in August, after results from the May Breeding Duck Survey and other population and harvest data are available and recommendations from the various Flyway Councils are reviewed at the USFWS Service Regulation Committee (SRC) Meeting (July 31, 2014). I will cover in more detail at future meetings. Chairman Lauber – Waterfowl survey is yours? Bidrowski – Yes, it will be available in upcoming weeks (Exhibit K). Chairman Lauber – Results at June meeting? Bidrowski – Preliminary results but not final results until August meeting. Commissioner Marshall – Walk us through this. Bidrowski – Sampling base will come from Kansas waterfowl hunting stamp, 36,000; 26,000 from Kansas, which will be our base, residents. If we ran survey 10 times, nine out of 10 times would expect same results; based on 40 percent response rate we are mailing out about 7,400 random surveys and there is a 23 percent chance of being selected to complete the survey. Commissioner Marshall – Can you tell where they are from? Bidrowski – Where they live or where they hunt, question 2 will tell us that. Commissioner Marshall – Biggest concern is methodology, person who returns this is different. If Fox asks question and CBS, two different answers. Two different clienteles. Chairman Lauber – There are 28,000 people, randomly picking 7,400 out of that, will get more inspired hunter to take the time to fill out the survey. Commissioner Marshall – More biased. Bidrowski – Around 64 percent hunt less than five days. All we have is addresses of the people who have purchased a waterfowl stamp. Chairman Lauber – If I get a survey I tend to think of it as an obligation to fill it out. Bidrowski – If not responding I guess they don't care when waterfowl season is. Commissioner Doll – It is considered bias if you require action on their part, the way to get accurate survey is to call them on the phone, not as much bias that way. What Commissioner Marshall is saying is accurate. Commissioner Budd – When politicians do a poll they do it by phone because they want it accurate. Bidrowski – Have luxury of having licensed hunters. Commissioner Budd – Being you are doing it this way; SE season, read through options A-F, similar to 2012 or 2013 season in bold. Do you see problems with that? Bidrowski – Canada geese don't line up as well. Chairman Lauber – I looked at that, didn't see bias, saw way to not have to look back at calendar. Commissioner Budd – If I go to McDonalds I have to get a Big Mac the way it is or ask for it special. Couldn't we make it the same? Chairman Lauber – Dramatically different than past years? Bidrowski – Looking at season dates, six best options. Commissioner Budd – Wanted to know how we were going to do this survey, but letting us see this beforehand helpful; just trying to save August grief. Chairman Lauber – You used last year's survey to get the dates you wanted. Marshall – Didn't agree survey said the same thing. Look at Low Plains SE zone, pretend I like F, but my hunch is B is my favorite if I get friends to score B low than I can bias that. Bidrowski – Sample size will overcome that. Commissioner Budd – Who is on waterfowl committee? Bidrowski – One from each public land region, one from each region of private lands, two federal refuge managers, one from DU; I serve as chair. Chairman Lauber – Review recommendations made by that committee, who will use their best efforts to gather information from this survey and have thoughts, suggestions and insights to come up with recommendations. Works for every other season we have because we don't have control of bird's migration, more controversial, don't think we want to have a major change in the way the agency provided

information to what you want to do. Don't want survey committee to use same as in the past?

Commissioner Doll – Same level of bias as in the past, not suggesting we do true survey by doing phone call, but what I am hearing from Commissioners, some tweaking for data to be more accurate; what is in best interest of sportsmen; reworded presentation would get more accurate data, a low cost alternative. Bidrowski – You have survey for two months, never questioned where used; standard survey based on national survey and is one of three legs we use to make regulations. Commissioner Dill – Would you be opposed to taking boldface out and “similar to” out? Bidrowski – Sure, most know when they are going to go hunt without looking back at the calendar, those that don't respond are mostly opening day hunters. Commissioner Budd – I can gauge my season on last season because I know whether I had success or not. My confusion in all of this, if we are going to have a survey and staff is going to recommend against it, have to do one of two things, get rid of staff or get rid of survey. Bidrowski – This is one of ways to set regulations. Commissioner Budd – My ways seem way out there to you, but yours do to me too. Just because we have done things for 50 years doesn't mean it is right. Chairman Lauber – Saying staff didn't follow the survey, and it is one of three factors, realistic approach and staff takes other two factors and they may or may not use this, not surveys fault. Don't want to encourage a particular outcome. Commissioner Doll – Tom does good job getting data best they can, my only point is we have a biased survey and we could tweak this a little bit and get a better result. That could be accomplished simply, more accurate with little cost. Bidrowski – Can you provide that tweak? Commissioner Doll – I'm not on waterfowl committee. Sexson – Tom is not out there alone. If commissioners have some idea on how they could tweak this, provide written comments. Commissioner Doll – Not in the next five minutes. Sexson – Not in five minutes but in the next couple of days, got a survey that is reliable from statistical standpoint, asking us to make survey to meet expectation of Commission, I don't want to put my biologists in that position. Commissioner Doll – Not what I am saying. Chairman Lauber – Send suggestions to Keith so that it can go to the committee, other than that I don't believe we will agree on survey. Go with standard methodology and what we got, let Keith know what you want and they may or may not go with it. Commissioner Doll – Wouldn't you rather have more accurate data than less accurate? Chairman Lauber – We don't make decisions based on the survey, a factor that you use. Commissioner Doll – No one is making that assumption. Commissioner Budd – Where we get into discrepancy is bold print, and makes options consistent. Bidrowski – Based on what has happened in the past. Commissioner Budd – The perfect survey is an accurate one. We will talk about it in Great Bend. Bidrowski – Survey will repeat itself 9 out of 10 times, around 40 percent. Commissioner Dill – Not all going to agree, pass comments on, eliminate boldface to eliminate prejudice or bias, eliminate them all or just leave last year's. Commissioner Marshall – Simplest is always the best, rank one, two or three. Bidrowski – Use Likert scale, rather than ranking. Commissioner Marshall – Too many choices. Bidrowski – Picks up small nuances. Chairman Lauber – Send changes to Keith to be passed on to committee, get survey done and move on. Not trying to discourage this, but we have more meetings. Commissioner Wilson – What is the third part of this? Bidrowski – Migration chronology, past harvest and human dimensions, when people want to hunt comes from survey. Come through me and up chain of command and then to you. Commissioner Wilson – Do waterfowl managers look at this? Bidrowski – One from each region on committee. Michael Pearce – Will harvest figures be available for next meeting? Bidrowski – Looking at 1996-2013. Pearce – Was commission presented last year's survey or just results? What power does commission have with surveys? Tymeson – Advise and vote on the regulations. Leading into some personnel, but this is advice.

Pearce – Can I speak to Roger later? Pearce – Fair to say that no matter what survey says you are going to set the dates for ducks as late as you can? Commissioner Budd – No. Commissioner Doll – How is this personnel related? Tymeson – Staff has right to not accept this. Chairman Lauber – Don't feel we have gotten into personnel. Commissioner Doll – Advise, not personnel. Commissioner Budd – Advise relative to information you give me, if chose not to, take information you give me the same.

5. Lesser Prairie Chicken Federal Listing Update - Keith Sexson, Assistant Secretary, presented this report to the Commission (Exhibit L). On March 27, 2014 the USFWS announced that the Lesser Prairie-Chicken (LPC) was to be listed as threatened under the Endangered Species Act (ESA). The final listing and 4(d) rules for the lesser prairie chicken were published in the Federal Register on April 10. The effective date of these final rules will be May 12, 2014. Also announced was a final special rule under section 4(d) of the ESA that will "limit regulatory impacts on landowners and businesses from this listing." Diving into 4(d) rule to see how plan can be applied. FSA and NRCS had conference opinions that have been released, how affected or managed under natural resource programs (primarily farm bill and CRP), trying to understand what is covered under those opinions. There were 17,000 birds in 2013, indications that rangewide populations are increasing. With listing didn't take very long for suit to be leveled against USFWS from petitioners, those out there who feel it should be endangered. One side of Service will be dealing with law suits and our plan will come under scrutiny. Other side of equation, Kansas joined law suit with Oklahoma Attorney General; in beginning as a result to take care of backlog of species; warranted but not precluded was not one of the choices the USFWS was given for these 250 species. Industry to enroll property, 4.3 million acres signed up, 45 companies, another 13 companies in process of signing up. CCAA not applicable after May 13, 2014, however landowners and industry can continue to take protection under the rangewide plan. Obtaining impact credits, realized by various industries out on the landscape; had enrollment from eight landowners to develop management plans for their property for credits, funded by fees from impacting industries. Continue to study documents that are there now. Jim will present that during upland bird presentation and continued hunting of greater prairie-chickens (GPC), have work to do there. I provided the news release in briefing book from USFWS, when they announced the listing. Commissioner Budd – I think you and Jim put up a good fight and did what you could do. Sexson – Five states are still working together to enlist these management programs with a goal to get them delisted and will be challenged from the side, to find holes in the management plans. Have resources to deal with these issues as they come. Robin and Chris can talk about this better, LPC, but rangewide plans are well understood by legislators this session. When you go from 37,000 birds to 17,000 it is hard to go with not-warranted status. Commissioner Dill – If listed is there specific amount of time to get them delisted? Sexson – Open-ended, rangewide goal for 10 years is 67,000 birds; USFWS needs to consider where we need to be to consider delisting.

C. Workshop Session

1. Upland Bird Regulations – Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit M). Because of listing no longer able to take LPC after June 12. In 4(d) rule did recommend incidental take when hunting GPC. Have to implement parts collection, similar to waterfowl on federal level; provide envelopes to get wings or other parts to see what

part is LPC, GPC or hybrids. Continue GPC hunt in NW Kansas with incidental take. Commissioner Doll – Ballpark number of hunters? Pitman – Around 1,500 in NW Kansas, differs greatly in harvest numbers; ballpark of hundreds. If numbers return to 2010 numbers could be thousands. Chairman Lauber – How will you send out survey? Pitman – Just talked to geneticist, depending on numbers, may have to sample everyone. Chairman Lauber – Cost of genetic study? Pitman – \$61 each. Chairman Lauber – Expensive surcharge. Pitman – Can use PR funds for 75 percent of that. Chairman Lauber – I have a lot of contact in SE region, Woodson County used to have a lot of prairie chickens, want to know why do we allow hunting if there are so few of them? Could you or your staff write an article on why we still allow hunting in some of these fringe areas; will be burning and other factors, but as a non-biologist, would help us with public? Pitman – Got phone call from landowner, where he implemented conservation plans in the Flint Hills, I encouraged him to write an article himself and can incorporate some of my own information with that. Chairman Lauber – Would like to educate people on that. Pitman – Thinking along the right lines. Ron Klataske – Relative to LPC think one of things that has hurt the agency, as population of LPCs was going down, we were increasing hunting opportunity and adding brood season. Look at credibility of department. One of things you alluded to is having hunting seasons where there are few birds, some counties have none. On SW region, take northern line, Highway 96, extend to Highway 56 and down to I-35, why have open season when there are none. Not reduce hunter opportunity, did with turkey and deer, population numbers match conditions; look at that in the future for eastern two counties in Kansas, with possible exception of Anderson County, rest of have none or very few. Could take out the few you have for genetic diversity. If populations disappear people will say the department didn't take care of them, it doesn't jive with what you want to project. Chairman Lauber – Same as constituent said to me. Klataske – Objective should be clear. Commissioner Marshall – Would you change all hunting in NE unit? Klataske – No, not north of I-70. Commissioner Marshall – Okay.... perception issue? Klataske – I don't think so, people understand core habitat. I see it as adapting to the reality. Pearce – Jim, when you said every bird shot or sample? Pitman – Sample. Pearce – Ballpark? Pitman – About 1,500 hunters, a few hundred or everybody who shoots one in that area, it will be voluntary.

2. Public Land Regulations – Brad Simpson, public lands section chief, presented this report to the Commission (Exhibit N). I need to bail out Linda; prairie dogs at Lovewell are on public land, not state park. Public land regulations are adopted by reference in KAR 115-8-1, same as we went over in March and we will go over these in June when we vote.

Keith Sexson – Introduced Jason Luginbill, new ecological services section supervisor, now in Topeka office; as well as spending some time in Pratt.

3. Kansas Threatened and Endangered Species Five-year Review of Lists – Jason Luginbill, ecological services section chief, presented this report to the Commission (Exhibit O). We're in the midst of five-year review of Kansas threatened and endangered species and are reviewing ten species. The Threatened and Endangered (T&E) Task Committee seeks the best science available to assist in the formulation of final recommendations to the KDWPT Secretary and Commission regarding the status of those species under review. Scientific experts were sent a numerical rating form and asked to comment regarding the proposed listing changes and have until April 30 to respond to the T&E Task Committee. They have until the first week of June to

have to have recommendations to Secretary Jennison for his review and then to the Commission. The required informational meetings are occurring; have met in Galena, Shawnee Mission and Topeka and have meetings scheduled for Garden City and Hays. Chairman Lauber – Three species moving from threatened to not listed, are they extirpated? Luginbill – Not located in state for some time, viable petitions; many-ribbed salamander turned out to be Oklahoma salamander and had not been found for some time.

4. Webless Migratory Birds - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit P). Although webless migratory bird hunting regulations are subject to the same federal framework process with the U.S. Fish and Wildlife Service as waterfowl, stability in season dates and bag limits allows the inclusion of crows, doves, sandhill crane, snipe, rail and woodcock; bag limits and season dates are also part of the permanent regulations. Summary in first table is species and regulations, second table is season dates and bag/possession limits No changes recommended to the webless game birds regulations. Commissioner Wilson – Crow season in all 50 states? Bidrowski – Maybe some states along the Mexican border don't; under depredation order since the 1950s. I will have to look it up and send you an email. Tymeson – Protected under migratory bird treaty. Commissioner Hayzlett – Set seasons or set by federal regulations? Bidrowski – Federal regulations and commission sets regulations, not sure why the November 10 date was chosen.

5. Early Migratory Bird Seasons - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit Q). The U.S. Fish and Wildlife Service (USFWS) annually develops the frameworks for states to establish migratory game bird hunting seasons which establish maximum bag, possession limits and season lengths, earliest opening and latest closing dates; defines teal population thresholds for which September teal season can be held. Final federal frameworks will not be set until June 26, 2014 USFWS Service Regulatory Committee meeting, will adopt at our June 19 meeting. We expect no changes in frameworks which would allow a 16-day season. Last year there was an increase in the daily bag limit from four to six and possession limits is now three times the daily bag limit.

Ron Klataske – I actually want to skip back to last item. Relative to crows, come to Riley County in the wintertime near Tuttle Creek reservoir; crows compete with upland game birds. Comment on sandhill crane season. Audubon of Kansas has three requests: return to afternoon closure until 2012, wise closing and from ecological standpoint allows cranes to go back to roosting areas. Believe it would increase hunter opportunity and allow birds to stay, don't give them rest and may in fact be pushing them onto Oklahoma and Texas. These birds have longest migration of any migratory birds we hunt (coming from Siberia and Alaska). Other request is to reestablish the onset of shooting hours a half hour after sunrise, impact on take and safe guard of whooping cranes warrants that. Third, roosting areas are limited and important to sandhill cranes; if nobody hunts them at wetlands, then close roosting area at Cheyenne Bottoms. Pearce – Asked for Commissioner Marshall's opinion, what percentage of hunting happened on roosting areas, happens in fields? Where do you think most of cranes come from? Commissioner Marshall – Both areas, 15 miles from both is where we hunt. Don't know anyone who has hunted cranes off the wetlands. Klataske – Federal frameworks are there for reference, but not the gospel. Not everybody understands the difference between cranes and other wading birds, including whooping cranes. If you have seasons on roost sites, like at Cheyenne Bottoms, people will shoot

another long necked bird. Non-hunters are not necessarily anti-hunters. Commissioner Marshall – Quivira is closed. Klataske – Cranes seem to be using Quivira more than Cheyenne bottoms.

VII. RECESS AT 4:27 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

XI. DEPARTMENT REPORT

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Michael Pearce – Kevin, regarding antler bill, what is the department policy if someone finds deer dead under the policy? Tymeson – Have a directive. Jones – Policy concerning salvage of deer parts, taken under permit of some type, during season or with salvage permit. Shed antlers are okay to take, find deer skull proper procedure would be to leave deer there to call officer and see if that animal was poached, and decide whether to seize as evidence or turned back to owner. Pearce – Have had complaints on inequality on deer taken. Do they have to proof the deer was taken? Jones – Some indication animal was unlawfully taken, on a case-by-case basis. Pearce – Several reports through the years. Jones – No evidence of wrongdoing my opinion would be to give it back. Pearce – Lloyd, reduced opportunity to shoot antlerless deer in Unit 17 and at same time added tags, seems like double standard? Fox – Trying to increase antlerless deer take and even out where the demand for permits was high and success was high.

Jason Wenzel, Wichita – Burden of proof is whose responsibility? Jones – On law enforcement officer. Wenzel – No size restriction? Jones – No. Wenzel – If deer is confiscated what happens to the deer? Jones – If held for a case two options to get rid of evidence: would be sold (antlers at auction) or can be used for educational, scientific or department objective. Have used for stop poaching program. Wenzel – In situation where you might hit a deer, how does that protocol go because we could be dealing with a sheriff, highway patrol on getting salvage tag? Jones – All law enforcement officers have them and some biologists. Wenzel – If we find a deer, what do we do? Jones – Look for indication of potential crime scene. Wenzel – coyote hunting during deer season is that coming up? Chairman Lauber – Not coming around for a while.

XI. DEPARTMENT REPORT

C. Workshop Session (continued)

6. Fort Riley Deer and Other Considerations - Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit R). We have reviewed Fort Riley's input on deer seasons and will vote on this in June.

7. Use of dogs to track dead or wounded deer - Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit S). Working on this regulation at this time, have information from surveys from deer hunters and have given description of what deer

hunters have said from 2010/11 (Exhibit T). We have mapped out where it is legal, trailing dog would be remain on a leash, require tracker and hunter to contact local law enforcement to let them know this is going on. Tracker would be required to have a hunting license, similar to what is required of people who assist a hunter. Chairman Lauber – Is there a procedure where you could go in with flashlight to find that deer? Mark Rankin – Most of conservation officers will go out and assist in recovery of an animal under those circumstances. Chairman Lauber – Lost a few deer over the years because it got too dark. Johnny Delmont – If I understood, can I pursue animal after dark if I don't have a dog? Rankin – If you don't have a weapon. Pearce – Does buddy who helps you find deer have to have a hunting license? Rankin – If helping during the hunt they would. Pearce – Most common complaint is you can't find a conservation officer. Rankin – Contact Operation Game Thief. Pearce – Talked to four or five other states and got photos of people tracking. Not aware of state where it is illegal, understand no weapon, but dog seems okay. Don't want to waste the meat and if you leave it overnight it is wasted. Commissioner Marshall – People who object, what is their concern? Fox – Use of dogs during hunting, may decrease fair chase, changes the parameters and a host of other reasons. Commissioner Marshall – Would Pope and Young disqualify you if you got your deer with a dog? –No. Commissioner Hayzlett – Are comments coming from public? Fox – Yes, coming from use of free ranging dogs, where dogs hunt deer. Commissioner Hayzlett – Even though not hunting they still don't like it? Fox – Yes, new to us, looking at what other states have done. In past opposition to using dogs at all; not an alternative way to detect a deer or to get in a position to shoot a deer. Commissioner Dill – Call in to Operation Gamethief would that satisfy that requirement? Rankin – Ideal to reach conservation officer, but realize you can't always reach them. Pearce – When voted on? Tymeson – August, not in effect until June.

8. Hunting on same day of deer or turkey permit purchase – Mark Rankin, law enforcement assistant director, presented this report to the Commission (Exhibit U). Just omitting one line from existing deer regulation. Provided handout with numbers of when permits were purchased (Exhibit V). Had some concerns of irresistible urge to take a buck and then go to town and buy a permit; from law enforcement perspective want to leave it the way it is. Commissioner Dill – Many going to buy it ahead? Rankin – About 82 percent had permit before the opening. Concern of losing sale, when they don't have to buy them until they hunt, used to have a cutoff date. Commissioner Budd – Don't think it is going to make it any easier to get the permits. Know 95 percent of people are going to buy ahead of time. Commissioner Dill – Are other states allowing same day hunting? Rankin – Don't have any data on that. Tymeson – Nebraska has same day hunt, don't know what Missouri has. Commissioner Dill – Doesn't make sense to make them wait. Chairman Lauber – I want you to check on Missouri and Oklahoma and bring back that data Commissioner Budd – Don't feel this is a big deal. Rankin – I have to represent my officer's opinion. Pearce – Is it 24 hours or next calendar day? Rankin – Next calendar day. Pearce – Have you ever had a case where someone shot the deer and then went and bought the tag? Rankin – Yes. Commissioner Wilson – Whitetail antlerless season may change to where you have to shoot antlerless before you shoot a buck. Think you can get from outfitter and shoot a deer. At some point may be forced to shoot a doe before a buck, foresee that? Fox – Some states have that, hard sell in state like this. Commissioner Wilson – Have to eliminate does somehow. Fox – This is one of the reasons, still have many tools in our tool chest. Cutting back on intensity of hunting antlerless deer; opposite seems to be the case in some areas, they feel we have gone too far with the harvest. This is the art of management, finding balance.

D. Public Hearing

Notice and Submission Forms; Kansas Legislative Research Letter and Attorney General Letter (Exhibit X).

1. KAR 115-25-7. Antelope; open season, bag limit and permits. - Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit Y). Archery season will be September 20-28 and reopens October 11-31. Archery permits are available to residents and nonresidents. Firearm season is from October 3-6 with 140 firearms permits are proposed in the three management units as follows: Unit 2 – 98 firearms permits; Unit 17 – 34; Unit 18 – 8. Muzzleloader season is from September 29-October 2 with 40 permits proposed in the three management units as follows: Unit 2 – 26 muzzleloader permits; Unit 17 – 8; Unit 18 – 6. Firearm and muzzleloader seasons are resident only.

Commissioner Wilson moved to approve KAR 115-25-7 before the Commission. Commissioner Dill seconded.

The roll call vote on KAR 115-25-7 as recommended was as follows (Exhibit Z):

Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-25-7 passed 6-0.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

June 19, 2014 – Lamplighter Inn & Suites meeting room, Pittsburg
August 21, 2014 – Kansas Wetland Education Center, Great Bend
October 16, 2014 – Martinelli’s Restaurant meeting room, Salina
January 8, 2015 – Kansas City area (Bonner Springs community center)

XIV. ADJOURNMENT

The meeting adjourned at 7:15 p.m.

(Exhibits and/or Transcript available upon request)

Secretary's Remarks

Agency and State Fiscal Status
No briefing book items – possible handout at meeting

2013-2014 Legislative Update, as of May 27, 2014

2013 Bills passed and signed by the Governor

SB57 -- The department supported provisions of this bill related to domestic deer. Under statute, anyone possessing domesticated deer must be permitted under the Kansas Department of Agriculture. This bill amended that statute to allow the Department of Agriculture to request assistance from the Kansas Department of Wildlife, Parks and Tourism in implementing and enforcing laws governing domesticated deer. This bill passed the Senate 40-0, passed the House 87-32 and was signed by the Governor on April 16, 2013.

SB74 -- This bill would have prohibited the Department of Corrections from producing modular homes, including KDWPT cabins. KDWPT requested an exemption to allow DOC to produce the cabins being placed in state parks, state fishing lakes and wildlife areas. This bill was amended to protect the KDWPT cabin program and the department supported the bill as amended. The bill passed the Senate 36-4, passed the House 87-3 and was signed by the Governor on April 10, 2013.

SB83 -- This bill dealt with income, severance and sales tax issues and was amended to include provisions of HB2244, which reduced the percentage of value that watercraft are assessed at to 11.5 percent in 2014 and 5 percent in 2015 and thereafter. The bill was signed the governor on April 16, 2013.

HB2030 (KDWPT initiative)--This bill authorized the department to issue 10 "Wounded Warrior Deer Permits" to disabled veterans who sustained injuries in combat and have a service-connected disability of not less than 30 percent. This bill passed the House 115-0, passed the Senate 40-0 and was signed by the governor on April 2, 2013.

HB2052 -- This bill created the crime of unlawful discharge of a firearm within or into the corporate limits of any city. However, it allowed the discharge of a firearm to lawfully take wildlife, including nuisance wildlife, if approved by the KDWPT and the governing body of the city. This bill passed the House as amended 121-2. The bill was amended in the Senate to include items from other firearm-related bills but still includes original provisions related to unlawful discharge and the amended version of this bill passed the Senate 35-5. The bill was signed by the governor on April 16, 2013.

HB2218 -- This bill included provisions from SB49, which was a boating under the influence bill. Previous law made it unlawful to operate a vessel with a blood or breath alcohol concentration of .08 at the time of or within two hours of operating a vessel. Provisions from SB49 increased the time period from two hours to three hours after operation of a vessel, making it consistent with state DUI laws for motor vehicles. This bill passed the House 121-2, passed the Senate 39-1 and was approved by the Governor May 22, 2013.

HB2244 (KDWPT initiative) -- This bill was introduced as a result of the ballot issue which passed in November 2012 allowing the state constitution to be amended and a change to the way watercraft are taxed in the state. This bill gradually reduced the percentage of appraised value used to assess property tax on a watercraft to 20 percent in 2014, 10 percent in 2015, then exempting watercraft from taxation for tax year 2016 and thereafter. The amended bill reduced

the percentage of value that watercraft are assessed at to 11.5 percent in 2014 and 5 percent in 2015 and thereafter. The amended version passed the House on Emergency Final Action 107-15. The provisions of this bill were incorporated into SB83 in the Senate, which was signed by the governor on April 16, 2013.

Senate Resolution 1711 -- This resolution opposed the black-footed ferret programmatic harbor agreement and environmental assessment drafted by the U.S. Fish and Wildlife Service, which involves black-footed ferrets that were reintroduced into Logan County in 2007. The resolution was referred to the Senate Committee on Natural Resources and passed the Senate as amended 31-9.

2014 Bills passed and signed by the Governor

SB272 -- This bill eliminated the limit of the number of acres allowed to be enrolled in controlled shooting areas per county, which was 3 percent. This bill had a hearing and was amended by the committee to retain the cap but increase it to 5 percent. This bill passed the Senate 39-0 on Wednesday, Feb. 12, 2014. This bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on March 12, 2014. This bill passed the House 123-0 and was signed by the Governor on April 4, 2014.

SB357 (KDWPT initiative) -- This bill permitted a hunter who had not completed an approved hunter education course to purchase three separate deferrals (apprentice licenses), each valid for the license year during which it is purchased, before hunter education is required. Previously, a hunter could purchase a one-time deferral of hunter education completion. The department supported this bill. This bill had a hearing on February 20, 2014 and passed the Senate 40-0. The bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on March 17, 2014. The bill was then amended to allow two separate deferrals, rather than the proposed three, and passed the House 97-26 and was placed in conference committee. The conference committee agreed on two separate deferrals and placed provisions of SB366 and SB370 in this bill. They also included modified provisions of HB2538, which allows the department to provide unlawfully taken wildlife parts to a landowner subject to conditions being met; or allows the department to destroy the items, in addition to current law. The Governor signed the bill on May 14, 2014.

HB2051 - This bill contains the House version of SB276 dealing with prairie chickens with very minor modifications. The Governor signed the bill on May 9, 2014.

HB2422 -- This bill cleaned up the definition of watercraft for the purpose of taxation, which initially passed in 2013. This bill passed the House as amended 118-0, passed the Senate 40-0 and was signed by the Governor on April 4, 2014.

HB2578 -- This is a wide-ranging bill relating to the regulation of guns and knives. However, one amendment would allow forfeited firearms to be used the Kansas Department of Wildlife, Parks and Tourism for education purposes. This bill was signed by the Governor on April 22, 2014.

HB2595 -- This bill names two state fossils; the tylosaurus and the pteranodon. The tylosaurus, a giant mosasaur, which inhabited the great inland sea that covered portions of Kansas during the cretaceous period of the mesozoic era is designated the official marine fossil of the state of

Kansas. The Pteranodon, a great winged pterosaur with a wingspread of more than 24 feet, which flew over Kansas during the cretaceous period of the mesozoic era is designated the official flying fossil of the state of Kansas. This bill passed as amended 96-27 in the House, passed the Senate 40-0 and was signed by the Governor on April 4, 2014.

2013-2014 Bills that did not pass

SB50 (KDWPT initiative) -- This bill would have required anyone born on or after Jan. 1, 1989 to complete an approved boater education course before operating a vessel without supervision. Current law exempts anyone 21 or older from education requirements. This bill was referred to the Senate Natural Resources Committee.

SB94 --This bill dealt with certain crimes and punishments and would have amended the definition of a firearm to exempt antique firearms including matchlock, flintlock and percussion cap muzzleloaders, making it consistent with the federal definition of firearms. This bill was referred to the Committee on Judiciary.

SB223 -- This bill would have authorized the use of a crossbow by all hunters during big game archery season. Referred to the Committee on Natural Resources. (Regulations now allow use of crossbows by all hunters during big game archery seasons.)

SB276 --This bill would have enacted the State Sovereignty Over Non-migratory Wildlife Act and was introduced in response to the U.S. Fish and Wildlife Service's announcement that adding the lesser prairie chicken to the Threatened and Endangered Species List was warranted. The bill passed the Senate 30-10 and was referred to the House Committee on Agriculture and Natural Resources. The bill was amended significantly and remained on House General Orders. Provisions of this bill are now contained in HB2051.

SB281 -- This bill would have removed the redbelly snake and smooth earth snake from the state Threatened and Endangered Species List established under the Nongame and Endangered Species Conservation Act. This bill was referred to the Senate Committee on Natural Resources. This bill had a hearing on Jan. 30, 2014.

SB323 -- This bill would have terminated conservation easements, created on or after July 1, 2014, upon the death of the grantor or upon a specified term of years, prohibiting perpetual conservation easements. On April 4, 2014, this bill failed on Senate Emergency Final Action, 23-16.

SB366 (KDWPT initiative) -- This bill would have authorized the Kansas Department of Wildlife, Parks and Tourism to purchase a parcel of land containing 397 acres in Cherokee County. The bill passed the Senate, 28-12 and was referred to the House Committee on Appropriations, where it saw no action. Provisions of this bill are now contained in SB357.

SB 370 (KDWPT initiative) -- This bill would have authorized the Kansas Department of Wildlife, Parks and Tourism to purchase a parcel of land containing 484 acres in Pottawatomie County. The bill passed the Senate, 27-13 and was referred to the House Committee on Appropriations, where it saw no action. Provisions of the bill are now contained in SB357.

SB447 -- This was a wide-ranging bill relating to the regulation of guns and knives. However, one provision would have allowed forfeited firearms to be used the Kansas Department of Wildlife, Parks and Tourism for education purposes. The bill passed the Senate 34-2. Provisions of this bill are now contained in HB2578.

HB2076 -- This bill would have exempted any honorably discharged veteran who resided in Kansas and had a service connected disability equal to or greater than 30 percent from all hunting and fishing license/permit requirements and fees. The department opposed this bill.

Senate Sub. For HB2118 -- This bill proposed repealing the Kansas Nongame and Endangered Species Act. It was referred to Committee on Natural Sources and the committee recommended bill be passed. It was placed on Senate General Orders but was stricken from the calendar.

HB2362 -- This bill would have amended provisions of the nongame and endangered species conservation act, specifically redefining critical habitat as it relates to a threatened and endangered species, as well as significantly changing how species are designated threatened or endangered in Kansas. The department opposed the bill, which was referred to the Committee on Agriculture and Natural Resources.

HB2473 -- This was large bill dealing with weapons, but there were provisions in it related to seized firearms and disposition to Kansas Department of Wildlife, Parks and Tourism. It was referred to the House Committee on Federal and State Affairs, was recommended favorably for passage and placed on House General Orders. The provisions of this bill are now contained in HB2578.

HB2538 -- This bill would have amended K.S.A. 32-703, which declares that ownership of wildlife in the state, not held in private ownership, is hereby declared to be in the state. The proposed bill would have given landowners first right of first refusal to all antlers of deer illegally hunted on such landowner's land. This bill was referred to the House Committee on Agriculture and Natural Resources and was amended to include all wildlife illegally hunted on such landowner's land. It passed the House 106-17 and was referred to the Senate Committee on Natural Resources where a hearing was held. Subject matter of this bill is now contained in the conference committee report in SB357.

HB2626 -- This bill would have authorized the Kansas Department of Wildlife, Parks and Tourism to allow persons issued valid hunting licenses and big game permits to use leashed tracking dogs to track and find dead, wounded or injured big game. This bill was referred to the House Committee on Agriculture and Natural Resources. This bill had a hearing on February 18, 2014 and the bill was tabled in committee.

HB2627 -- This bill would have removed the requirement of hunter education completion for those who hold concealed carry permits. This bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on March 17, 2014.

HB2694 -- This bill would have made hunting on any private land without landowner written permission criminal hunting, removing current requirements that landowners post or mark land as requiring written permission. This bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on February 19, 2014.

HB2737 -- This bill would have amended statutes concerning dangerous regulated animals; pertaining to the sale, slaughter and acquisition of such animals. The current statute defines dangerous animals as lions, tigers, leopards, jaguars, cheetahs, mountain lions, bears and all non-native, venomous snakes. This bill would have added nonhuman primates and wolves to that list. The bill was referred to the House Committee on Agriculture and Natural Resources.

General Discussion

Tourism Update

No briefing book items – possible handout at meeting

VI. DEPARTMENT REPORT

B. General Discussion

2. 2015 Turkey Regulations [KAR 15-25-(5-6)]

Background

The 2014 spring turkey season was open during all of April and May and included 3 different seasons (archery, youth/disabled, and regular). The fall 2013 season ran from October 1 through the end of January but was closed during the regular firearm deer season (Dec. 4-15). Hunting is regulated within the same 6 management units during both seasons (Figure 1). The 6 hunt units line up with the management units the department uses to monitor turkey populations and hunter activity. This consistency allows us to utilize our data to guide harvest recommendations.

The department currently sells spring turkey permits to >45,000 hunters and fall turkey permits to >10,000 hunters. Those individuals purchased 71,903 carcass tags for the most recent spring season (2014) and 13,720 for the most recent fall season (2013; Table 1). Non-residents account for 32.3% of Kansas' spring hunters and 19.8% of the fall hunters. Harvest has averaged around 33,000 and 13,000 over the last several spring and fall seasons, respectively (Table 1).

Population Status and Productivity

In recent years, the Kansas turkey population has increased in all but the western 1/3 and north-central portions of the state where populations have declined (Figure 1). The increases in the remainder of the state have been due to dry weather during the nesting and brood rearing periods which facilitated improved poult production. Despite the recent population increases in those areas, the population is still far below the peak levels observed in the mid 2000s. The recent dry conditions have had the opposite effect in western Kansas where an average precipitation year is already pretty dry. The severe drought in western Kansas resulted in poor production over the last couple of years due to inadequate vegetative structure and few invertebrates for poult foraging. The vegetative conditions were improved or maintained going into this nesting season across most of the state due to some timely precipitation during late summer 2013. However, recent major precipitation events have coincided with the peak hatching period for turkeys which is usually detrimental to production.

Discussion

The department uses an adaptive management strategy to guide staff recommendations on wild turkey bag limits for both the spring and fall seasons. The strategy aims to maintain a high level of hunter success in every hunt unit and provides a consistent method of developing staff recommendations. The strategy includes a hierarchy of bag limit combinations and uses established triggers to determine when each one will be recommended. At the time of this report, the data from the spring 2014 season had not yet been analyzed. Thus, it is not yet known if any of the established triggers have been hit this year. The staff recommendation for the 2015 turkey bag limits will be presented at the next commission meeting. Recall, that recent commission action has already changed the fall 2014 bag limits and spring 2015 season structure.

Table 1. Kansas wild turkey permit sales, total harvest, and hunter success for each of the last 5 seasons, 2010-2014.

Year	Spring			Fall		
	Permits & Game Tags	Total Harvest	Success ^a (%)	Permits & Game Tags	Total Harvest	Success ^a (%)
2010	66,621	34,991	63	12,989	3,954 (38%)	39
2011	64,972	32,298	61	12,914	3,677 (39%)	36
2012	63,928	31,239	60	14,261	NA ^c	NA
2013	73,581	33,925	57	13,720	NA	NA
2014	71,903	NA	NA	--	--	--

^a Success was the percentage of active hunters harvesting ≥ 1 bird.

^b Percentage of harvest composed of females.

^c NA = not available

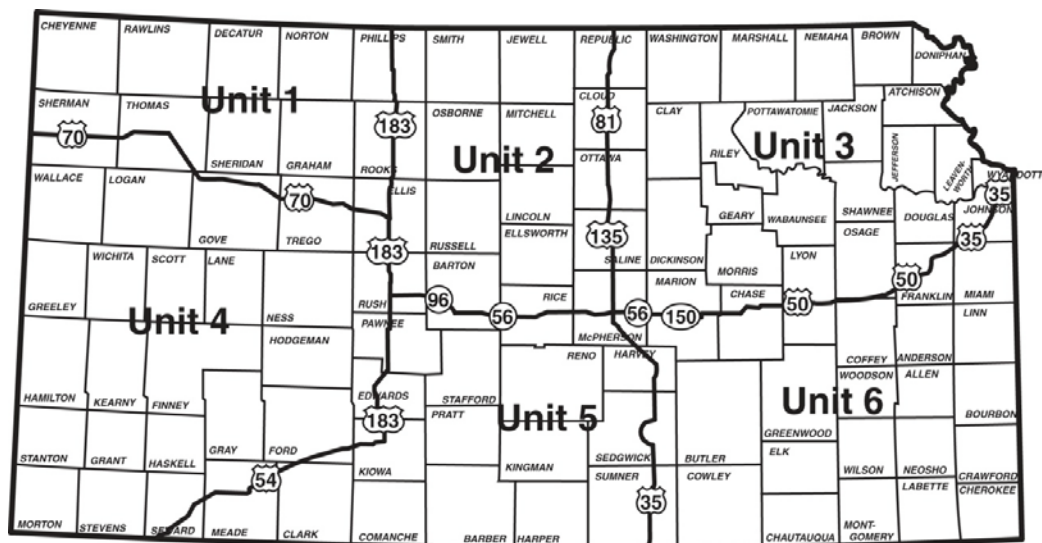


Figure 1. The map depicts the hunting units for Kansas' 2014 turkey seasons. A spring turkey permit could be purchased over-the-counter for Units 1, 2, 3, 5, and 6. Five hundred spring permits were issued for Unit 4 through a pre-season drawing and they were also valid in adjacent units. An additional spring game tag could be purchased over-the-counter and was valid in Units 1, 2, 3, 5, and 6. A fall turkey permit can be purchased over-the-counter for Units 1, 2, 3, 5, and 6. Up to 3 additional fall turkey game tags can be purchased for Unit 2. There will be no fall turkey hunting authorized in Unit 4.

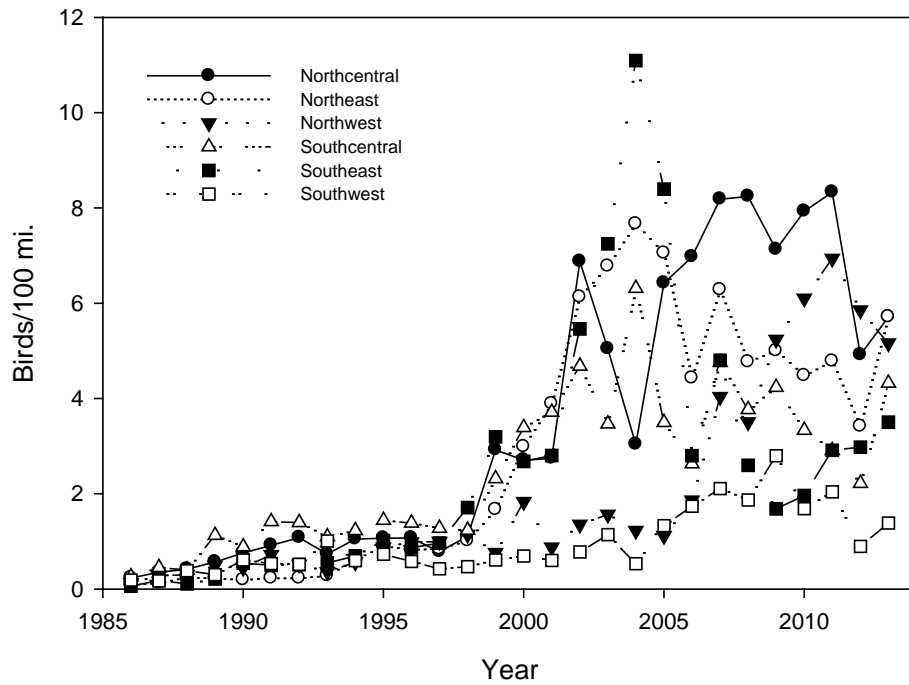


Figure 2. The spring rural mail carrier index (birds/100 mi. traveled) to wild turkey populations in the 6 Kansas management regions, 1986-2014.

Safety Reclamations on the Mined Land Wildlife Area

June 6, 2014

BACKGROUND

The Kansas Department of Health and Environment's Surface Mined Section in cooperation with KDWPT Mined Land Staff have completed \$9,800,000 in projects throughout the Mined Land Wildlife Area over the last 20 years. The funds for these safety reclamation projects are derived from a \$0.26 tax on every ton of coal that is mined throughout the U.S. These funds are then distributed to states with active mining or abandoned mined lands, which is the case in SE Kansas. These projects improve safety, provide better access and replace failing infrastructure with improvements that will pay off for generations to come. Wildlife habitat is also enhanced, adding even more diversity to this unique area.

Three projects will be highlighted to show the results of these reclamation efforts - Quail Farm, Whitmore Areas and Deer Creek II project. The Quail Farm project was completed in 2009, and amounted to \$1,092,438 in reclamation dollars. Sharp turns on interior roadways were straightened and new rock applied to the roads, dikes were improved with proper infrastructure along with numerous habitat improvements. Work with Whitmore Areas was completed in 2012 with a total cost of \$1,007,886. The project consisted of shoring up dikes, improving angler access, constructing new boatramps, and excavation that provides more boating access in one strip-mined lake. Both the Quail Farm and Whitmore Areas are located near Pittsburg and provide anglers and outdoor enthusiasts a place to go near town. Currently, the Deer Creek II project is under construction. This a \$3.5 million reclamation that will void a road hazard, improve infrastructure, create better access to fishery that had very limited shoreline access, and improve habitat and diversity.

Deer Creek II has been controversial due to the design of this project. Twenty surface acres of the original strip-mine lake on this area will be filled in. To mitigate for this, a 5-acre pond basin will be constructed in part of the remaining strip-mine lake and a two-celled, 15-acre wetland will be built. We have impacted the fishery in this particular reclamation project, but in turn we have created much better access to the fishery and created much improved terrestrial habitat.

Workshop Session

General Discussion Item

Park Regulations

Regulation 115-2-3, inclusion of Sand Hills State Park in appropriate listing for seasonal camping.

Background

In anticipation of the completion of a campground construction project at Sand Hills State Park; this park needs to be added to a portion of the current regulation 115-2-3. The appropriate portion of the current regulation lists the following:

Recreational vehicle seasonal camping permit for El Dorado, Milford, and Tuttle Creek state parks (includes utilities) per month, per unit (annual camping permit and annual vehicle permit required):

Sand Hills State Park needs to be added to the parks listed in this specific section of regulation 115-2-3.

2015 Reference Document:

Proposed Changes for Special Length and Creel Limits:

- Glen Elder Reservoir -- add a 35-inch minimum length limit on blue catfish.
- Lovewell Reservoir -- add a 35-inch minimum length limit on blue catfish.
- Lenexa - Lake Lenexa -- change to a 13- to 18-inch slot length limit on largemouth bass.
- Coffeyville - LeClere Lake -- remove the 15-inch minimum length limit on channel catfish and change to an 18-inch minimum length limit and 2/day creel limit on largemouth bass.
- Hays - Vineyard Park Pond -- add a 2/day creel limit on channel catfish.
- Hutchinson - North Pond -- add an 18-inch minimum length limit and 2/day creel limit on largemouth bass and add a 15-inch minimum length limit and 2/day creel limit on channel catfish.
- Scott State Fishing Lake -- change to an 18-inch minimum length limit on walleye and saugeye.
- Linn Co. - Critzer Reservoir -- remove the 10-inch minimum length limit and remove the 10/day creel limit on crappie.
- Humboldt - Franklin Street Pond -- add an 18-inch minimum length limit and 2/day creel limit on largemouth bass, add a 15-inch minimum length limit and 2/day creel limit on channel catfish, and add a 10-inch minimum length limit and 10/day creel limit on crappie.

Length and Creel Limits for Coffey County Lake:

The following change is being proposed.

- Change to a 5/day creel limit on blue catfish.

Other Proposed 2015 Fishing Regulation Changes:

Change 115-25-14 to include a new trout stocking location.

Herington -- Father Padilla Pond will be added to the list of Type 2 Waters, which require a trout permit only for trout anglers from November 1 through April 15.

Revoke 115-18-21. Floatline fishing permit; requirements, restrictions, and permit duration.

The floatline fishing permit (\$2.50) was established so that the Department could evaluate the program by sending out a survey to all permittees. We would like to remove the requirement to possess a permit while floatline fishing because program evaluation is no longer necessary.

2014-2015 LATE MIGRATORY GAME BIRD SEASONS

June 19, 2014

BACKGROUND

The U.S. Fish & Wildlife Service (USFWS) annually develops the frameworks for states to establish migratory game bird hunting seasons. The USFWS frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within the frameworks when establishing state specific waterfowl seasons. Late migratory game bird frameworks are published in August, after results from the May Breeding Duck Survey and other population and harvest data are available and recommendations from the various Flyway Councils are reviewed at the USFWS Service Regulation Committee (SRC) Meeting (July 31, 2014). Working within the confines of the USFWS frameworks, KDWPT annually establishes general waterfowl seasons, youth hunter waterfowl days and falconry waterfowl seasons during their late migratory game bird season setting process.

DUCK, MERGANSER, AND COOT SEASONS

Since 1995, Adaptive Harvest Management (AHM) has been adopted for setting duck hunting regulations in the United States. The AHM approach provides the framework for making objective decisions through four regulatory packages listed below. Optimal AHM strategies are calculated using: (1) harvest-management objectives specific to each mallard stock; (2) regulatory alternatives; and (3) current population models and associated weights for midcontinent mallards.

AHM Regulatory Packages

- **Liberal package**
 - o Season Length: 74-day Low Plains Season, 97-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Moderate package**
 - o Season Length: 60-day Low Plains Season, 83-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Restrictive package**
 - o Season Length: 39-day Low Plains Season, 51-day High Plains Season
 - o Daily bag limit: 3 birds with various species restrictions.
- **Closed**

The 2014-15 Federal Frameworks for ducks, mergansers and coots will not be determined until the July 31 USFWS SRC Meeting. However, based on the 2013 duck population estimate of 45.6 million birds (33 percent above the long-term average) and current habitat conditions in the Prairie Pothole Region, another good production year for ducks is expected, and will likely result in liberal Federal Frameworks for the 2014-15 season. Kansas has been in these liberal frameworks since 1996. Listed below are the previous year's (2013-14) Federal Frameworks as prescribed by the liberal regulatory package.

Outside Dates:

- Between the Saturday nearest September 24 (September 27 in 2014) and the last Sunday in January (January 25 in 2015)

Season Length:

- *High Plains Unit:* 97 days. The last 23 days may start no earlier than the Saturday nearest December 10 (December 13 in 2014)
- *Low Plains Unit:* 74 days

Bag & Possession Limit:

- *Duck:* The daily bag limit is 6 ducks, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females), 3 scaup, 3 wood ducks, 2 redheads, 2 pintails, and 2 canvasback
- *Merganser:* The daily bag limit is 5 mergansers, only 2 of which may be hooded mergansers. States have the option to include mergansers in the duck daily bag limit in which case the daily limit of merganser would be the same as the duck bag limit (6), of which two may be hooded mergansers
- *Coot:* The daily bag limit is 15 coots
- *Possession limit:* three times the daily bag limit.

Zones/ Split Options:

- *High Plains* – no zones and up to 2 segments
 - *Low Plains* – 3 zones with each having up to 2 segments
- Or*
- 3-way split season, no zones

Shooting Hours:

- One-half hour before sunrise until sunset daily

YOUTH WATERFOWL HUNTING DAYS

States may select two consecutive days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to their regular duck seasons, under the following guidelines:

1. The days must be held outside any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate.
2. The days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.
3. The daily bag limits may include ducks, geese, tundra swans, mergansers, coots, moorhens, and gallinules and would be the same as those allowed in the regular season. Flyway species and area restrictions would remain in effect.
4. Shooting hours would be one-half hour before sunrise to sunset.
5. Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day.

CANADA, WHITE-FRONTED, BRANT, AND LIGHT GEESSE

Harvest prescriptions for the Central Flyway's goose populations are based on population and harvest objectives as specified in population specific management plans. The 2014-15 Federal Frameworks will not be determined until the July 31st USFWS SRC Meeting. Listed below are the previous year's (2013-14) Federal Frameworks.

Outside Dates:

- *Dark Geese* (Canada, White-fronted, and Brant): may be selected between the outside dates of the Saturday nearest September 24 (September 27 in 2014) and the Sunday nearest February 15 (February 15 in 2015)
- *Light Geese* (Ross's and Snow): may be selected between the outside dates of the Saturday nearest September 24 (September 27 in 2014) and March 10
- *Light Goose Conservation Order*: January 1 through April 30 (KAR 115-18-16)

Season Length, Bag and Possession Limits:

- *Dark Geese*:
 - o Canada geese (or any other dark goose species except white-fronted geese) not to exceed 107 days with a daily bag limit of 8
 - o White-fronted geese, States may select either a season of:
 - Option A: 74 days with a bag limit of 2
 - Option B: 88 day season with a bag limit of 1
 - o Possession limit: three times the daily bag limit.
- *Light Geese*: not to exceed 107 days with a daily bag limit of 50 with no possession limit
- *Light Goose Conservation Order*: Must be held outside of all other waterfowl seasons and no daily bag or possession limits. Electronic calls as well as shotguns (no larger than 10 gauge) capable of holding in excess of 3 shells are permitted

Shooting hours:

- *General Goose Seasons*: One-half hour before sunrise to sunset
- *Light Goose Conservation Season*: One-half hour before sunrise to one-half hour after sunset

Zones/ Split Options:

- *General Goose Seasons*: No zones and up to 2 segments
- *Light Goose Conservation Season*: No zones or splits

EXTENDED FALCONRY SEASON

In addition to general waterfowl seasons, falconers may take migratory game birds during the special "extended" falconry season. The combined total number of days of take (i.e. teal season, general waterfowl season, and falconry) cannot exceed the Migratory Bird Treaty Act imposed maximum allowable annual hunting days for any one species of 107. Listed below are the previous year's (2013-14) Federal Frameworks for the extended falconry season.

Outside Dates:

- September 1 - March 10

Season Length:

- For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area. Each extended season may be divided into a maximum of 3 segments

Bag & Possession Limit:

- The daily bag limit may include no more than 3 migratory game birds, singly or in the aggregate. The possession limit is three times the daily bag limit. These limits apply to falconry during both regular hunting seasons and extended falconry seasons. The falconry bag and possession limits are not in addition to regular season limits.

Hawking Hours:

- One-half hour before sunrise to sunset

SEASON CONSIDERATIONS

High Plains

- A. Sat Oct 04-Mon Dec 01 & Sat Dec 20-Sun Jan 25
- B. Sat Oct 04-Mon Dec 15 & Sat Jan 03-Sun Jan 25
- C. Sat Oct 04-Mon Dec 29 & Sat Jan 17-Sun Jan 25
- D. Sat Oct 11-Mon Dec 01 & Sat Dec 13-Sun Jan 25
- E. Sat Oct 11-Mon Dec 08 & Sat Dec 20-Sun Jan 25
- F. Sat Oct 11-Mon Jan 05 & Sat Jan 17-Sun Jan 25

Low Plains Early

- A. Sat Oct 04- Sun Nov 30 & Sat Dec 13- Sun Dec 28
- B. Sat Oct 04- Sun Nov 30 & Sat Dec 20- Sun Jan 04
- C. Sat Oct 04- Sun Dec 07 & Sat Dec 20- Sun Dec 28
- D. Sat Oct 11- Sun Nov 30 & Sat Dec 13- Sun Jan 04
- E. Sat Oct 11- Sun Dec 07 & Sat Dec 20- Sun Jan 04
- F. Sat Oct 11- Sun Dec 14 & Sat Dec 20- Sun Dec 28

Low Plains Late

- A. Sat Oct 25- Sun Nov 30 & Sat Dec 20- Sun Jan 25
- B. Sat Oct 25- Sun Dec 14 & Sat Jan 03- Sun Jan 25
- C. Sat Oct 25-Dec 28 & Sat Jan 17- Sun Jan 25
- D. Sat Nov 01-Dec 07 & Sat Dec 20- Sun Jan 25
- E. Nov 01- Sun Dec 28 & Sat Jan 10- Sun Jan 25
- F. Sat Nov 01- Sun Jan 04 & Sat Jan 17- Sun Jan 25

Low Plains Southeast

- A. Sat Oct 25- Sun Dec 28 & Sat Jan 17-Jan 25
- B. Sat Nov 01- Sun Nov 02 & Sat Nov 15-Jan 25
- C. Sat Nov 01- Sun Nov 09 & Sat Nov 22-Jan 25
- D. Sat Nov 01- Sun Jan 04 & Sat Jan 17-Jan 25
- E. Sat Nov 08- Sun Jan 04 & Sat Jan 10-Jan 25
- F. Thurs Nov 13- Sun Jan 25

Light & Canada Goose

- A. Sat Oct 25-Sun Oct 26 & Wed Nov 05-Sun Feb 15
- B. Sat Oct 25-Sun Nov 02 & Wed Nov 05-Sun Feb 08
- C. Sat Oct 25-Sun Nov 02 & Wed Nov 12-Sun Feb 15
- D. Sat Oct 25-Wed Nov 05 & Sat Nov 08-Sun Feb 08
- E. Sat Nov 01-Sun Nov 02 & Wed Nov 05-Sun Feb 15
- F. Sat Nov 01-Sun Nov 09 & Wed Nov 12-Sun Feb 15

White-fronted Goose

- A. Sat Oct 25- Sun Nov 09 & Sat Dec 20- Sun Feb 15
- B. Sat Oct 25- Sun Dec 07 & Sat Jan 17- Sun Feb 15
- C. Sat Oct 25- Sun Dec 14 & Sat Jan 17- Sun Feb 08
- D. Sat Oct 25- Sun Dec 14 & Sat Jan 24- Sun Feb 15
- E. Sat Oct 25- Sun Dec 28 & Sat Jan 31- Sun Feb 08
- F. Sat Oct 25- Sun Dec 28 & Sat Feb 07- Sun Feb 15
- G. Sat Nov 01- Sun Dec 14 & Sat Jan 10- Sun Feb 08

- H. Sat Nov 01- Sun Dec 14 & Sat Jan 17- Sun Feb 15
- I. Sat Nov 01- Sun Dec 21 & Sat Jan 17- Sun Feb 08
- J. Sat Nov 01- Sun Dec 21 & Sat Jan 24- Sun Feb 15
- K. Sat Nov 01- Sun Jan 04 & Sat Jan 31- Sun Feb 08
- L. Sat Nov 01- Sun Jan 04 & Sat Feb 07- Sun Feb 15

Figure 1. Kansas Duck Hunting Zones

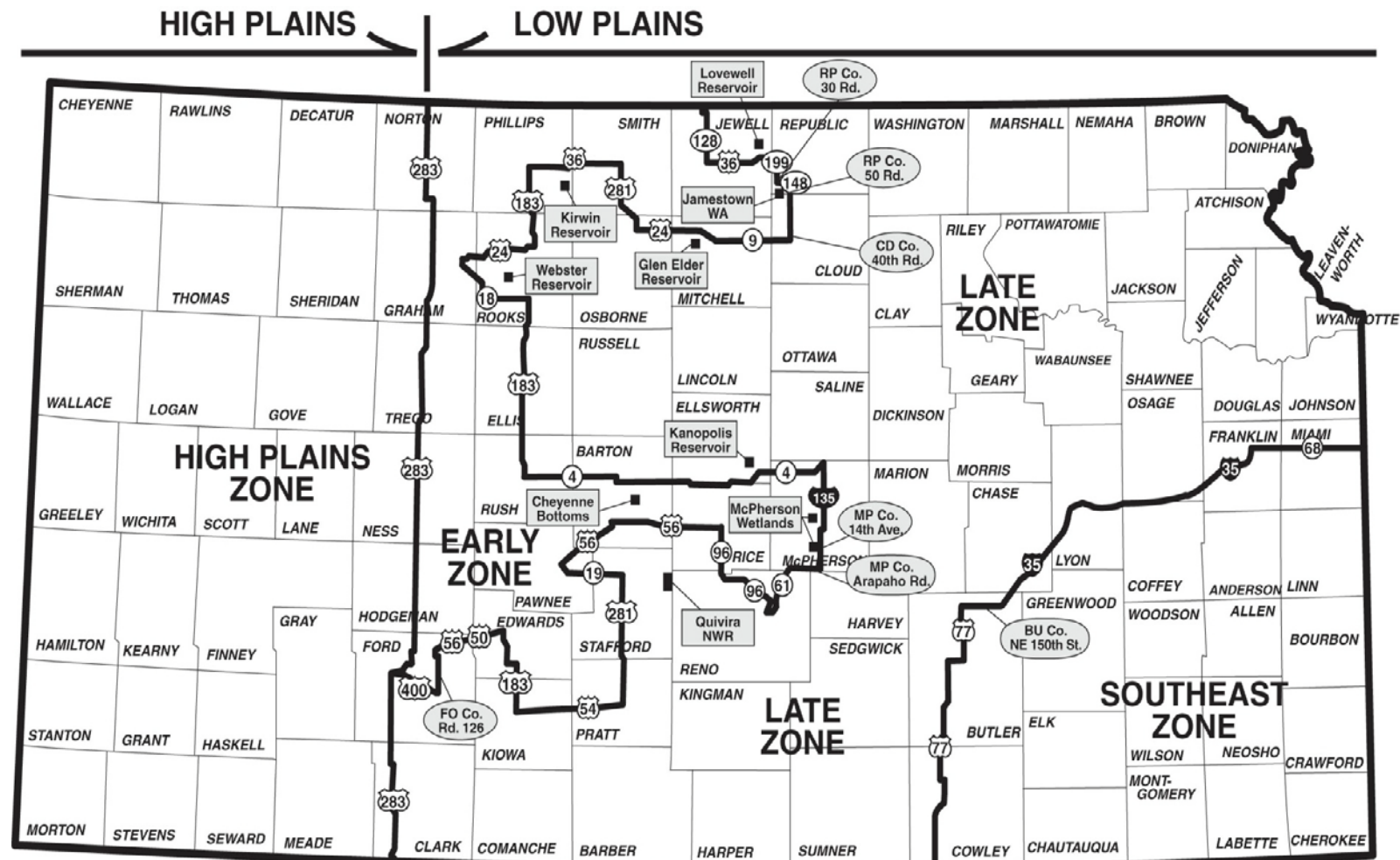


Table 1. Historic season dates by zone in Kansas from 1992 to 2013.

Year	Season Days	High Plains (HP)	Low Plains Early	Low Plains Late	Low Plains Southeast
2013	74 +23 HP	Oct 5 - Dec 2 Dec 21 - Jan 26	Oct 5 - Dec 1 Dec 21 - Jan 5	Oct 26 - Dec 29 Jan 18 - Jan 26	Nov 2 – Nov 3 Nov 16 - Jan 26
2012	74 +23 HP	Oct 6 - Dec 30 Jan 19 - Jan 27	Oct 6 - Dec 2 Dec 15- Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	Nov 15 - Jan 27
2011	74 +23 HP	Oct 8 - Jan 2 Jan 21 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	Nov 5 - Jan 8 Jan 21 - Jan 29
2010	74 +23 HP	Oct 9 - Jan 3 Jan 22 - Jan 30	Oct 9 - Dec 5 Dec 18 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2009	74 +23 HP	Oct 10 - Jan 5 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 - Jan 3 Jan 23 - Jan 31	--
2008	74 +23 HP	Oct 4 - Dec 30 Jan 17 - Jan 25	Oct 11- Dec 7 Dec 20 - Jan 4	Oct 25 - Dec 28 Jan 17 - Jan 25	--
2007	74 +23 HP	Oct 6 - Jan 1 Jan 19 - Jan 27	Oct 13 - Dec 9 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	--
2006	74 +23 HP	Oct 7 - Jan 2 Jan 20 - Jan 28	Oct 14 - Dec 10 Dec 16 - Dec 31	Oct 28 - Dec 31 Jan 20 - Jan 28	--
2005	74 +23 HP	Oct 8 - Jan 3 Jan 21 - Jan 29	Oct 15 - Dec 11 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	--
2004	74 +23 HP	Oct 9 - Jan 4 Jan 22 - Jan 30	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2003	74 +23 HP	Oct 11 - Jan 6 Jan 17 - Jan 25	Oct 11 - Dec 14 Dec 26 - Jan 3	Oct 25 - Nov 2 Nov 8 - Jan 11	--
2002	74 +23 HP	Oct 12 - Jan 7 Jan 18 - Jan 26	Oct 12 - Dec 15 Dec 24 - Jan 1	Oct 26 - Nov 3 Nov 9 - Jan 12	--
2001	74 +23 HP	Oct 6 - Jan 1 Jan 12 - Jan 20	Oct 13 - Dec 16 Dec 24 - Jan 1	Oct 27 - Nov 4 Nov 10 - Jan 13	--
2000	74 +23 HP	Sep 30 - Jan 1 Jan 19 - Jan 21	Oct 7 - Dec 10 Dec 23 - Dec 31	Oct 21 - Oct 29 Nov 4 - Jan 7	--
1999	74 +23 HP	Oct 2 - Jan 2 Jan 20 - Jan 23	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 23 - Oct 31 Nov 6 - Jan 9	--
1998	74 +23 HP	Oct 3 - Jan 3 Jan 14 - Jan 17	Oct 10 - Dec 13 Dec 26 - Jan 3	Oct 24 - Nov 1 Nov 7 - Jan 10	--
1997	74 +23 HP	Oct 4 - Jan 4 Jan 15 - Jan 18	Oct 4 - Dec 7 Dec 20 - Dec 28	Oct 25 - Dec 14 Dec 20 - Jan 11	--
1996	60 +23HP	Oct 12 - Dec 1 Dec 7 - Jan 7	Oct 12 - Dec 1 Dec 21 - Dec 29	Nov 2 - Dec 15 Dec 21 - Jan 5	--
1995	60 +23HP	Sep 30 - Oct 3 Oct 14 - Dec 17 Dec 23 - Jan 5	Oct 21 - Oct 29 Nov 11 - Dec 17 Dec 23 - Jan 5	--	--
1994	49 +12 HP	Oct 15 - Oct 31 Nov 11 - Dec 11 Dec 21 - Jan 2	Oct 22 - Oct 31 Nov 11 - Dec 11 Dec 26 - Jan 2	--	--
1993	39 +12HP	Oct 16 - Oct 31 Nov 13 - Dec 5 Dec 22 - Jan 1	Oct 23 - Oct 31 Nov 13 - Dec 12	--	--
1992	39 +12HP	Oct 17 - Nov 8 Nov 21 - Dec 6 Dec 26 - Jan 6	Oct 31 - Nov 13 Nov 21 - Dec 6 Dec 26 - Jan 3	--	--

Table 2. Estimates of active duck hunters, regular season duck harvest, and average duck per hunter, average seasonal bag per hunter, and total duck hunter days in Kansas from 1999 to 2012 as estimated by the Harvest Information Program.

Year	Active Duck Hunters	<u>Regular</u> Season Duck Harvest	Avg Duck/ Hunter Days	Avg Seasonal Duck Bag	Duck Hunter Days
1999	16,900	203,226	7.5	13.9	126,800
2000	14,900	195,555	7.2	15.2	107,400
2001	16,344	168,267	6.2	11.1	100,989
2002	15,426	202,093	6.7	13.9	102,744
2003	15,100	203,184	7.1	15.5	107,600
2004	19,200	249,126	6.5	14.2	124,000
2005	11,600	145,413	7.6	13.7	87,700
2006	12,663	133,701	6.7	12.8	85,416
2007	13,021	135,523	6.3	12.7	82,149
2008	16,531	208,056	6.4	13.9	106,154
2009	14,259	176,862	6.5	13.6	92,081
2010	13,053	168,422	6.1	14.3	79,064
2011	13,534	178,112	7.1	15.0	96,138
2012	12,739	150,901	7.1	13.7	90,851
Avg	14,662	179,889	6.8	13.8	99,220

Figure 1. Estimates active duck hunters and duck harvest in Kansas from 1999 to 2012 as estimated by the Harvest Information Program.

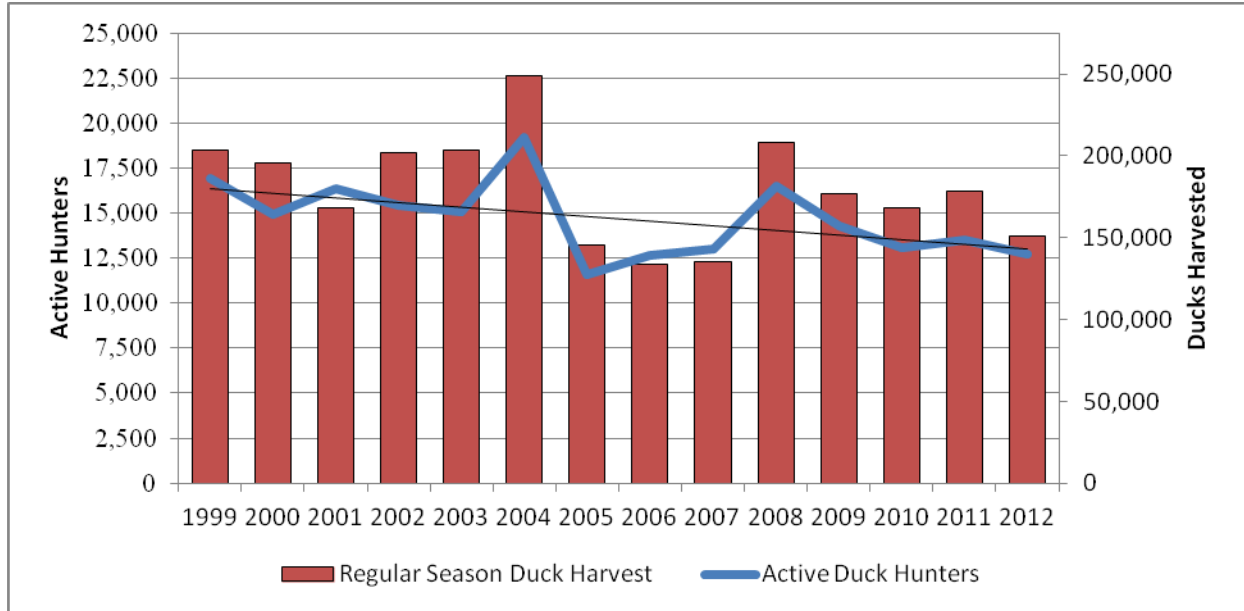


Table 3. Duck species composition in the Kansas regular duck season harvest from 1999 to 2012 as estimated by the Harvest Information Program.

Year	Total Duck Harvest	Mallard	Gadwall	Teal*	American Wigeon	Northern Shoveler	Pintail	Wood Duck	Diver Harvest**
1999	203,226	114,167	27,189	28,854	7,075	4,578	5,410	4,439	10,404
2000	195,555	102,846	29,363	30,257	12,520	1,789	7,453	2,683	7,154
2001	168,267	97,739	19,154	21,123	6,265	3,401	7,339	3,938	8,055
2002	202,093	93,112	36,572	34,891	13,032	3,783	4,624	3,153	10,614
2003	203,184	95,711	41,063	28,794	15,513	4,258	4,157	3,751	8,315
2004	249,126	133,582	41,374	35,824	13,371	5,298	3,280	3,027	10,595
2005	145,413	84,193	21,629	14,785	7,332	4,277	3,666	1,589	7,453
2006	133,701	55,780	30,594	12,339	7,944	6,254	2,704	2,874	14,198
2007	135,523	61,041	27,687	23,478	6,638	4,210	2,591	1,133	7,125
2008	208,056	98,160	34,080	26,400	17,760	2,400	6,872	3,600	16,864
2009	176,862	80,574	27,589	27,223	11,511	7,674	5,664	3,106	11,876
2010	168,422	76,639	30,940	18,642	8,415	9,321	5,437	3,366	14,369
2011	178,112	85,163	29,553	22,244	8,262	8,262	5,243	2,224	14,777
2012	150,901	78,157	32,473	11,442	7,959	2,706	6,367	1,114	9,869
Avg.	179,889	89,776	30,661	24,000	10,257	4,872	5,058	2,857	10,833

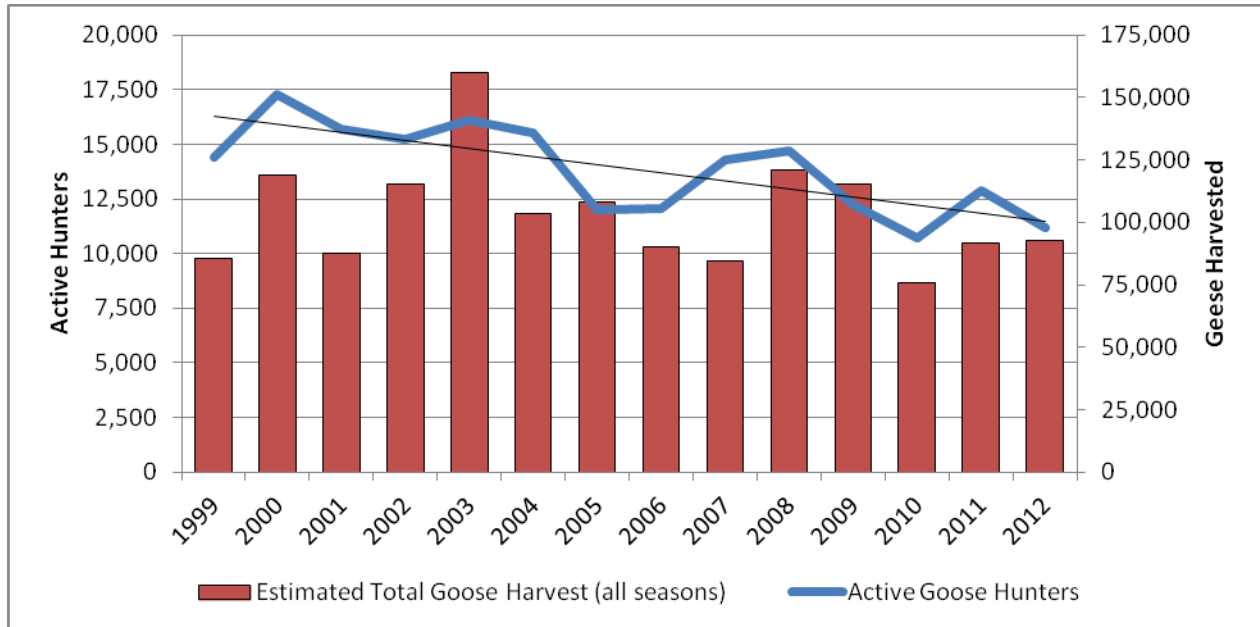
* includes both green-winged and blue-winged teal

** includes redhead, canvasback, ring-necked duck, lesser scaup, greater scaup, goldeneye and ruddy duck

Table 5. Estimates of active goose hunters, total season goose harvest, average goose per hunter, average seasonal bag per hunter, total goose hunter days, and regular season harvest for Canada, light goose and white-fronted geese in Kansas from 1999 to 2012 as estimated by the Harvest Information Program.

Year	Active Goose Hunters	Total Goose Harvest	Avg Goose Hunter Days	Avg Goose Seasonal Bag	Goose Hunter Days	Canada Goose Harvest	Light Goose Harvest	White- fronted Goose Harvest	Light Goose Conservation Season
1999	14,400	85,700	6.5	5.9	93,300	66,255	12,048	5,476	--
2000	17,300	119,000	6.5	6.9	112,200	98,005	8,164	11,303	11,165
2001	15,715	87,499	5.7	5.6	89,663	72,707	4,405	4,721	11,937
2002	15,248	115,400	5.2	7.6	79,771	80,982	18,222	8,966	35,138
2003	16,100	159,700	7.2	9.9	116,200	123,866	19,263	9,735	17,087
2004	15,500	103,700	6.3	6.7	98,000	80,118	16,481	5,688	65,608
2005	12,000	108,300	7.1	9.1	84,800	99,178	3,689	970	25,272
2006	12,038	90,400	5.1	7.5	60,994	59,566	12,848	2,336	18,802
2007	14,294	84,699	5.6	5.9	79,723	59,968	10,943	13,788	12,711
2008	14,692	120,900	5.7	8.2	83,525	87,067	12,540	16,325	4,260
2009	12,213	115,201	6.5	9.4	78,955	92,267	4,267	12,267	11,924
2010	10,700	75,800	5.3	7.1	56,936	66,494	4,459	4,847	15,244
2011	12,900	91,653	5.9	7.1	75,795	51,900	19,876	19,877	53,863
2012	11,207	92,367	6.5	8.3	73,084	72,204	13,016	7,127	62,092
Avg	13,879	103,637	6.1	7.5	84,496	79,327	11,323	8,816	26,546

Figure 2. Estimates active goose hunters and goose harvest in Kansas from 1999 to 2012 as estimated by the Harvest Information Program.



Threatened and Endangered Species Task Committee Status Recommendations for 2014

The Threatened and Endangered (T&E) Task Committee reviewed the status of 10 species to complete the five-year review of listed species. Numerical review forms and comments from expert panels were utilized along with scientific literature reviews and research, distribution and survey data. The recommended status from the T&E Task Committee is based on biological factors and current scientific information available. The results of this effort are:

Species Reviewed	Current Status	Recommended Status
1) Eskimo Curlew	Endangered	Delist
2) Black-capped Vireo	Endangered	Delist
3) Many-ribbed Salamander	Endangered	Delist
4) Chestnut Lamprey	Threatened	SINC
5) Silverband Shiner	Threatened	SINC
6) Spring Peeper	Threatened	SINC
7) Redbelly Snake	Threatened	Threatened
8) Smooth Earth Snake	Threatened	SINC
9) Longnose Snake	Threatened	SINC
10) Northern Long-eared Bat	unlisted	SINC

1) Eskimo Curlew (*Numenius borealis*)

Because this species is probably extinct or near extinction and is no longer a migrant bird that passes through Kansas, the delisting of this species was determined to be appropriate because it is no longer a viable component of the Kansas fauna. T&E Task Committee vote was 7 – 0 to delist. **Committee Recommendation: Delist.**

2) Black-capped Vireo (*Vireo atricapilla*)

This bird was documented nesting in Comanche County in the 1880s. However, no records have been documented in Kansas since and sufficient survey efforts to document this bird in Kansas have occurred. The status of the black-capped vireo in Birds of Kansas (Thompson et al. 2011) is listed as: “Once a summer resident of the Red Hills in south-central Kansas, now a vagrant, if it occurs there at all. Recent attempts to find the species have all ended in failure.” Because of the lack of evidence that this bird is a viable component of the Kansas fauna, the T&E Task Committee vote to delist was 7 -- 0. **Committee Recommendation: Delist.**

3) Many-ribbed Salamander (*Eurycea multiplicata*)

The single documentation of this species was from a 1967 collection in Cherokee County and was later identified as the Oklahoma salamander. Subsequent surveys for this salamander have all failed to relocate either the many-ribbed or the Oklahoma Salamander. The lack of evidence that this species is a viable component of the Kansas fauna led to the T&E Task Committee 7 -- 0 vote to delist. **Committee Recommendation: Delist.**

4) Chestnut Lamprey (*Ichthyomyzon castaneus*)

This species was petitioned for removal from the Kansas Threatened Species list on the basis that it is no longer a viable component of the Kansas fauna. Recent fish sampling efforts on the Kansas River and smaller eastern Kansas streams have failed to document. Fish sampling efforts by Missouri Department of Conservation in the Missouri River between Kansas and Missouri and the lower Kansas River over the last eight years have also failed to document this species. Because targeted sampling for this particular species has not occurred and a SINC listing would keep it on the radar for data collection and survey efforts, the T&E Task Committee recommends downlisting the chestnut lamprey from Threatened to SINC. However, the vote by the T&E Task Committee was split 2 – 4 – 1 (Threatened -- SINC -- Delist). **Committee Recommendation: list as SINC**

5) Silverband Shiner (*Notropis shumardi*)

This fish species was petitioned for removal from the Kansas Endangered Species list on the basis that it is no longer a viable component of the Kansas fauna. One specimen was found during annual surveys on the Missouri and lower Kansas rivers in 2008. Prior to that, the last record was from 1957. Extensive modification of the Missouri River for navigation has eliminated sandbar habitats, which may explain the decline of this species in both the lower Kansas River and Missouri River adjacent to Kansas. Because the silverband shiner apparently has not been eliminated from large rivers, is difficult to identify, and has not had targeted survey efforts, the T&E Task Committee elected to place this fish species on the SINC list. The SINC listing would ensure that any more occurrences would be added to the Natural Heritage Inventory data set. The T&E Task Committee vote was 6 – 1 (SINC – Delist). **Committee Recommendation: list as SINC.**

6) Spring Peeper (*Pseudacris crucifer*)

This frog species was petitioned to be downlisted from Threatened to the SINC category on grounds that recent surveys have documented several additional breeding locations in the last two decades. Small ephemeral wetlands in or near woodlands are essential for the reproduction of this frog. Creation and enhancements of wetland habitat in the eastern border counties through the Wetland Reserve Program may improve its population status. Therefore the T&E Task Committee concurred with the petition request and recommend downlisting from Threatened to SINC.

The committee vote count was 4 – 3 (SINC – Delist). **Committee Recommendation: list as SINC.**

7) Redbelly Snake (*Storeria occipitomaculata*)

Reasons given in the petition to downlist this species include an increase in forestland habitat in eastern Kansas, documentation of redbelly snake in two additional counties since original listing (1987), and the assertion that there might be populations that have not been sampled due to the secretive behavior of the species. Recent research by the Kansas Biological Survey involving surveys for new populations, studies of habitat requirements, and development of models to predict species distribution were pertinent to the Committee's decision. This research revealed that the redbelly snake is a habitat specialist that requires moist old-growth oak-hickory forest that support its food source of snails and slugs. In addition, it was shown to be slower than the smooth earth snake to recover from drought conditions and therefore may be more likely to disappear from the small fragmented habitats where it now exists. The ability of the redbelly snake to colonize new sites appears to be low due to habitat fragmentation and

other factors. The type of moist forested sites used by this species has been found to be in decline and the continuing fragmentation of its forestland habitat area due to residential and commercial developments poses a threat. For these reasons, the T&E Task Committee did not concur with the petitioner's request to downlist this species. The unanimous vote of the T&E Task Committee was to recommend the redbelly snake be retained on the Threatened list by a vote of 7 – 0. **Committee Recommendation: retain Threatened listing.**

8) Smooth Earth Snake (*Virginia valeriae*)

Similar to the redbelly snake, the petitioner cited range expansion over the last 35 years (documented in five additional counties), an increase in forestland habitat in eastern Kansas, and the assertion that there may be populations that have not been documented due to the secretiveness of this snake as primary reasons for downlisting the smooth earth snake from Threatened to SINC. The timely research conducted by the Kansas Biological Survey regarding this species and the redbelly snake highlight some striking differences between these two species that greatly assisted in this listing evaluation. Compared to the redbelly snake, the smooth earth snake is less specific in its habitat requirements, is less limited by food supply, and appears to recover more quickly from drought stress. In addition, the smooth earth snake has been documented at many more locations than were known when it was initially placed on the Threatened list in 1987. Because of these findings, the T&E Task Committee concurred with the petition request that the species should be downlisted from Threatened to SINC. The vote count was 7 – 0 to downlist to SINC. **Committee Recommendation: list as SINC.**

9) Longnose Snake (*Rhinocheilus lecontei*)

This nocturnal snake is a secretive resident of southwest Kansas and spends most of the daylight hours underground. The majority of the records of the longnose snake come from rocky areas of sand sagebrush in the High Plains and the Red Hills prairie. A review of this species' Threatened status was requested by the Secretary. Since it was listed in 1987, this snake's range has been found to be more extensive and many new records have been documented. The numerical evaluation from the expert panel that was consulted regarding its status placed its score in the SINC category. For these reasons and the probability that this snake may be more common than surveys can reveal, the T&E Task Committee recommended it be downlisted from the Threatened list and added to the SINC list by a vote count of 7 to 0. **Committee Recommendation: list as SINC**

10) Northern Long-eared Bat (*Myotis septentrionalis*)

This bat was petitioned to be listed as Threatened due primarily to the threat of a fungal disease (White-nose Syndrome) known to cause high mortality in this species in the northeastern United States. The T&E Task Committee did not concur with the petitioners request for a Threatened status because too little is known about the life history of this bat in Kansas. It is uncertain how serious the disease threat would be in Kansas which it is at the western periphery of its range in North America. Some authorities believe that bat hibernation sites at the western periphery of its range where lower humidity gradients occur may reduce the incidence of this fungal disease in Kansas. Information is too sparse on its Kansas range, hibernation sites, movements, and location of maternity colonies to list as Threatened with confidence. Pending research to be funded by a State Wildlife Grant (SWG) will provide insights to these questions. Until more can be learned about the life history of this bat in Kansas, the T&E Task

Committee recommended the status of SINC. Vote count was 6 – 1 (SINC – Delist). **Committee Recommendation: list as SINC**

Threatened and Endangered Species Task Committee

- 1. Bill Busby, Kansas Biological Survey**
- 2. Mark Eberle, Fort Hays State University**
- 3. Elmer Finck, Fort Hays State University**
- 4. David Haukos, Kansas State University**
- 5. Jason Goeckler, KDWPT**
- 6. Dan Mulhern, USFWS**
- 7. Edwin Miller, KDWPT (chair)**

The following are recommended changes in common and scientific names of species in 115-15-1 and 115-15-2 (proposed changes are highlighted).

115-15-1. Threatened and endangered species; general provisions. (a) The following species shall be designated endangered within the boundaries of the state of Kansas.

(2) Fish

Peppered ~~Arkansas River speckled~~ chub, *Macrhybopsis tetranema* (Gilbert, 1886)

(b) The following species shall be designated threatened within the boundaries of the state of Kansas.

(3) Amphibians

Green frog, *Lithobates* ~~*Rana*~~ *clamitans* (Latreille, 1801)

Green toad, *Anaxyrus* ~~*Bufo*~~ *debilis* (Girard, 1854)

(4) Reptiles

New Mexico Threadsnake ~~Texas blind snake, *Leptotyphlops dulcis* (Baird and Girard, 1853)~~
Rena dissectus (Cope, 1896)

(6) Mammals

Eastern spotted skunk, *Spilogale putorius* (Linnaeus, 1758)

(7) Turtles

Northern ~~Common~~ map turtle, *Graptemys geographica* (Le Sueur, 1817)

115-15-2. Nongame species; general provisions. (a) The following species shall be designated nongame species in need of conservation within the boundaries of the state of Kansas.

(2) Fish

Western blacknose dace, *Rhinichthys obtusus* (Agassiz, 1854) ~~*atratus* (Hermann, 1804)~~

Highland Speckled darter, *Etheostoma teddyroosevelti* ~~*stigmaeum*~~ (Jordan, 1877)

Sunburst Stippled darter, *Etheostoma mihileze* ~~*punctulatum*~~ (Agassiz, 1854)

Southern Redbelly Dace, *Chrosomus* ~~*phoxinus*~~ *erythrogaster* (Rafinesque, 1820)

(3) Amphibians

Red-spotted toad, *Anaxyrus* ~~*Bufo*~~ *punctatus* (Baird and Girard, 1852)

Crawfish frog, *Lithobates* ~~*Rana*~~ *areolata* (Baird and Girard, 1852)

(5) Birds

Cerulean warbler, *Setophaga* ~~*Dendroica*~~ *cerulea* (Wilson, 1810)

Eastern Whip-poor-will, *Antrostomas* ~~*Caprimulgus*~~ *vociferus* (Wilson, 1812)

Yellow-throated warbler, *Setophaga* ~~*Dendroica*~~ *dominica* (Linnaeus, 1776)

(6) Mammals

Franklin's ground squirrel, *Poliocitellus* ~~*Spermophilus*~~ *franklinii* (Sabine, 1822)

XI. DEPARTMENT REPORT

C. Workshop Session

5. Use of dogs to track wounded deer.

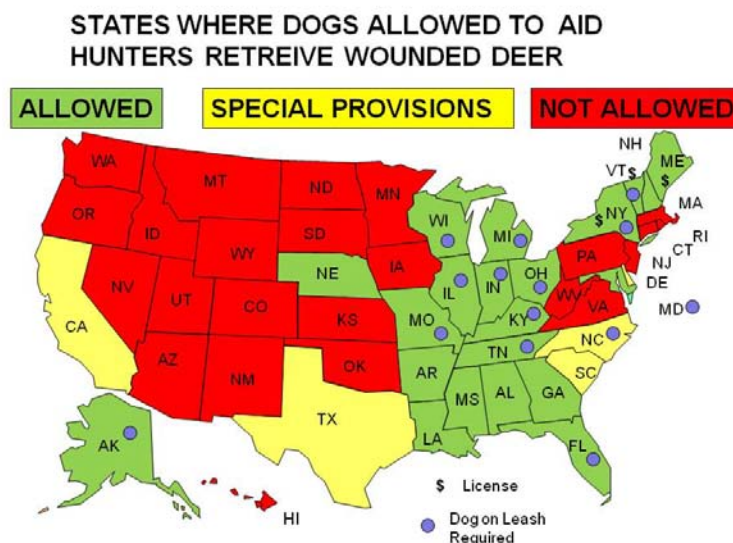
Background

Using dogs to find and retrieve game has been part of the hunting heritage through history. Many breeds of dogs have been developed specifically for this purpose, especially for waterfowl and upland game bird hunting. Dogs used to trail and recover dead or wounded deer include the beagle, dachshund, bloodhound, and Deutsch Drahthaar; however, many other breeds of scent-trailing hounds and mixed breed dogs may be effective. Field trial events have been developed among proponents of this technique, and its popularity appears to have increased in recent years. The use of dogs to help hunters retrieve wounded deer has gained support in many states, and there is a movement among its proponents to have it legalized in all 50 states.

The subject of authorizing hunters in Kansas to use dogs to trail dead or wounded deer has come up many times. It was a subject that we included in the 2010-11 survey of deer hunters. The result of a survey completed by 18,009 deer hunters indicated that 24.1 percent strongly supported the use of dogs to help retrieve deer while 28.9 percent supported it, 23.4 percent were neutral, 12.5 percent opposed it and 11.1 percent strongly opposed their use.

Discussion

States where dogs are allowed to be used to track deer for the purpose of recovering animals are shown below.



No peer reviewed scientific articles are available to evaluate the effectiveness of programs where dogs are used to aid hunters in finding wounded deer.

The purpose of a regulation allowing trailing dogs to be used to recover dead or mortally wounded big game animals is to reduce potential waste of those animals. Public comments and a review of similar regulations and programs in other states suggested that the following elements should be considered in Kansas:

- The dog should be maintained on a hand-held leash at all times while tracking is being done.
- To dispatch wounded big game animals the deer hunter should be restricted to hunting equipment legal during the specific season.
- Tracking may occur after shooting hours, however, no weapon may be possessed by the participants after shooting hours.
- Each person assisting in the tracking shall have a hunting license unless exempt.

Recommendation

The staff of KDWPT recommends a regulation to allow people to use dogs to trail and recover wounded big game.

Public Hearing

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

Agency Address - 1020 S. Kansas Ave., Suite 200

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - April 17, 2014

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

I hereby certify that I have reviewed the attached documents, and that they conform to all applicable Kansas Register publication guidelines and to the requirements of K.S.A. 75-431, as amended. I further certify that submission of these items for publication is a proper and lawful action of this agency, that funds are available to pay the publication fees and that such fees will be paid by this agency on receipt of billing.

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, June 19, 2014 at the Lamplighter Inn & Suites, 4020 Parkview Dr., Pittsburg, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:00 p.m., June 19 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. June 20 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-8-1. This permanent regulation establishes hunting, furharvesting, and discharge of firearms provisions on department lands and waters. The proposed amendments would update the reference document, particularly related to removing some restrictions on vehicle traffic, adjusting some non toxic shot requirements, adjusting some boating restrictions, coordinating some refuge area requirements and adding some daily use permits.

Economic Impact Summary: The proposed amendment to the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

115-25-9a. This exempt regulation establishes additional considerations for the deer open season, bag limit, and permits including Fort Riley and crossbow survey number. The proposed version

of the regulation sets the deer seasons on Fort Riley only in order to better accommodate the changing training mission at Fort Riley.

Economic Impact Summary: The proposed version of the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

115-4-2. This permanent regulation establishes general provisions for big game and wild turkeys. The proposed amendments would remove the restriction on same day purchase of permits and hunting big game and wild turkeys.

Economic Impact Summary: The proposed amendments to the regulation are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

115-25-1. This exempt regulation establishes the open seasons, bag limits, and possession limits and permits for prairie chickens. The proposed version of the regulation includes closing the season in the southwest unit pursuant to a listing by the United States Fish and Wildlife Service as a threatened species under the federal endangered species act.

Economic Impact Summary: There will be some economic impact to closing the prairie chicken season in the southwest unit but it cannot be quantified at this time. Otherwise, the proposed version of the regulation is not anticipated to have some appreciable negative economic impact on the department, other agencies, small businesses or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

April 3, 2014

Chris Tymeson
Chief Legal Counsel
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Ave., Suite 200
Topeka, KS 66612-1327

Re: K.A.R. 115-4-2; K.A.R. 115-8-1; K.A.R. 115-25-1; K.A.R. 115-25-9a

Dear Chris:

Pursuant to K.S.A. 2013 Supp. 77-420(b), we have reviewed the above-referenced regulations and have approved them for legality. The originals are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Dwight Carswell
Assistant Attorney General

cc: Sen. Vick: Schmidt, Chair, Joint Committee on Rules and Regulations
Rep. Sharon Schwartz, Vice Chair, Joint Committee on Rules and Regulations
Rep. Jan Pauls, Ranking Minority Member, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Kenneth Wilke, Revisor of Statutes, State Capitol, Room 24-E

STATE OF KANSAS

RANEY L. GILLILAND
Director
MELISSA S. CALDERWOOD
Assistant Director for Research
J. G. SCOTT
Chief Fiscal Analyst
AMY DECKARD
Assistant Director for Information Management



STAFF
LEGISLATIVE COORDINATING COUNCIL
INTERIM COMMITTEES
STANDING COMMITTEES
LEGISLATIVE INQUIRIES

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 68-West — State Capitol Building — 300 SW Tenth Avenue — Topeka, Kansas 66612-1504
PHONE (785) 296-3181 • FAX (785) 296-3824 • TTY (785) 296-3677
INTERNET: <http://www.kslegislature.org/kird> E-MAIL: kslegres@kird.ks.gov

May 5, 2014

Robin Jennison, Secretary
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Avenue, Room 200
BUILDING MAIL

Dear Secretary Jennison:

At its meeting on April 29, 2014, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning KAR 115-4-2, big game and wild turkey, general provisions; KAR 115-8-1, department lands and waters, hunting, furharvesting, and discharge of firearms; KAR 115-25-1, prairie chickens, open seasons, bag limits, and possession limits, permit (exempt); KAR 115-25-9a, deer, open season, bag limit, and permits, additional considerations, Fort Riley (exempt). After discussion, the Committee had no comments.

Prior to filing with the Secretary of State, review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Please indicate your agency's website address in the filing notice where proposed regulations can be located. In addition, if your agency accepts written comments by e-mail include this information in the public notice. Further, e-mail requests for public accommodation should be included as a part of the notice. Finally, verify that the adoption by reference of any materials included in the regulations is properly completed as prescribed in the *Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations*.

Please make this letter a part of the public record on these regulations. The Committee will review the regulations the agency ultimately adopts, and reserves any expression of legislative concern to that review.

To assist in that final review:

- Please inform the Joint Committee and me, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes that have been made following the public hearing.

- Please notify the Joint Committee and me, in writing, when your agency has adopted the regulations as permanent; delayed implementation of the regulations; or decided not to adopt any of the regulations.
- Also, please indicate separately to the Joint Committee and me, any changes made to the proposed regulations reviewed by the Committee.

Based upon direction from the Committee, failure to respond to each and every comment contained in this letter may result in the request that a spokesperson from your agency appear before the Committee to explain the agency's failure to reply.

Sincerely,



Raney L. Gilliland
Director

RLG/db

2014 EARLY MIGRATORY GAME BIRD SEASONS

September Teal Season

June 19, 2014

Background

The U.S. Fish & Wildlife Service (USFWS) annually develops the frameworks for states to establish migratory game bird hunting seasons. The USFWS frameworks establish maximum bag, possession limits and season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state specific migratory game bird seasons. September Teal Season Frameworks are published in late-June, after results from the May Breeding Duck Survey and recommendations from Flyway Councils are completed.

Blue-winged teal are one of the earliest migrating waterfowl, with most passing through Kansas from late August through September, prior to the opening of the general duck season. Green-winged teal are also early migrants, and many arrive in September and October, but they are commonly found in Kansas throughout the winter, depending on weather conditions. Cinnamon teal are occasionally found mixed with flocks of blue-winged teal in Kansas.

Special teal seasons were initiated to provide additional harvest opportunities on blue-winged and green-winged teal. As long as the blue-winged teal May breeding population index (BPI) is above 3.3 million, a nine-day teal season can be held. If the blue-winged teal BPI exceeds 4.7 million, a 16-day season can be allowed. The 2014 blue-winged teal breeding population total will not be known until late June, but based on last year's (2013) blue-winged teal breeding population of 7.7 million and spring habitat conditions in the Prairie Pothole Region, the 2014 BPI is expected to allow a 16-day season.

In the High Plains Unit of Kansas (west of Highway 283), the liberal package framework allows for 97 days of general duck season. Coupled with two youth hunting days, the addition of a nine or 16 day teal season would exceed the Migratory Bird Treaty Act's maximum allowance of 107 annual hunting days for any one migratory species. Thus, when the liberal package for the regular duck season is available and a teal season can be held, it is necessary to reduce the High Plains Unit teal season to eight days, or reduce days in the High Plains Unit general duck season as not to exceed 107 hunting days. For the past three seasons, a nine day teal season with 96 day regular duck season has been selected in the High Plains Unit to satisfy this criterion.

Prior Season (2013) Federal Framework*

Season Dates:	Between September 1 and September 30, 2013
Season Length:	16 days if blue-winged teal BPI is above 4.7 million 9 days if blue-winged teal BPI is between 3.3 - 4.7 million
Bag Limit:	6 daily, 18 in possession (any combination of teal)
Shooting Hours:	One-half hour before sunrise to sunset

* Final Federal Frameworks will not be set until the June 26, 2014 after the USFWS Service Regulatory Committee Meeting.

Season Options and Staff Recommendations

Season Dates:

Low Plains Zones (east of Hwy 283)

OPTION A: 16-day season running September 6 through September 21, 2014

OPTION B: 16-day season running September 13 through September 28, 2014- Staff Recommendation

High Plains Zone (west of Hwy 283) **

OPTION A: 9-day season running September 6 through September 14, 2014

OPTION B: 9-day season running September 13 through September 21, 2014

OPTION C: 9-day season running September 20 through September 28, 2014- Staff Recommendation

Bag Limit: 6 daily, 18 in possession (any combination of teal)

Shooting Hours: One-half hour before sunrise to sunset

** This selection may reduce the season length of the general duck season in the High Plains Unit by one day due to the Migratory Bird Treaty Act season length restrictions for any one species to 107 days. The regular High Plains Unit duck season in the liberal AHM package is allotted 97 plus 2 youth hunting days. In order to stay within the 107 day restriction either the September teal season or general duck season must be reduced one day from their allowable Federal frameworks.

Table 1. Kansas September Teal Season Dates and Harvest*

Year	Low Plains Season Dates	Hunting Days	High Plains Season Dates	Hunting Days	Green- winged Teal	Blue- winged Teal	Total Harvest
2013	Sept 7-22	16	Sept 14-22	9	N/A**	N/A**	N/A**
2012	Sept 8-23	16	Sept 15-23	9	4,298	19,420	23,718
2011	Sept 10-25	16	Sept 17-25	9	1,748	22,562	24,310
2010	Sept 11-26	16	Sept 18-26	9	1,812	16,829	18,641
2009	Sept 12-27	16	Sept 19-26	8	2,775	15,165	17,940
2008	Sept 13-28	16	Sept 13-20	8	7,200	15,120	22,320
2007	Sept 8-23	16	Sept 15-22	8	4,534	25,582	30,116
2006	Sept 9-24	16	Sept 16-23	8	4,733	23,664	28,397
2005	Sept 17-25	9	Sept 17-24	8	2,200	10,387	12,587
2004	Sept 18-26	9	Sept 18-25	8	2,901	19,173	22,074
2003	Sept 13-28	16	Sept 20-27	8	9,024	21,393	30,417
2002	Sept 21-29	9	Sept 21-28	8	3,783	8,723	12,506
2001	Sept 15-30	16	Sept 15-22	8	1,790	10,741	12,531
2000	Sept 9-24	16	Sept 9-16	8	4,621	27,724	32,345
1999	Sept 11-26	16	Sept 11-19	9	3,052	28,022	31,074
1998	Sept 12-27	16	Sept 12-20	9	8,454	19,727	28,181
1997	Sept 13-21	9	Sept 13-21	9	2,367	14,858	17,225
1996	Sept 14-22	9	Sept 14-22	9	1,415	17,115	18,530
1995	Sept 16-24	9	Sept 16-24	9	1,896	10,227	12,123
1994	Sept 10-18	9	Sept 10-18	9	2,217	7,083	9,300
1993	Sept 11-19	9	Sept 11-19	9	1,081	5,604	6,685
1992	Sept 12-20	9	Sept 12-20	9	4,267	12,902	17,169

* Harvest estimates from 1999 to current are based on Harvest Information Program (HIP). For years prior to 1999, harvest estimates are based on USFWS Mail Survey Questionnaire.

** Harvest Data is not available until late July.

115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms. (a)

Subject to provisions and restrictions as established by posted notice or as specified in the document adopted by reference in subsection (e), the following activities shall be allowed on department lands and waters:

- (1) Hunting during open seasons for hunting on lands and waters designated for public hunting;
- (2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;
- (3) target practice in areas designated as open for target practice; and
- (4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a), the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles.

(e) The department's "KDWPT fisheries and wildlife division public land special use restrictions," dated ~~March 25, 2013~~ April 1, 2014, is hereby adopted by reference. (Authorized by and implementing K.S.A. ~~2012~~ 2013 Supp. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010; amended Nov. 14, 2011; amended Jan. 1, 2013; amended July 26, 2013; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-8-1. Department lands and waters; hunting, furharvesting, and discharge of firearms.

DESCRIPTION: This permanent regulation establishes certain requirements for and restrictions on certain activities on department lands and waters, including hunting, furharvesting, and other discharge of firearms. Over a period of many years, posted notice has been used to restrict access to certain properties and enhance recreational opportunities. Many of those posted notice restrictions have become long-term policies and to better inform the public as well as enforce the posted notices, the department has consolidated many of those notices into a reference document for adoption by reference. This is an update to that reference document, particularly related to removing some restrictions on vehicle traffic, adjusting some non toxic shot requirements, adjusting some boating restrictions, coordinating some refuge area requirements and adding some daily use permits.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

Kansas Department of Wildlife, Parks and Tourism

KDWPT Fisheries and Wildlife Division Public Land Special Use Restrictions

Dated: April 1, 2014

Access Restrictions

The following properties have access restrictions (curfews) during specific times during a 24 hour period.

Region 2

Benedictine WA-use of parking lot ½ hour after sunset to ½ hour before sunrise restricted to individuals authorized by permit

Pillsbury Crossing WA-open 6 a.m. through 10 p.m.

Region 3

Hain WA & SFL-no vehicle access during waterfowl seasons

Greeley WA- Closed to all activities February 1 through August 31

Sandsage Bison Range & WA-any pasture where Bison are present

Pratt Backwater Channel-open 6 a.m. through 10 p.m.

Region 4

Maxwell Wildlife Refuge-access restricted to main road, area closed to all activities, except during special events

Region 5

Grand Osage WA – Access by special permit

Age Restrictions

Portions of the following properties restrict hunting to specific age groups

Region 1

Cedar Bluff WA – North Dam area, youth/mentor area – all species, all seasons, archery & shotgun equipment only

Cedar Bluff WA – Threshing Machine Canyon (west) area, youth/mentor area – all species, all seasons

Jamestown WA- Ringneck & Puddler Marshes, mentor area- all species,
all seasons

Glen Elder WA- Granite Creek area, youth/mentor area-all species, October 1 – January 31

Region 2

Hillsdale WA-Big Bull wetland area, youth/mentor area-all species, all seasons

Kansas River WA – Fitzgerald Tract, youth/mentor – all species, all season by special permit

Milford WA-West Broughton area, youth/mentor area hunting-all species, all seasons - Perry WA-designated area, youth/mentor hunting-all species, all seasons

Region 3

Cheyenne Bottoms WA-Mitigation Marsh, youth/mentor-all species, all seasons

Region 5

Melvorn WA-designated area, youth/mentor hunting/fishing-all species, all seasons

Neosho WA- Pool 8, mentor waterfowl hunters on weekends and holidays, all other days open to general public

Neosho SFL kids pond-youth/mentor

No alcohol**Region 1**

Rooks SFL & WA

Region 2

Atchison SFL

Benedictine WA

Burr Oak WA

Dalbey WA

Douglas SFL & WA

Elwood WA

Jeffery Energy Center WA Area 2

Kansas River WA – K18 River Access

Leavenworth SFL

Middle Creek Lake Area

Miami SFL

Pillsbury Crossing WA

Pottawatomie SFL's 1 & 2

Rising Sun River Access

Shawnee SFL & WA

Osawatomie Dam and Parking Area

Region 3

Pratt Backwater Channels

Region 4

Black Kettle SFL

Butler SFL

Byron Walker Wildlife Area Archery Range

Cheney Reservoir at shooting range

Cowley SFL

Chase SFL & WA

Kingman SFL

Maxwell Wildlife Area at shooting range

McPherson SFL

Region 5

LaCygne Lake & WA
Lyon SFL & WA
Montgomery SFL & WA
Mined Land WA-Unit 1 only
Shoal Creek WA

All Non-Toxic Shot**Region 1**

Jamestown WA
Talmo Marsh WA

Region 2

Benedictine WA

Region 3

Cheyenne Bottoms WA
Isabel WA
Playa Lakes (Heron, Stein, Wild Turkey)
Texas Lake WA

Region 4

McPherson Wetlands
Slate Creek Wetlands

Region 5

John Redmond Reservoir-Otter Creek WA
Marais des Cygnes WA
Neosho WA
Biller, Buche and Chestnutt Tracts

Non Toxic Shot – designated dove fields**Region 1**

Jamestown WA
Glen Elder WA
Ottawa SFL
Smoky Hill WA
Wilson WA

Region 2

Bolton WA
Clinton WA

Dalbey WA
Elwood WA
Hillsdale WA
Kansas River WA
Milford WA
Oak Mills WA
Perry WA
Tuttle Creek WA

Region 4

Cheney WA
El Dorado WA
Marion WA

Region 5

Dove Flats WA
Elk City WA
Fall River WA
La Cygne WA
Mined Land WA
Spring River WA
Toronto WA
Woodson WA

Boating Restrictions

No Motorized Boats

Region 1

Jamestown WA- Pintail and Buffalo Creek Marshes

Region 2

Milford WA-no motorized boats are allowed in any wetland areas except Mall
Creek/Peterson Bottoms

Region 3

Cheyenne Bottoms WA-motorized watercraft permitted only during the waterfowl
season. From 4/15 thorough 8/15, no boats permitted from 10 a.m. through 5 p.m. No out of
water propeller driven watercraft permitted at any time.

Region 5

Elk City WA-Widgeon, Simmons, Housemound Marshes
Marais des Cygnes WA-no motorized boats except in Unit A (boat lane only) and Unit G

No Gasoline Engine Powered Boats

Region 1

Jamestown WA-Marsh Creek Marsh

Region 2

Perry WA – all marshes, except East and West pools of Kyle Marsh

No Wake

The following lakes require all motorized vessels to be operated at no wake speeds.

Region 1

Jewell SFL

Ottawa SFL

Rooks SFL

Sheridan SFL

Region 2

Pottawatomie SFL #1

Pottawatomie SFL #2

Region 3

Meade SFL

Scott SFL- in designated area

Region 4

Black Kettle SFL

Butler SFL

Cowley SFL

Kingman SFL

McPherson SFL

Region 5

Marais des Cygnes WA

Wilson SFL

Woodson SFL

Closed to All Hunting

Properties could be included in the STWD special hunts program.

Region 1

Saline SFL

Region 2

Green WA-(8 mi. West of Topeka)

Pillsbury Crossing WA

Pottawatomie SFL # 2
Rocky Ford Fishing Area

Region 3

Big Basin Prairie Preserve
Ford SFL
Kiowa SFL
Pratt Backwater

Region 4

Maxwell Wildlife Refuge

Region 5

Montgomery SFL
Neosho SFL

Equipment Restrictions (Hunting)

Archery Only

Region 4

McPherson SFL-deer and turkey only

Region 5

Mined Land WA Unit 1, Unit 21, Unit 23, a portion of Unit 22 and Unit 47

No Center fire Rifles

Region 2

Douglas SFL
Kansas River WA - Urish, Macvicar & K-18 tracts
Leavenworth SFL
Shawnee SFL

Region 5

La Cygne WA

Shotgun & Archery Only

Region 1

Cedar Bluff WA – North Dam Youth/Mentor area
Lovewell WA-designated area below the dam
Ottawa SFL
Sheridan SFL

Region 2

Douglas SFL-deer hunting

Kansas River WA-no firearms deer hunting, Urish, Macvicar & K-18 tracts

Leavenworth SFL-deer hunting

Shawnee SFL-deer hunting

Region 3

Sandsage Bison Range & WA-north pasture units only

Region 5

Berentz/Dick WA

Biller, Buche, and Chestnutt Tracts

Osage SFL

Shoal Creek WA

Wilson SFL

Shotgun, Archery & Muzzleloader Only**Region 2**

Elwood WA

Jeffery Energy Center WA Area #2 (except for special draw youth hunts)

Middle Creek Lake Area

Rutlader WA

Region 5

Otter Creek WA at John Redmond Reservoir

Disabled Accessible Hunting

The following properties have specific areas designated for disabled access hunting. Specific locations are posted at the wildlife area and can be found on the area brochures and web sites. Special permit is required and available from the Area Manager.

Region 1

Glen Elder WA

Lovewell WA

Norton WA

Webster WA

Wilson WA

Region 2

Clinton WA

Milford WA

Perry WA

Tuttle Creek WA

Region 3

Cheyenne Bottoms WA-disabled hunting blind restricted to disabled only use. Assistants allowed to hunt if they accompany disabled hunter.

No Shooting from Dikes or Levees**Region 3**

Cheyenne Bottoms WA

Region 5

Marais des Cygnes WA

Neosho WA-no shooting from designated dikes & levees

No Swimming

Waters in addition to the state fishing lakes that are closed to swimming

Region 2

Pillsbury Crossing WA

Region 3

Big Basin Prairie Preserve

Pratt Backwater

Sandsage Bison Range & WA Sandpit

Region 4

El Dorado WA-jumping bridge located at the Junction of the Walnut River and NE Chelsea Road

Region 5

Mined Land WA

Melvern WA-Quarry Pond

Refuges

The following properties have portions of the area designated as a refuge during specific periods of the year, or year-round. Access and activity restrictions are for refuge management, special hunts, or special permits.

Refuge Area Closed to Hunting Year Round Open to All Other Legal Activities**Region 1**

Rooks SFL

Sheridan SFL

Ottawa SFL

Region 4

Kingman WA-waterfowl refuge

Refuge Area Closed to Hunting, Open to all other legal activities 11/1 to 1/31

Region 1

Cedar Bluff WA – Cove 1, designated water area

Lovewell WA – designated water area

Refuge Area Closed to Hunting Year Round Open to all other legal activities 3/1 to 9/30

Region 4

Cheney WA

Marion WA

Refuge Area Closed to Hunting Year Round Closed to all activities 9/1 – 3/31

Region 5

Elk City WA

Neosho WA

Refuge Area Closed to All Activities Year Round

Region 1

Cedar Bluff WA

Region 2

Benedictine WA

Jeffery Energy Center-Area #3

Milford WA-Steve Lloyd refuge area

Region 3

Cheyenne Bottoms WA-Pool 1

Region 4

McPherson Wetlands - South Refuge

Region 5

Fall River WA

Marais des Cygnes WA

Mined Land WA Bison Pen located on Unit 1

Refuge Area Closed to All Activities 10/1 through 1/15

Region 2

Clinton WA

Perry WA

Hillsdale WA

Region 5

Melvern WA

Refuge Area Closed to All Activities 9/1 to 1/31

Region 1

Cedar Bluff WA – west refuge
Smoky Hill WA
Wilson WA

Refuge Area Closed to All Activities 10/1 to 1/31

Region 1

Lovewell WA
Jamestown WA
Brzon WA
Ottawa SFL

Refuge Area Closed to All Activities 10/1 – 3/31

Region 4

McPherson Valley Wetlands WA

Refuge Area Closed to All Activities 11/1 to 1/31

Region 1

Cedar Bluff WA – Church Camp Cove
Glen Elder WA
Norton WA
Webster WA

Seasonal Closures

Access by Permit 10/1 through 3/31

Region 2

Benedictine WA

Open to Hunting Thursday, Saturday and Sunday 9/10 through 3/31

Region 2

Brown SFL

Open to Shotgun Hunting 12/1 through 1/31

Region 2

Shawnee SFL

Open to Hunting Tuesday, Thursday and Saturday

Region 5

Berentz/Dick WA

Open to Upland Bird Hunting Tuesday, Thursday and Sunday

Region 2

Burr Oak WA

Dalbey WA

Elwood WA

Closed to fishing 9/15 through 4/15

Region5

Marais des Cygnes WA (marshes only)

Shooting Area (Ranges)

The following properties have designated firearm or archery ranges. Shooting hours are posted at the facility and available on area brochures and web sites.

Region 1

Glen Elder WA

Region 2

Shawnee SFL (firearms & archery)

Region 4

Cheney Res. & WA (firearms)

Byron Walker WA (archery)

Maxwell Wildlife Refuge (firearms)

Region 5

Hollister WA (firearms)

Special Permits (Daily/ Use* Hunt Permits) Daily hunt permits are available on the property at select parking lots and informational kiosks. Designated (*) properties require a permit for all activities.

Region 1

Glen Elder WA – Granite Creek Area during youth/mentor seasons

Jamestown WA

Lovewell WA

Region 2

Clinton WA- waterfowl only

Dalbey WA
Douglas SFL
Elwood WA
Hillsdale WA
Jeffery Energy Center WA Area # 2
Kansas River WA
Milford WA-waterfowl only
Noe WA
Oak Mills WA
Perry WA

Region 3

Cheyenne Bottoms WA-In addition to daily hunt permit, trapping permit is required from the manager to trap
Isabel WA
Texas Lake WA

Region 4

McPherson Wetlands
Slate Creek Wetland

Region 5

Berentz/Dick WA*
Lyon SFL
Marais des Cygnes WA-waterfowl only
Melvern WA
Neosho WA-waterfowl only

115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (a) In addition to the archery seasons specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall also be September 1, 2014 through September 15, 2014 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

(b) In addition to the season for designated persons specified in K.A.R. 115-25-9, in the Fort Riley subunit the season for designated persons shall also be October 10, 2014 through October 13, 2014.

(c) In the Fort Riley subunit, the open firearm season for the taking of deer shall be November 28, 2014 through November 30, 2014 and December 13, 2014 through December 21, 2014.

(d) In addition to the archery season specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall be January 12, 2015 through January 31, 2015 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

(e) In the Fort Riley subunit, the special extended firearms season and the pre-rut white-tailed deer antlerless-only season specified in K.A.R. 115-25-9 shall be closed.

(f) This regulation shall be effective on and after July 1, 2014, and shall have no force and effect on and after March 1, 2015. (Authorized by and implementing K.S.A. 2013 Supp. 32-807 and K.S.A. 2013 Supp. 32-937.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-25-9a. Deer; open season, bag limit, and permits; additional considerations.

DESCRIPTION: This exempt regulation establishes additional considerations for the 2014-2015 firearm, muzzleloader and archery deer seasons. The main items in the regulation set the deer seasons on Fort Riley only in order to better accommodate the changing training mission at Fort Riley.

FEDERAL MANDATES: None

ECONOMIC IMPACT: No significant economic impact to the department, state agencies, small businesses or the public is anticipated.

ALTERNATIVES CONSIDERED: None.

K.A.R. 115-25-9a.
Deer; open season, bag limit, and permits; additional considerations.
POSSIBLE AMENDMENT

As a result of internal comment on the proposed regulation, the Department suggests that the following amendment be made to the version of the regulation submitted for public comment.

K.A.R. 115-25-9. Deer; open season, bag limit, and permits; additional considerations.

1. Amend proposed subsection (a) as follows:

(a) In addition to the archery seasons specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall also be September 1, 2014 through September ~~15~~ 14, 2014 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

2. Amend proposed subsection (e) as follows:

(e) In the Fort Riley subunit, ~~the special extended firearms season and~~ the pre-rut white-tailed deer antlerless-only season specified in K.A.R. 115-25-9 shall be closed.

115-4-2. Big game and wild turkey; general provisions. (a) Possession.

(1) Each permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the carcass in a visible manner immediately following the kill and before moving the carcass from the site of the kill. The carcass tag shall remain attached to the carcass or in the possession of the permittee if transporting a quartered or deboned animal until the animal reaches the permittee's residence or a commercial place of processing or preservation and is processed for consumption. The permittee shall retain the carcass tag until the animal is consumed, given to another, or otherwise disposed of.

(2) Except for a wild turkey or big game animal taken with an "either sex" permit, the beard of the wild turkey shall remain naturally attached to the breast or the head of the big game animal shall remain naturally attached to the carcass while in transit from the site of the kill to the permittee's residence or to a commercial place of processing or preservation, unless the carcass has been tagged with a department check station tag, the permittee has obtained a transportation confirmation number after electronically registering the permittee's deer or wild turkey on the department's electronic registration site, or the permittee retains photographs necessary for electronic registration until registration occurs. "Electronically registering" shall mean submitting any necessary and relevant information and digital photographs of the deer head or turkey breast and of the completed carcass tag of sufficient clarity to display the species and the antlered or antlerless condition of the deer, the beard of the wild turkey, and the transaction number and signature on a completed carcass tag.

(3) Any legally acquired big game or wild turkey meat may be given to and possessed by another, if a dated written notice that includes the donor's printed name, signature, address, and permit number accompanies the meat. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.

(4) Any person may possess a salvaged big game or wild turkey carcass if a department salvage tag issued to the person obtaining the carcass is affixed to the carcass. The salvage tag shall be retained as provided in paragraph (a)(1). Big game or wild turkey meat may be donated as specified in paragraph (a)(3) using the salvage tag number. Each salvage tag report prepared by the department agent issuing the tag shall be signed by the individual receiving the salvaged big game or wild turkey carcass. Each salvage tag shall include the following information:

- (A) The name and address of the person to whom the tag is issued;
 - (B) the salvage tag number;
 - (C) the species and sex of each animal for which the tag is issued;
 - (D) the location and the date, time, and cause of death of each animal; and
 - (E) the date of issuance and the signature of the department agent issuing the salvage tag.
- (b) Big game and wild turkey permits and game tags.

(1) ~~A permit or game tag purchased during the open season shall not be valid until the next calendar day.~~

~~(2)~~ Big game and wild turkey permits and game tags shall not be transferred to another person, unless otherwise authorized by law or regulation.

~~(3)~~ (2) In addition to other penalties prescribed by law, each big game and wild turkey permit or game tag shall be invalid from the date of issuance if obtained by an individual under any of these conditions:

- (A) Through false representation;
- (B) through misrepresentation; or
- (C) in excess of the number of permits or game tags authorized by regulations for that big game species or wild turkey.

~~(4)~~ (3) No individual shall copy, reproduce, or possess any copy or reproduction of a big game or wild turkey permit or carcass tag.

(c) Hunting assistance. Subject to the hunting license requirements of K.S.A. 32-919 and amendments thereto, the license requirements of the implementing regulations, and the provisions of paragraphs (c)(1), (c)(2), and (c)(3), any individual may assist any holder of a big game or wild turkey permit or game tag during the permittee's big game or wild turkey hunting activity. This assistance may include herding, driving, or calling.

(1) An individual assisting the holder of a big game or wild turkey permit or game tag shall not perform the actual shooting of big game or wild turkey for the permittee, unless authorized by K.A.R. 115-18-15. However, a permittee who is, because of disability, unable to pursue a wounded big game animal or wild turkey may designate any individual to assist in pursuing and dispatching a big game animal or wild turkey wounded by the disabled permittee.

(2) The designated individual shall carry the disabled permittee's big game or wild turkey permit or game tag and shall attach the carcass tag to the carcass immediately after the kill and before leaving the site of the kill.

(3) The designated individual shall use only the type of equipment authorized for use by the disabled permittee. (Authorized by and implementing K.S.A. 2013 Supp. 32-807, K.S.A. ~~2010~~ 2013 Supp. 32-937, and K.S.A. ~~2010~~ 2013 Supp. 32-969; effective June 1, 2001; amended April 22, 2005; amended April 16, 2010; amended April 20, 2012; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-4-2. Big game and wild turkey; general provisions.

DESCRIPTION: The proposed changes would further address concerns with transportation of carcasses beyond the borders of the state and preventing potential disease transmission by allowing a method of electronic registration. The proposed changes would allow hunting on the same day of purchase of a big game or wild turkey permit.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

115-25-1. Prairie chickens; open seasons, bag limits, and possession limits; permit. (a) East unit.

The open season for the taking of prairie chickens shall be September 15 through October 15 and shall reopen on the third Saturday of November through January 31 of the following year, in that part of Kansas east of federal highway US-281 and bounded by Nebraska on the north, Missouri on the east, and Oklahoma on the south.

(b) Southwest unit. There shall be no open season for the taking of prairie chickens in that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70.

(c) Northwest unit. The open season for the taking of prairie chickens shall be September 15 through October 15 and shall reopen on the third Saturday of November through January 31 of the following year, in that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with the Colorado-Kansas state line, and then south along the Colorado-Kansas state line to its junction with interstate highway I-70.

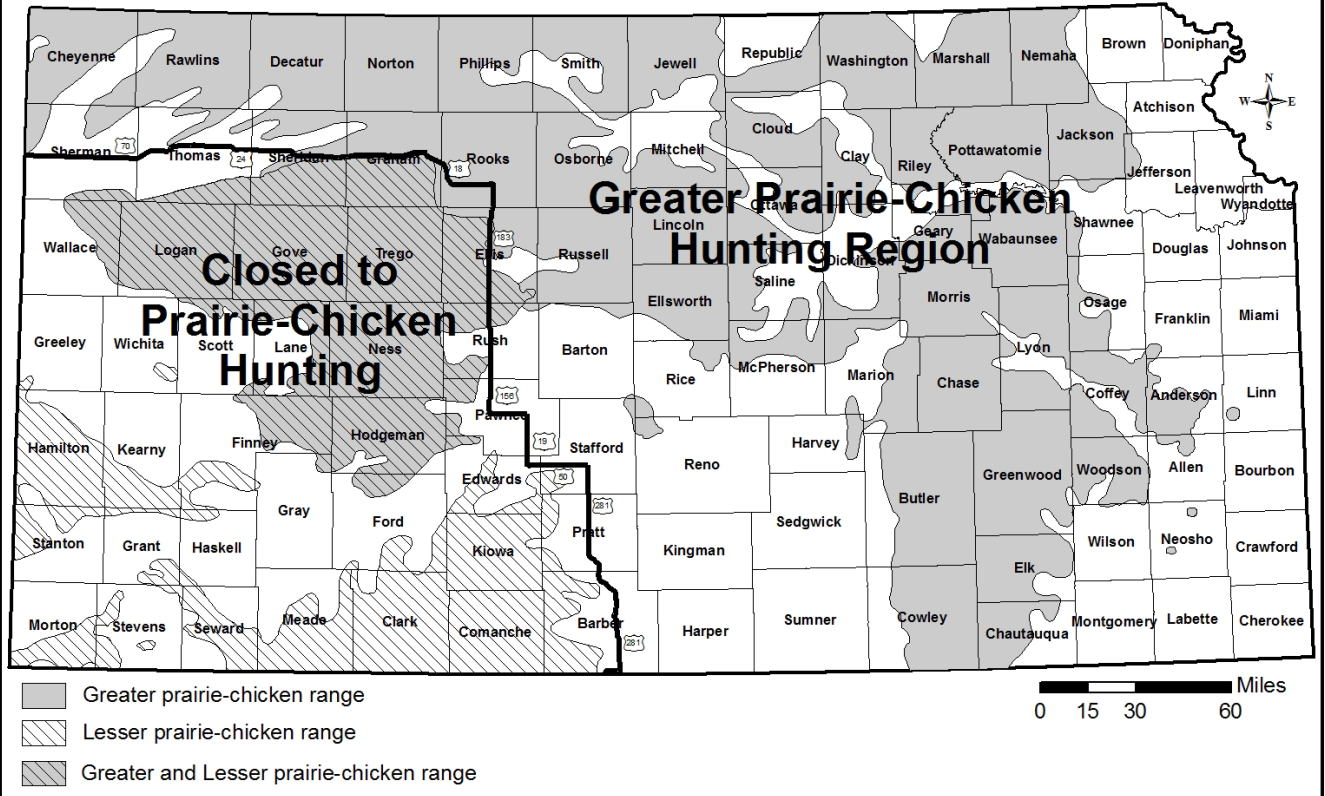
(d) Daily bag limit. The daily bag limit shall be two prairie chickens in units with an open season for the taking of prairie chickens.

(e) Possession limit. The possession limit shall be eight prairie chickens.

(f) Permit required. Before taking any prairie chickens, the individual shall have obtained and

shall possess, while hunting, a current prairie chicken hunting permit from the department. (Authorized by and implementing K.S.A. 2013 Supp. 32-807.)

Greater Prairie-Chicken Hunting Unit



ECONOMIC IMPACT STATEMENT

K.A.R. 115-25-1. Prairie chickens; open seasons, bag limits, and possession limits.

DESCRIPTION: This proposed exempt regulation establishes hunting seasons, bag limits, and possession limits for prairie chickens. The proposed changes different from previous prairie chicken seasons include closing the season in the southwest unit pursuant to a listing by the United States Fish and Wildlife Service as a threatened species under the federal endangered species act.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: There will be some economic impact to closing the prairie chicken season in the southwest unit but it cannot be quantified at this time. Otherwise, it is not anticipated that the amendments would have any substantial economic impact on the department, the general public, small businesses or other agencies.

ALTERNATIVES CONSIDERED: None

K.A.R. 115-25-1.
Prairie chickens; open seasons, bag limits, and possession limits; permit.
PROPOSED AMENDMENT

As a result of internal Department, legislative and general public comment on the proposed regulation, the Department offers that the following amendment to the version of the regulation submitted for public comment.

K.A.R. 115-25-1. Prairie chickens; open seasons, bag limits, and possession limits; permit.

1. Amend proposed subsections (a), (b) and (c) as follows:

(a) East unit. The open season for the taking of prairie chickens shall be September 15 through October 15 and shall reopen on the third Saturday of November through January 31 of the following year, in that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-156, then east on state highway K-156 to its junction with state highway K-19, then south on state highway K-19 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with east of federal highway US-281 and bounded by Nebraska on the north, Missouri on the east, and Oklahoma on the south to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with the Colorado-Kansas state line, then south along the Colorado-Kansas state line to its junction with interstate highway I-70.

(b) Southwest unit. There shall be no open season for the taking of prairie chickens in that part of Kansas bounded by a line from the Colorado-Kansas state line east on ~~state highway K-96 to its junction with federal highway US-56, then east on federal highway US-56~~ on interstate highway I-70 to

its junction with state highway K-24, then east on state highway K-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-156, then east on state highway K-156 to its junction with state highway K-19, then south on state highway K-19 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with to its junction with federal highway US-281, then south on federal highway US-281 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70.

~~(c) Northwest unit. The open season for the taking of prairie chickens shall be September 15 through October 15 and shall reopen on the third Saturday of November through January 31 of the following year, in that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with the Colorado-Kansas state line, and then south along the Colorado-Kansas state line to its junction with interstate highway I-70.~~

2. Re-alphabetize the remaining sections