

**Kansas Department of Wildlife, Parks and Tourism**  
**Commission Meeting Minutes**  
**Thursday, April 23, 2015**  
**Great Plains Nature Center**  
**6232 E 29<sup>th</sup> St N, Wichita, Kansas**

**Approved** Subject to  
**6/18/15** Commission  
Approval

The April 23, 2015 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at Great Plains Nature Center, Wichita. Chairman Lauber and Commissioners Don Budd, Tom Dill, Gary Hayzlett, Roger Marshall and Aaron Rider 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**

Sheila Kemmis – Added Parks award before Secretary’s remarks. Moved Cabin Fees in the evening to right after evening award presentation.

**IV. APPROVAL OF THE March 26, 2015 MEETING MINUTES**

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

Chairman Lauber – Asked if Randy is going to be here or not? Sheila Kemmis – I have not heard from him in several months. Secretary Jennison – We will talk about that later.

**V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**

Tom Kneil, Sierra Club – Legislative issue, we support the department in opposing SB268 and SB269, stream maintenance and spotted skunk. Both bills usurp the authority of the department and set precedent in terms of giving legislature control of any species; this is of great concern to us. Quote from our wildlife chair of Kansas chapter (*read*) “Our state government and its agencies hold Kansas natural resources and wildlife in public trust. It is their job to help maintain species diversity and preserve critical habitat for reasonable public use and enjoyment.” Also, we are in support of designation of National Water Trail on the Arkansas River.

Michael Pearce – There seems to be a large exodus out of Topeka office, Mr. Secretary is it true you won’t be working out of that office? Do you expect that to change? Jennison – I will talk about that in my report.

Chairman Lauber – I told a constituent I would bring this up; use of night vision goggles and optics for predator hunting; replete with risk, but I said I would bring it up. There is new technology and new toys all the time and I see law enforcement people with heartburn over this.

## **VI. DEPARTMENT REPORT**

Park Award – Linda Lanterman – Ryan Stucky, regional supervisor will be presenting some awards with his staff. Stucky – Thank you for allowing us to recognize some special people, Dana Smith, a counselor and has worked for the department for 28 years part time. *Presented plaque to Mr. Smith.*

Stucky - Also, we have a couple of life saving awards to give out; Brian Haug and Mike Satterlee will present those. Haug – Randal and Mason Gibson please come up (*read narrative – Exhibit C*). Randal and Mason were fishing on August 16 and saw a vehicle crash into the water at Mr. D’s boat ramp. Mason saw the vehicle traveling down the road toward the ramp at such a rate of speed that he did not think it would be able to stop before crashing into the lake. He alerted his father to the situation and at that time Mason saw and heard the vehicle crash into the water. Mason and his father got into their vehicle and drove the short distance to the boat ramp. The two men observed the vehicle that had gone into the lake was quickly sinking in the water. Randall and Mason also observed an adult female and two children coming out of the water appearing to be unharmed. The woman informed Randall and Mason that her husband was still in the vehicle and that the doors of the now submerged vehicle had closed as they exited. The vehicle was now submerged in the water deep enough the doors would not open leaving the man inside trapped. With disregard for their own safety, Randall and Mason both entered the water to attempt to free the husband from the vehicle. Mason made numerous trips between the sinking vehicle in the water and his father’s truck, getting tools for his father in an attempt to break a window out of the vehicle. After a few unsuccessful attempts, Randall was able to break the glass in the driver's side rear window enough that the husband, who was still inside the car, was able to kick the rest of the window out and exit the vehicle before it was too late. While going between vehicles, grabbing tools, and getting them to his father, Mason also took the initiative to call the Reno County Dispatch Center, relaying accurate and concise information to get Park Law Enforcement and EMS to the scene, as well as giving updates on the statuses of all the passengers. After everyone was safely out of the water, Randall and the husband who had been trapped in the sinking vehicle, were treated for minor cuts and scrapes by Emergency Medical Services. *Presented plaques to them for their heroic efforts.*

### **A. Secretary’s Remarks**

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. Park revenues continue to be good, also improvement on Wildlife Fee Fund (WFF) revenues. Big issue right now is legislature is coming back to town to construct the budget. Projections they made last fall have not been met, most likely consensus is that there needs to be revenue increase so tax increases expected. Don’t anticipate reductions on EDIF or state general fund (SGF) monies. Agency budgets may look a little better at the end of the session. To answer Mike’s question; I am moving to Wichita with my wife who got a promotion, I will have an apartment in Topeka. With the diversity of this department and personnel all over

the state the biggest group of employees is in Pratt and I will be spending time there rather than in Topeka. Expect to be in Topeka Mondays and Tuesdays and in Pratt on Wednesdays, Thursdays and Fridays. Feel this is a great opportunity to understand issues in Pratt and communicate with staff in Pratt more. I interact with about eight or nine people there and we have about 80 people. Nothing unique for cabinet secretary's to not live in Topeka. Feel it is a good thing for the agency. Pearce – Thanks for the explanation. Several months ago, thought we were going to lose \$500,000 in the Parks, where is that? Craghead – It is right at \$500,000 for FY 2016 and FY 2017. Jennison – One million total. Pearce – Who should I talk to? Craghead – Chad Depperschmitt. Pearce – Who for Parks? Jennison – Either one of the Linda's.

2. 2015 Legislative Update – Chris Tymeson, chief legal counsel, presented this update to the Commission. This is the first year of two-year cycle. Legislature on break and comes back on Wednesday for budget issues and a few legislators will deal with outlying bills. Following SB45 on concealed carry firearms. SB46 - was signed by the Governor on March 26 and dealt with domesticated deer having proper identification before movement of those animals. SB50 - deals with property taxes on bed and breakfasts. This bill was referred to the Senate Committee on Assessment and Taxation. SB59 – Wildlife and parks crimes can be heard by a magistrate judge. If bill passes out of House and passed by Senate; if bill passes one or the other a bill can be conferenced into one that has been passed by both and this bill was conferenced into HB2111. SB97 – regulates contact with dangerous animals. SB112 and SB113, department bills dealing with law enforcement on citations and forms of physical licenses, combined into SB113, trying to get it conferenced into another bill. About 40 bills that have passed one or the other house, only seven that have passed both. SB120 – regarding land purchases, signed by Governor on April 6, reduced to 160 acres without legislative approval, in four counties (NRD lands) can still purchase 640 without legislative approval. SB132 – regarding wolves and non-human primates, was referred to the Senate Committee on Natural Resources. SB134 – Noxious weed law, out of statute and into Dept of Ag hands with recommendations from the state advisory committee, which includes the department, bill not going anywhere. SB 169 – making channel catfish the official fish of Kansas, did not go anywhere. SB 178 – valuation of agricultural land, important to us, had a hearing, but is controversial and not going anywhere. SB 190 – operation of sailboat and sailboat classes passed Senate and House, below line on House general orders. SB262 – also HB2383 and one other bill regarding charitable gaming, many organizational partners would be able to have raffles and that sort of thing, last year Governor vetoed, went to vote of the people, anticipate one version will pass this year. SB268 & 269 – as mentioned by constituent, changes to stream maintenance and removing spotted skunk, both have been blessed, out of Sedgwick County; don't anticipate any movement this year. SB274 – seat belt bill; sailboat SB190 was added to this bill. HB2029 - is deer bill companion to SB45. HB2116 – was first catfish state fish bill. HB2117 – similar to the hunter education requirement, this would require anyone born on or after January 1, 1995 to complete boater safety. HB2168 – companion bill to SB50 on bed and breakfast taxation. HB2341 - dangerous animals. HB2341 - seized wildlife, disposition of antlers bill, passed House and was placed in Committee on Ag and Natural Resources, but came out of House Judiciary Committee and passed House floor, on House general orders. House Concurrent Resolution No. 5008 - amendment to constitution guarantee right to hunt, fish and trap, no time spent on it, NRA initiative, don't think an issue for us, would support it if it came up for hearing. Two bills on law enforcement, one said law enforcement shall give citation, let person off because no citation, trying to change from "shall" to "may"; and maleficent issue of losing job if

permits not filled out properly. Licenses being purchased on phones don't need to forfeit license or forfeit phone; can check to see if someone is suspended electronically today. Pearce – where is bill on antlers being returned to landowner? Tymeson – Passed House and routed to Senate Natural Resources, it is conferenceable, if germane to another bill. It is possible it is still alive this year.

## **B. General Discussion**

1. Tourism Update - Linda Craghead, assistant secretary Parks and Tourism, presented this update to the Commission (Exhibit D). Get out your calendars and add Saturday April 25 is free park day and park clean up day. Along with partners KDHE and Westar Green Team, Cedar Bluff, El Dorado, Elk City, Lovewell and Perry will participate in “Keep It Clean Kansas” events. Invite commissioners to awards luncheon on April 29 at Cheney Sailing club to acknowledge state parks team. Media event in Overland Park to kick off national tourism week; it will be held at Prairie Fire Museum, will kick off Kansas Bucket List campaign. Also, will celebrate 70<sup>th</sup> anniversary of *Kansas!* Magazine, which just won another award. Tourism brings significant amounts of money to the state; it encourages business development and has an important role. On May 11-14, we will host the Association of Great Lakes Outdoor Writers in Kansas for Cast and Blast; there are two evening receptions which commissioners are invited to. On June 9-13, the Society of American travel writers will meet; they will start off in Wichita and work way up to Manhattan, and a full schedule of other locations. When it comes to advertising, we can only buy so much, but earned media is great for us. Experience they have here is critical, need to showcase state in a positive way. On top of that brand USA offered a competition to who would sell most flight tickets to the USA. Several travel companies are coming to Kansas and Oklahoma for this event. On May 27-30 Milford State Park will be host to Cabela's National Team Tournament, expect 250 people fishing on Milford. Critical to build assets, a national program, the Land and Water Conservation Fund is set to sunset in November, Linda and myself were both in Washington DC last week to try and explain the importance of these funds. If you have an opportunity to talk to legislators let them know how important that is to us. Secretary Jennison and I received a letter from Kingman County EMS, our law enforcement is the same as state troopers and other law enforcement officers in the state; and they expressed appreciation of Brian and Ryan who were first on scene to a heart attack, the gentleman did pass, but they did all they could. Our law enforcement are first responders and I want to thank Kevin's team, the parks team and public lands team for all they do. They do a lot of Kansas.

2. Park Regulations - Linda Lanterman, parks division director, presented this regulation to the Commission. No changes to park regulations; however I want to introduce Ryan Stucky. Go out to state parks this weekend, free park entrance day. Many years ago, had a vision at Sandhills State Park to put a campground in there and within this administration the last four or five years we were able to make that possible. Ryan Stucky (PowerPoint – Exhibit E) – This has been an ongoing project for 10 years, Sandhills State Park campground, was not open for public camping. It is 1,123 acres, acquired in 1974, the twenty-second state park; 640 acres belonged to Kansas State Industrial Reformatory and they raised cattle to feed the inmates. They turned over the land to Kansas Park Authority, 320 acres was owned by the Dillon family and they donated those adjacent acres, and we bought 163 more acres. The area is primarily dunes with 15 miles of trails and allows upland bird and archery deer hunting by special permit. We have not quite

finished the 64 utility campsites, but are getting there. The campground was funded with trail grants, started excavation in 2006; 2007 excavated pit pond; 2008 built 15 sets of horse pens; 2009 and 2010 engineering planning overall campground utilities and roadway; 2011 dirt work to grade; 2012 hooked up to City of Hutchison water and sewer, and electric utility installed; 2013 placed rock on campsite and roadway base, concrete pads and installed CTX restroom; 2014 installed horse pens, campsite amenities, parking lots and sidewalks, paved roadway, planted grass and trees, placed cabin office and installed waterlines and faucets; and 2015 poured dumpster pads, planted more trees, landscaping and working on aesthetics. Of 64 sites, 44 have water, sewer and electricity; 20 have only water and electricity; 30 are back-in sites, and 34 are pull-through with 14 of those sites with horse pens, nine with water, sewer electric and electric, and five with water and electric (*showed photos on PowerPoint*). Burned 1,000 acres in one burn on March 26. We have seen a lot of horseback riders asking for these campgrounds. Under top soil it is solid clay and it holds water pretty well. Dedicated September 11, 2014. Sand Hills has 64 sites and took in \$20,000 from September 1 to December 31, at \$20,000 for the first four months of this year; if weather cooperates expect a good year. We compared to Cheney the number of campsites and revenue; Cheney has 681 campsites, with total revenue of \$541,456 in 2014 (second in state), and from January to April \$104,645; Sand Hills has 9.4 percent of the sites Cheney has and has 18.7 percent of the revenue Cheney has. Had a group out April 10 and filled the whole campground with horseback riders. We need even more horse pens and will try to build some this winter. Lanterman – Grant was an 80/20 match so we do the work for our match. Our guys are amazing at construction.

*Changed #3 and #4 to accommodate another PowerPoint presentation.*

4. Fisheries Management Update - Doug Nygren, Fisheries Section chief, presented this update to the Commission (Exhibit F, PowerPoint – Exhibit G, handout – Exhibit H). Topics include the early spawn largemouth bass stocking experiment, blue catfish in federal reservoirs, Fishing's Future, synthetic fish habitat modules, changes in walleye production and management, and the new Kansas Aquatic Biodiversity Center at the Farlington Hatchery. Users of the resources, blue line is number of certified anglers (used to determine federal aid) steady decline in participation, yellow line is participation rate. Was 16 percent of population now 10 percent and this is happening nationwide, California is 2.5 percent. Every five years USFWS conducts a survey and Kansas anglers prefer largemouth, but actually fished for catfish, then black bass, crappie, temperate bass and percid; so we try to provide opportunities to do that. We do population surveys in the spring, electrofish and creel surveys; hatchery system; access program; and aquatic education. Focus on six topics. In 2009, started early spawn largemouth bass stocking at Meade Hatchery, tricked bass into thinking it is May and get them to spawn in February and March. Back in 1980s did survey with Dr. David Willis and decided to try this. These early spawn bass that have the potential to reach 8 inches at the end of their first year. Regular spawned bass only reach about 4½ to 5 inches at the end of the year. The early spawned fish have about 45 days extra and more food available to them. In 2013, we stocked early spawn bass in Clinton, Hillsdale and Melvern; one fish stocked at Hillsdale in 2013 was almost 12 inches long in 2014 when caught. We have already spawned 2.3 million fish this spring and wild bass haven't even started spawning yet. We will finish up in June. All bass are genetically marked since 2013. At Clinton poor year class, in 2013, stocked phase one which made up 20 percent of sample; Hillsdale phase one and two, caught no phase ones; at Melvern estimated 47

percent of 2013 year class, continuing to monitor this. Put some in Cedar Bluff, Herington, and a few other locations. This is another success story: Just 15 years ago, there was consideration that the blue catfish be listed as a species in need of conservation or even threatened. Ichthyologists weren't seeing them in Kansas rivers or streams where they were native. In 1990, Milford Hatchery decided to raise blue catfish and stocked them in Milford Reservoir for eight years, then suspended stocking. Natural reproduction was found in 2003. Farlington Hatchery has taken over reigns on blue catfish and raise about 80,000 each year. They have been stocked at Milford and two other reservoirs. Expect these populations to be naturally sustainable over time and will be able to quit stocking. Blue catfish are fast becoming the most sought after catfish in Kansas; a tribute to our hatchery people. We're wrapping up Milford blue catfish movement study, and the take home message is that they use upper and middle stretches of the lake. None have left lake at lower or upper end. Can repeat study on other reservoirs as they develop. Have had a tremendous opportunity to work with Fishing's Future, they have volunteers that teach aquatic education events with us or by themselves. In three years we have 350 instructors that have been trained to spread the word on how fun it is to fish and take care of the sustainable environment. Started program of having fishing in the schools, have loaner kits that we make available to instructors. Another topic is synthetic fish habitat structures. Brush piles in lakes for fish attractors has been habitat for years, but they deteriorate, Georgia has come up with a cube made out of plastic PVC, they hold fish well and are similar to the tree structures, have about 1,000 so far. They are made at Honor Camp in El Dorado; volunteers put them out to locations provided by the biologists. Putting together GPS program to show where these are located within a lake. Kansas walleye initiative is new program, we reviewed all available information; walleye grow fast and die young and we don't have enough wild brood stock, have to stock, if continue to over fish may even hurt stocking program. Walleye populations are suffering, recruitment and growth overfishing is occurring. Not enough large adults to get good reproduction; anticipating plan in next year or two to make better walleye fishery statewide. New technological breakthrough in Iowa, walleye are reared in ponds until run out of food, they start eating each other. Can raise in dark in tanks, and we have pilot projects at Meade and Milford hatcheries. Fish are fed a special diet (otoem) bottom line is problem with feeding artificial diet, by rearing in total darkness and putting clay in tank they follow current and then introduce pellet to feed fish. Pellet is a high protein diet, they were eating plankton. Larva culture in the past, food has oil in it, when the fry come to the top to get air they would die because not getting enough oxygen; we're getting 100 percent of swim bladder inflation with this food. First attempt to put into ponds is tomorrow. Great project, experimental but holds great promise for us. Kansas Aquatic Biodiversity Center to be placed at Farlington Fish Hatchery to raise endangered and SINC species such as Neosho Madtom and certain mussels and host fish required to support those mussels. Will collaborate with universities and other scientific communities. Focus on rabbitsfoot and Neosho mucket mussels and Neosho madtom. (*Showed short video on prisoners erecting cubes and placing them in the water; bass spawning; walleye larvaculture; striped bass and wiper production; and blue catfish movement at Milford.*) Chairman Lauber – What is refugia? Nygren – If natural disaster and fish are destroyed, have genetic stock in captivity. Commissioner Marshall – Will have great earned media if fishing improves.

3. Fishing Regulations - Doug Nygren, fisheries section chief, presented this regulation to the Commission (Exhibit I). Have reference document where we list length and creel limits. Add 35-inch minimum length and five/day creel for blue catfish at Melvern and change to an 18-

inch minimum length limit on spotted bass and sauger at Melvern. At Clinton we're proposing a 35-inch minimum length limit and five/day creel on blue cats and an 18-inch minimum length limit on smallmouth bass. At Elk City we're proposing a 35-inch minimum length limit and 5 per day creel on blue catfish; At El Dorado, which is success story, we're looking at a 25- to 35-inch slot length limit and five/day creel on blue cats and we'd like to reduce the length limit on largemouth, spotted and smallmouth from 18 inches to 15 inches; at Tuttle Creek, John Redmond, LaCygne and Pomona change blue catfish to five/day creel; several smaller impoundment changes as well. Commissioner Budd – Heard from fishermen on these changes? Nygren – Will have a chance at these meetings, biologists have also been reacting to some input. Other issues, large paddlefish bust last year, in Kansas and Oklahoma, taking fish for caviar; feeling that we needed to make some changes. Have language in 115-7-1 that is Missouri's existing paddlefish laws. Setline fishing, fish offshore instead of setline in open water, has to be connected to immovable object, can't have more than two hooks and may be able to set to concrete blocks, but must have a float to find the setline, float material shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. We will be discussing this further. Chairman Lauber – How many paddlefish harvested in Kansas? Sean Lynott – Highest was about 2,000 fish, average of 350 a year. Chairman Lauber – Most of the fish come up out of Grand Lake in Oklahoma? Nygren – Right. Chairman Lauber – What do you do with the eggs when you harvest a paddlefish? Nygren – That is what I meant that we have to work out the details. All of the states are different on how they handle this.

### *Break*

5. National Water Trail – Arkansas River Update - Jessica Mounts, fisheries biologist, presented this update to the Commission (Exhibit J, PowerPoint – Exhibit K). Following the success of the Kansas River being named a national water trail by the National Park Service (NPS) in July 2012, the department is seeking the same designation for a portion of the Arkansas River in Kansas. That goal is a little closer to being achieved thanks to technical assistance we will receive from the NPS Rivers, Trails and Conservation Assistance Program to develop the designation application. The ultimate goal is national water trail recognition for the Arkansas River Water Trail from Great Bend downstream to the Oklahoma border, which includes a network of public river access points providing recreational and conservation opportunities. Another benefit of the recognition includes enhancing prospects for communities and businesses to attract enthusiastic river-goers and boost local revenues. This portion of the river has relatively consistent flows and passes through six counties - Barton, Rice, Reno, Sedgwick, Sumner and Cowley, about 195 total miles. This classification will benefit recreation and conservation, attracts river users and boost local economy. The public may use the waterway between the ordinary high-water marks on each bank, but people aren't allowed to trespass on private property adjacent to the river. As a result, it is important to establish reasonably-spaced public access points and currently we have 15 public sites established in partnership with cities, counties and private landowners. The department will work with the NPS to engage additional partners and stakeholders, set priorities to analyze issues and opportunities, improve public information resources, and achieve the national water trail designation. The existing access points within the City of Wichita are more closely spaced, with additional sites above and below the city providing for longer float distances. The partnership of the Arkansas River Corridor Access plan (ARCAP) has continued for the last seven years and resulted in two new access

points so far; but there is much more work to be done. While another 12 access points were identified in the ARCAP, consistency and organization of directional signage is lacking, and the development of several of the 12 potential access points would enhance the recreational opportunities beyond the City of Wichita. Evaluation of the use of the water trail by paddlers, anglers and wildlife viewers is also a priority for making future decisions to serve the users of the water trail. Most recently, a multi-million dollar dam renovation at Lincoln Street in Wichita was completed, which included funding from the US Fish and Wildlife Service, the Coast Guard and KDWPT and resulted in a fish passage and safe passage for boaters included within the new dam structure – as well as parking and put-in/take-out ramps above and below the dam. This project addressed two major river connectivity issues: safe passage for boaters downstream and the migration of native fishes upstream. The dedication for the Lincoln Street project is planned for May 1, 2015 at 1:30 pm. In addition to the previous improvements made to access, there is a strong community support for water quality, conservation, safety and the health of the river. In last 10 years, Ark River was looked at as untouchable, now accessible. Going forward, long-term lease in Rice County, just south of Alden, enhance with signage with a Kiosk; and also we have been approached by Westar Energy to supply Kiosks. Working on inventory and mapping with Google Earth, working on brochure similar to one done on Kansas River and update on the website. Downloadable information in arcGIS map. Really need to plan for growth to survive when we are all gone, plan for the future. Need additional public access points, about 30 miles in red circle with no sites. Build it to survive! National Park Service objectives are to expand public access; develop connection to parks, rivers and trails; advance protection and stewardship; and engage youth and youth organizations. Also putting together a law matrix on the website to let people know of legal and illegal things within city and county ordinances where people travel on the river. Mark hazards and portages. City of Wichita is revamping their ordinances and boating codes. Put together contacts and working on first press release. Timeline is to document existing sites and activities identify shortfalls, get public engagement and fishing the application which is almost complete and ready to be submitted. Commissioner Marshall – Where in Great Bend does it start? Mounts – Stone Lake, parking lot and short portage to the river.

6. Zebra Mussels Discussion - Jessica Howell, ANS coordinator, presented this update to the Commission (Exhibit L, PowerPoint – Exhibit M). Aquatic species are non-indigenous aquatic nuisance species (ANS) are the cause of significant ecological and socio-economic problems for water users in North America. Besides zebra mussels we have Asian carp which affect paddlefish, eat similar things and live in similar habitat. How are ANS spread? Can be natural, downstream or upstream; introduced by human transfers intentionally or unintentionally, through actual movement, or in the water. Started ANS program in 2005, involved state, federal and private entities. Goals were set to prevent new ANS introductions, prevent dispersal, eradicate or control to minimize effects, educate users, and support research; a copy of the plan is on our website. Do you think movement can be stopped? Two pronged approach, rely heavily on education; however we back that up with regulation to ensure people are doing the right thing. Clean, drain and dry is main message promoted in a variety of ways, one-on-one, handouts like collapsible minnow buckets, and literature (i.e. at Casey's gas stations, also we have tailgate wraps on fisheries pickups). Developing signage Kiosks to offer literature, eye catching information, about 6 ½ feet tall, putting at four parks as a pilot program. Following up with an evaluation, of whether effective or not. Work very hard on education. Regulations, first discussions in 2006 on bait, majority of work done in 2010 and 2011 through a number of

workshops, finalized some in 2011 on wild-caught bait and revisited in 2012 on bluegill and green sunfish. I want to hammer home, goal was twofold, minimize risk of spreading ANS while protecting fishing traditions. Commercial bait was one issue and wild-caught bait was the other. Concerned about transport of aquatic plants, bait, and movement of species. To address commercial side several regulations were passed; working with anglers and bait shops we came up with a list. We also addressed the water in that regulation, only potable or well water can be used in tanks where fish are sold. Any bait from other states must be certified free from select pathogens and purchase bait from certified bait shop. Those commercial regulations are great and have addressed those concerns (*yellow dots are those bait shops in 2011 and 2012, new businesses in green dots*). Came back in 2013 and asked what they thought of regulations and over 50 percent said they were satisfied or extremely satisfied; another 30 percent said they were moderately satisfied. On wild-caught bait regulations; spread of plants a concern but can't address plants as an agency; release of live baits, modified to include spread of waterborne contaminants, addressed through boating regulations, largest movement of water through boats, drain boat and remove drain plug, empty livewells; stops most of the concern, but not all of it. One of regulations in place is ANS designated waters, any waters with ANS species does not allow take of anything from those waters. Regulation on use where you catch it, use in common drainage where collected, can use bluegill or green sunfish, but not use from ANS waters. We had a lot of these same discussions before when we crafted this and we realize there is still some ANS concerns. Cost of large bluegill and green sunfish is prohibitive and catching your own bait was traditional. Developed list of pros and cons at that time. We recognize there is still a chance there might be an ANS species at some of the places where bluegill and green sunfish are removed. Always looking to improve ANS program. Whole point of program is to conserve natural resources for the future. Commissioner Budd – Were you here in 2011 and 2012? Howell – No, but my boss, Jason Goeckler, was and he is here. Commissioner Budd – Good job on your presentation, but zebra mussels is the reason you are here. It is a statewide issue and is already a problem in many of the reservoirs we have, so I would like to revisit this issue; is worse case scenario is that we leave it the way it is now? We need to stay on top of this issue. Chairman Lauber – Important issue, I was here, but the bigger concern that led to the bluegill and green sunfish prohibition, was the difficulty to identify the fish, similarities to young Asian carp. Feel we will be right back where we were, but don't know how much more restrictive you can become without having some social blow back. If you asked Jason or any biologist, you can be so restrictive to stop it, but have you given the public a chance to enjoy the resource? We can address the regulations again, but I think they were reasonably adopted. Commissioner Dill – Since 2011 and 2012, how many more lakes have been infected? Howell – Not sure, 23 lakes now, five in last two years. Commissioner Marshall – Where? Howell – In 2013 found Clinton, at Lake Shawnee and Lake Wabaunsee; 2014 also found at Pomona reservoir. Commissioner Budd – This is a unique issue, we know there is a problem and what causes the problem, in this case you need to be more restrictive to protect it. It has been a couple of years so I think we should revisit it. Chairman Lauber – Pomona was identified in 2014, but likely introduction occurred two to three years before? Howell – Likely one year before, not sure. Chairman Lauber – Received a lot of disdainful comments on this issue, expect a tremendous amount of blow back. Commissioner Budd – I would like Sheila to do roll call of names to see where Commissioners stand. *Raised hands if interested in workshop on this, four raised hands (Rider, Marshall, Dill, and Budd)*. Commissioner Marshall – What is the most likely way the new lakes were infected? Howell – Lake Shawnee is right in Topeka, Lake Wabaunsee is very rural,

Clinton gets a lot of use. I cannot nail it down. Don't just find around boat docks but in entire lake. Commissioner Marshall – What percentage by green sunfish, 10 percent? Howell – I don't know. Chairman Lauber – It seemed to be larger lakes that had a lot of boats in the beginning. Commissioner Marshall – Besides sunfish, anything else we could do to stop this? Howell – I would be happy to share a list with you. Commissioner Marshall – What else can we do what low hanging fruit? Howell – Aquatic plants. Commissioner Marshall – On strictly zebra mussels. Howell – Movement of water, we address water in bait buckets and bilge. Commissioner Marshall – Feel uphill battle and not attached to sunfish. Chairman Lauber – Can we control water? Tymeson – Can't stop people from getting a bucket of water from the lake. Commissioner Budd – Put together regulation options to control zebra mussels. Lean towards we can't win. Commissioner Marshall – Don't think bluegill and green sunfish are the culprit. Jennison – I think for future meeting we could have Jessica and Jason put together their wish list. What will have the greatest impact and how can we do that and if it requires regulatory change and whether it warrants commitment of funds. Howell – We can do that. Commissioner Marshall – It highlights we care. Commissioner Rider – What is the difference between the waters that are already infected compared to those not affected? Howell – The only difference is the ANS issue of not taking live fish. Zebra mussels or ANS? Commissioner Marshall – Zebra mussels at this time. Commissioner Dill – You put together your wish list, we may be able to come up with some private or public partnerships to help us do that. Chairman Lauber – The movement of zebra mussels is different than the movement of Asian carp. Howell – I think that depends on the water body. Commissioner Marshall – Compare to states surrounding us and if they are doing better and why. Howell – Number of invasions? Commissioner Marshall – Decreasing the spread to new water. Howell – That is a tall order and I will try to deliver. Unknown audience - Shocked at zebra mussels, Great Lakes ocean vessels is where they came from, with sea water. Howell – We coordinate with other state and federal agencies at a regional and national level. Keith Miltz – In presentation, there was concern on baitshops on commercial bait; but it turned out to not be a problem. The only basic difference is the water source, potable or well water. We could possibly have that requirement written into the regulation. Howell – Great idea, but can't regulate individuals, can regulate baitshops.

### **C. Workshop Session**

1. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. - Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit N). This regulation covers deer seasons at Fort Riley. No changes since previous meeting. I have prepared calendars for you, it has additional days in October for youth and people with disabilities, four days; different firearms deer season, basically three segments; and additional days of archery opportunity. They have also requested no pre-rut season.

**VII. RECESS AT 4:24 p.m.**

**VIII. RECONVENE AT 6:35 p.m.**

**IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS**

**XI. DEPARTMENT REPORT**

#### **D. Public Hearing (moved up in agenda)**

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

1. Cabin Rates - Linda Lanterman, parks division director, presented this regulation to the Commission (Exhibit P, handouts – Exhibit Q). Fee differentials based on occupancy of 65 percent to 84 percent; increase \$10 per weekend day, for estimated revenue of \$50,000. With 85 percent and above we are proposing a \$15 increase, an approximate revenue increase of \$15,000. At Scott State Park we are asking for \$20 for weekend day, an estimated \$2,700 revenue increase. Also, the two new cabins at Wilson, we are asking \$85 for weekdays and \$125 for weekend days. Occupancy on weekdays is not as high; the reservation system will allow us to have some dynamic pricing; so to help with occupancy, we are offering discounts of \$5 to \$10 for reservations of two to four consecutive weekdays, Monday through Thursday. An increase in total revenue of about \$80,000 if we do these proposed increases. Commissioner Dill – Fees not the same at parks? Lanterman – Based on occupancy and the difference in cabins. Can make adjustments if needed. Pearce – What is peak season? Lanterman – April through end of September. Pearce - \$10 per day of the weekend? Lanterman – \$10 per day and \$15 per day on weekend days. Pearce – Scott State Park is different? Lanterman – Yes, \$20 per weekend day. Tymeson – Similar to Secretary’s Orders, no vote needed. Chairman Lauber – On handout page, where is Clinton? Lanterman – Under Osage. As a matter of fact Clinton is the highest in the state.

#### **X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**

Pearce – We have some terms that are about to expire, what are they? Sheila Kemmis – Budd, Dill and Doll in June 2015, Marshall 2016, Hayzlett in 2017 and Lauber and Rider in 2018. Pearce – Thank you.

Statewide Habitat Award Presentation – Jake George asked for nominations for projects on private lands (Exhibit R, PowerPoint – Exhibit S). The nominating biologist is Bob Culbertson. Bob Culbertson – The Kansas Wildlife Habitat Conservation (KWHC) Award is a statewide award, modeled after the county-level soil conservation awards, which recognize farmers and ranchers who have completed projects designed to improve environmental quality or conserve natural resources such as soil, water, and energy. This year’s award goes to Stotts Ranch located in Elk County. Property is managed by Caleb, his wife Melissa and his father. Elk County is prairie timber and prairie savannah. Caleb and his father became involved in the ranch management in 2003. The ranch is located within the Cross Timbers ecoregion in southeast Kansas where prairie savannah was the historical vegetation. Caleb was concerned with the expansion of post oak and blackjack oak in this oak/savannah grassland community, and he was also seeing increased areas where the oaks were the dominant vegetation outcompeting the native grasses. There were also areas in the uplands where Osage orange and locust trees had become established. He had witnessed aerial spraying of herbicides to kill trees in these situations and thought there must be a better control and management method. Caleb partnered with the U.S. Fish and Wildlife Service (USFWS), the Natural Resource Conservation Service (NRCS), and Kansas Department of Wildlife, Parks and Tourism to reduce tree invasion by the use of cutting and stump herbicide treatment followed by prescribed fire. His goal was to not

only reduce tree coverage, but also restore a more historically accurate prairie-savannah community. The Wildlife Habitat Incentives Program administered by NRCS and Partners for Wildlife Program (USFWS) provided technical and some financial assistance for this management. The results are producing more grass for livestock and improved conditions for grassland birds, including bobwhite quail. Caleb has also adjusted grazing rates and time of grazing to improve the prairie grass vigor. One of the first results of this management has been prescribed fires that are more effective in controlling re-sprouts and other trees. Caleb monitors the cut areas very carefully and when needed, will also follow up with ground treatments of herbicide to kill re-sprouting trees that are so thick the prairie grass is nearly absent. Caleb also involved Emporia State University Biology professor, William Jensen, to monitor the change in habitat conditions with grassland bird use. Numerous students have utilized the Stotts Ranch to conduct bird research and further the information base of grassland bird use in oak-savannah habitat (soon to be published in Wildlife Journal). Print and award presented by Jake George and Bob Culbertson to Caleb Stotts (*photo taken that included Caleb Stotts, Jake George, Bob Culbertson, Robin Jennison and Gerald Lauber*).

## **XI. DEPARTMENT REPORT**

### **B. General Discussion (continued)**

7. Late Migratory Bird Seasons - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit T). The U.S. Fish and Wildlife Service (USFWS) annually develops the frameworks for states to establish migratory game bird hunting seasons. The 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 become available and recommendations from the various Flyway Councils are reviewed at the USFWS Service Regulation Committee (SRC) Meeting (July 29-30, 2015). The department annually establishes general waterfowl seasons, youth hunter waterfowl days and falconry waterfowl seasons during the late migratory game bird season setting process. Based on the 2014 duck population estimate of 49.2 million ducks (48 percent above the long-term average), 10.9 million mallards (42 percent above the long-term average) and a May pond count in the Prairie Pothole Region of 7.2 million ponds (40 percent above the long-term average), we will likely continue in the liberal package for the 2015-2016 season. Kansas has been in these liberal frameworks since 1996. We will workshop in June with vote in August. Commissioner Marshall – Concern of Quivira being closed while the whoopers are there. Rich can provide some of that information or we can at June meeting. Schultheis – We lose about half of the days based on the last ten years. Commissioner Marshall – If we move it sooner, that is before whoopers get there? Schultheis – Generally yes, that is the case, when cranes and whoopers are showing up is fairly similar. Bidrowski – Whether Quivira is in late or early zone will be discussed in zones. Pearce – Frustration because you never know when the whoopers are going to show up and you don't know what the weather will be like. Commissioner Marshall – In southeast zone, people are coming out of the woodwork, people in Kansas City area, concerned that Marais des Cygnes area will be closed. I can't figure out a good compromise, those people are reaching out. Bidrowski – Duck zone boundaries are intertwined with season dates. It is a preference. We let them know their preferences are known, have largest harvest numbers, we have had good duck populations for over 25 years. Schultheis – More often than not whoopers

were present half of those days, don't have exact dates.

### **C. Workshop Session (continued)**

2. Webless Migratory Birds - Rich Schultheis, migratory game bird biologist, presented this report to the Commission (Exhibit U). We are proposing no changes to the framework as presented.

3. Early Migratory Bird Seasons - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit V). Federal frameworks will not be set until June SRC meeting. Blue-winged teal (8.5 million) 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. This will be voted on at the June Commission meeting.

4. Duck Zone Boundaries - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit W). Zoning is the establishment of independent seasons in two or more areas (zones) within states for the purpose of providing more equitable distribution of harvest opportunity for hunters throughout the state. An important condition is zoning shall not detrimentally change the harvest distribution pattern among species or populations at either the state or flyway level. Kansas duck zones are based geographically for habitat features contained in that zone rather than a latitude or longitude justification. The USFWS notified KDWP that any changes to duck zone boundaries are due by December 1, previously we were told May 1, 2016. These changes will not be in effect until the 2016-17. Dates and locations for public meetings are set and I have given you a copy (Exhibit X). Chairman Lauber – How will you get the word out about these meetings, besides through Pearce? Bidrowski – Through Mike Miller and Ron Kaufman and their staff. Chairman Lauber – Do you have any boundary options set? Bidrowski – We will take a map to meetings and look at what people are interested in. Chairman Lauber – Robert Wilson stated that the southeast zone was made twice as big as it should have been and should have only included Neosho. Commissioner Budd – I have gotten 17 emails from Marais des Cygnes people, like boundary the way it is and season the way it is. I have gotten none of the negative ones like Roger. Concern from singular private club north of Marais des Cygnes proper. Bidrowski – Club borders on north side of that. Commissioner Budd – Can we change that zone to take them out? If we stick to highways, it is hard enough to show zones without using county roads and county boundary lines. Chairman Lauber – I also got a lot of these emails, since emails all basically the same seem to be coming from one group. I used to get a lot of people in that area that said by the time everything freezes up, wanted earliest opener. Try to get most constituent involvement in these meetings. Commissioner Budd – Emails that I have got are not from same club, mine are from other parts of the country, the one on the northern boundary is wanting be removed. Bidrowski – There are about 40 clubs in that area. Commissioner Budd – You don't have any idea where you want to move the boundary to at this point? Bidrowski – Trying to approach with an open mind and have no bias at this point. Commissioner Budd – Keep Marais des Cygnes in southeast or take it out? Bidrowski – Depends on the season dates. Commissioner Rider – Waiting for public comment. Commissioner Marshall – Mine are not emails, but phone calls and

people I am bumping into. Chairman Lauber – As Robert said, the southeast zone was never supposed to be that big I think. Commissioner Budd – What does Karl Karrow, manager at Marais des Cygnes think? Bidrowski – Thought it would be okay to be a week later, but now two or three weeks later he feels he is losing some time. Commissioner Budd – What if we drew a line from Lyon to border? Bidrowski – Highway 54 is one we looked at. Commissioner Budd – What is going to determine your recommendation? Bidrowski – The hunters. Commissioner Budd – Why no meeting in Marais des Cygnes? Bidrowski – Pretty remote area; hope to cover interested parties at Erie or Overland Park meeting. Chairman Lauber – Earlier opener? Bidrowski – Odd weather event happened during the split last year and had a lot of migration. Chairman Lauber – Still want earlier opener. Bidrowski – Opener is on peak migration. Commissioner Budd – Can't guess the weather, but do have migration patterns. Chairman Lauber – Tom, I think you are doing the right thing, talk to constituents and do the best you can and make recommendations to benefit the sportsmen. Commissioner Budd – Know problem is the northern part of that zone, north of Marais des Cygnes, try to accommodate them. Commissioner Marshall – Can we email blast those that purchased a permit last year? Bidrowski – With KOALS we can. Pearce – Commissioner Rider, where do you live? Commissioner Rider – Columbus. Pearce - Do you hunt Neosho? Commissioner Rider – Yes, was a slower season. Before they start hitting the fields in early December, use Neosho Wildlife Area. Pearce – What date would you consistently hunt, what are parameters? Commissioner Rider – Around Thanksgiving or a touch later. Pearce – Through? Commissioner Rider – Mid-January I guess.

## **XII. Old Business**

*None*

## **XIII. Other Business**

### **A. Future Meeting Locations and Dates**

June 18, 2015 – Fort Hays State Robbins Center, Hays  
August 20, 2015 – Wetland Education Center, Great Bend  
October 22, 2015 – Burlington Library conference room, Burlington  
January 7, 2016 – Manhattan (new Flint Hills Museum)

Hayzlett – Had a couple guys who spoke about how they were treated at a Marina. Was there something done about that? I guess it happened again and it was more intense. Tymeson – Attempt to meet with Marina operator after last meeting, he has hired legal counsel and there continues to be issues there; suggested meeting between County Attorney, his attorney and myself. A number of individuals have expressed concerns. I'm sure there are issues both ways. Chairman Lauber – Marina operator overreaching his lease and sportsmen who are poking. Maybe Chris can get it resolved.

## **XIV. ADJOURNMENT**

The meeting adjourned at 7:38 p.m.

(Exhibits and/or Transcript available upon request)