

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, October 22, 2015
Coffey County Library - Burlington
410 Juniatta St, Burlington, KS**

Approved Subject to
1/7/16 Commission
Approval

The October 22, 2015 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at the Coffey County Library, Burlington. Chairman Lauber and Commissioners Tom Dill, Gary Hayzlett, Aaron Rider and Harrison Williams were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

Chairman Lauber – We have a new commissioner, Emerick Cross out of Kansas City, who replaces Don Budd; however he is unable to be here today. Mr. Marshall will be late and Mr. Williams is on his way, stuck in construction. Appreciate Coffey County and Burlington accommodating us with this facility.

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Added recognition of Jeff Goeckler and K-9 Lucy first thing and presentation on John Redmond dredging project from Earl Lewis at the end of the afternoon session.

IV. APPROVAL OF THE August 20, 2015 MEETING MINUTES

Commissioner Aaron Rider moved to approve the minutes as corrected, Commissioner Tom Dill second. *Approved.* (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Ken Kreif – (Handout – Exhibit C) More information on helping to protect Kansas waters. On designated waters, there are 180 items on the ANS waters list in Kansas, however there are two ponds missing El Dorado Park Pond and Winfield City Club Pond. The video online leads people to believe that you can't move any fish around, need to remove that misinformation. Point out they can use bluegill and green sunfish and stress to remove drain plugs. In 2006 biologists looked at veligers in livewells and bait systems, not much difference in livewell or bait bucket; says, discovered when boats leaving a reservoir could transport 400 to 900 villagers because they were not drained. Bait buckets could do the same thing. Another document in July, Planet Earth called the greedy mussel (read) altering Great Lakes food web \$4 to \$7 billion recreation and

fishing industry. How much of our industry is now infected because Great Lakes were infected. Will we be in same shape in 50 years? Feeding habitats, under right conditions, trillions of zebra mussels can filter as much water as the lake contains every one to two days. Lake Michigan can't do anything but suffer. Look at our contaminated lakes and what will happen to them in another 20-30 years. Great job by you to bring in recreationists, but big issue: in 2014 Governor said here are things to do to keep Kansas waters clean. In 2013, changed law to allow bluegill and green sunfish, which are in the bait buckets. The catfish fishermen are the ones using the bait bucket. I would appreciate a phone number of the person that caused you to change your mind on allowing bluegill and green sunfish; petition cannot be found, so I don't know who signed it. Keep giving data to get you to reconsider allowing bluegill and green sunfish. Sent out signatures 75 in total in 19 communities that say please take a good look at this. I have original signatures. We are not doing the right thing. Veligers came into Great Lakes from Caspian Sea in ballast tanks.

Chairman Lauber – The purpose initially for bluegill and green sunfish being restricted was misidentification with Asian carp and not sure of group or individual or petition who said we want to change this. It was not to prevent zebra mussels, which we understand. I believe they come from boats in adult stages but we know it is possible to come this way. In 2013, it was felt restriction on common angler wasn't reasonable and had nothing to do with movement of water. We do have certain water restriction movements now. A good biologist will point out you might prevent or stall out zebra mussels. The state and sportsman are having enough voluntary compliance and feel we are doing enough. We are having more education. Can't control movement of water in a farm pond, but I am one vote. You are welcome to keep coming back, but I get the picture.

Kreif – When I talked to folks in your agency they asked me not to go to legislature. I haven't heard from the other commissioners. I have nothing to gain on this as a private citizen, I have visited other states and they don't allow the movement of fish and the anglers are still successful. It is not only a fishing issue but a safety issue, can cut yourself in the water. I continue to believe going down the same path is not the thing to do. I will be back if I get more information to protect water for the future.

Phil Taunton – Fishing's Future partnership with the department is getting the word out to kids. Thank you.

Michael Pearce – Have you done any studies to compare what fishing has done since zebra mussels started? Robin – Doug can answer that better. Doug Nygren – Did study on El Dorado, Andrea Severson did that study, looked at fish population to see if any impact, shortage of rainfall and water quality issues in beginning, small impacts to nongame fishes; but no impact to sportfish that we know of. If warranted, we can take up this subject again. Saw water quality and lack of calcium because they use it in their shells. Biggest issue is safety on beach, and we are taking precautions to keep them out of our hatcheries.

Kreif – Lake Michigan said fishing increased in the beginning and now 30 years later, they're saying oh my. Nygren – Enhancing habitat for smallmouth bass because of water clarity. Filter animals and clay turbidity from the water; but not seen real changes in lakes with clay.

Chairman Lauber – We will be monitoring zebra mussels for a long time. Any chemicals are only good in small bodies of water and very expensive. May have modest effect on what is going to happen in the future.

Nygren – I can get you copies of Andrea's report.

Kreif – My point is not fixing what is already contaminated, but those not affected yet from becoming infected.

Bob Hart, Melvern – I fish for blue catfish. Isn't that why they were put in the water to help eat the zebra mussels; the other day I kept three fish five to six pounds and they were completely full of zebra mussels. Do we need to put more blue catfish in there?

Chairman Lauber – There are

some other species that consume them as well, but we don't have enough sportfish to outpace the zebra mussel problem. That might be an overreaction to fill the lake with blue catfish and too many may have effect on other species as well. Hart – One alternative to help. Kreif – Catfish consume them but they can't eat enough of them. The disadvantage is catfish swim upstream when it is raining, so they are actually carrying them upstream.

VI. DEPARTMENT REPORT

Kevin Jones - Recognition of Jeff Goeckler and K-9 Lucy. We have had a K-9 program since 2003 with five teams. We have six teams now and they are used in the enforcement of wildlife laws. Our teams have been used by other law enforcement agencies both inside and outside the state. It takes a lot of time and dedication by a law enforcement officer and K-9 partner and both go through training and certification and must maintain a high level of physical fitness and stay sharp. In April 2008, Lucy and Captain Goeckler became a team and have successfully worked many cases. Over their career they worked numerous cases and service requests, they have located poached wildlife, evidence associated with criminal cases and the actual people who committed the crimes. Lucy and Captain Goeckler assisted not only our officers, but with Nebraska Game and Parks, Fort Riley Warden Service and other agencies on such cases as battery and attempted murder. In one situation this team found a four-year-old girl, in another situation a child with disabilities was found and in another Lucy tracked and located an 87-year-old woman suffering from dementia who was missing from a care facility. They have also promoted wildlife conservation through numerous education programs for youth, community and conservation groups. Their presence at such events always gets attention and is a great avenue for promoting the program *Presented plaque for seven years of dedicated service*. Pearce – Does this mean Lucy is retiring? Goeckler – Yes, she is.

A. Secretary's Remarks

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. I have three handouts (Exhibit D). It occurred to me that the only thing I usually talk about the revenue side, considering the discussion tonight I will talk about the expense side too. We traditionally look at the park fee fund (PFF), slight increase, down in July from previous two years, but back up in September. Tracking the same as past two years. In the cabin revenue fund (CRF) is off a little bit, and revenue is off a little bit, but in first quarter of the year. In wildlife fee fund (WFF), as we have talked about, it has been stagnant, not going up or down, however down in 2014 with lasting drought. Second handout is something we started two years ago in preparation for what we are going to do with our salaries now, a new salary proposal for the entire agency. What this does is look at salary positions based on these projections and project forward to better plan, and manage our salaries. We have people who resign or retire each year and we can make projections on how we can manage our salary expenses based on how quickly we fill new positions and this gives us a better idea of how to do that. The third is O&M report we get each month, we can see where each section is. The interesting thing to note in this report is the variety of funds we operate out of and challenges to budget accurately out of each one. Each section is running pretty close to where they should and you would assume each one would have 75-76 percent of their budget left; in some funds that is not the case, but if you look at the whole section as a whole in most cases it will be unless they have a one-time expenditure

that they do in the first quarter. The State of Kansas continues to not make projections so the outlook for the next legislative session is uncertain so we are guarded in expenditures in parks and tourism, which are the ones affected by that. Commissioner Dill – Recently we had the auction in Salina, which was well attended. I had people ask me what those monies were going to go for? It is my understanding it is a line item to go for hunter education and possibly some of the disabled hunts. Jennison – That is our intention. One of the things we did when Kevin and I talked about that; we redid what we can do with confiscated property and it was put in the statutes that the money would go into the WFF and hopefully will be able to get it into the fund to do what we said we would for hunter education and special hunts for veterans with disabilities and things like that. Commissioner Dill – I ask that question because the news headlines said “record year” and everyone thought about how much money the department was going to get out of this and I think it needs to be recognized this is for a useful purpose. Jennison – Several people would be critical on why we have that many antlers and it is difficult to do the right thing on. We had a couple of big cases and that is why we had that many antlers in the first place. Second is the philosophy to sell them, but should anybody benefit from sale of poached animal, which is a concern. It might a natural thing to have a sale, but one of the things we were concerned with is that it is possible that the very people that poached the animal could have purchased the antlers at the auction. We have not had the chance to evaluate that yet, depending on what we find out, we may grind them up in the future. Chairman Lauber – Some disincentives to poach and violate game laws in Kansas. If we find out in review that some went to same perpetrators we may want to review it. I hate to see them ground up.

2. 2016 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission. I have 120 bills from this one year, 22 on the website. January is start of second year of two-year cycle, so bills left alive at end of last year are still alive this year. This year was long session, 115 days that went into late June. There is talk of a shorter session next year, we will see; people say 80 days. The bills are on the website: **SB46** - Identification of domesticated deer required deer to be marked when they come in and out of a high fence as opposed to current law and allows some regulatory action on behalf of the Dept of Ag. We have an interest in domesticated deer because of disease that could be moved either way. That was signed by the Governor back in March and had a bill in the House HB 2029, but SB 46 is the one that passed. **SB97** – allows contact with dangerous animals; back to lions, tigers and bears and regulatory actions back in 2004, 2005 and 2006. This would take that action back in the other direction; amendment would allow contact with certain dangerous animals of certain weights and exempt some species all together. The bill did pass the Senate 23-17 and sent to House Agriculture and Natural Resources committee and didn't go anywhere. **SB112** – was a department initiative dealing with citations issued by our department. In a nutshell, dealt with a couple of cases where the court dismissed a case because we did not write a citation. Statute says we shall write a citation, I believe there is the inherent authority for a county attorney to prosecute violations. We moved ahead to try and change that statute with a one-word change. It passed the Senate 40-0 and referred to the House and became part of larger bill (HB2177). **SB113** – dealt with forfeiture of licenses to the court and as we move toward electronic forms of licensing, it doesn't seem correct that somebody would have to forfeit their iPad or iPhone if license is on that, so we proposed changing the statute to only requiring forfeiture of the physical license. Passed the Senate 39-1, ultimately passed the House 121-0, but in the legislative process SB112 became part of SB113, so it didn't pass in the same forum so it went to a conference committee where it

got more difficult. **SB120** – limitations on KDWPT authority to purchase land, an attempt to exempt lands purchased in SE Kansas with tri-state mining agreements on EA properties. The legislature came back with an exemption up to 640 acres and restricted the number of acres the department could purchase without legislative approval from 320 to 160 acres. Passed the Senate 32-7 and the House 98-27 and was signed by Governor in April. **SB132** – also dealt with dangerous regulated animals and was a counter bill that made it more difficult to possess those animals and added wolves and non-human primates to the list of species to be regulated. This bill didn't go anywhere. **SB169** – a department initiative that started as HB2116 making the channel catfish the state fish. We are one of four states without a state fish; and we use those symbols to help promote our state. The bill didn't go anywhere. **SB190** – not a department initiative but dealt with sailboats and instructor-led classes, came out of Perry Yacht Club. Statute requires if you don't have boater's education to operate that sailboat they have to have somebody in the sailboat with them so people going through the class on a one-person sailboat are technically violating the law; it was a cleanup. Passed handily in the Senate, was referred to the House and didn't go anywhere. Ultimately it came back in another version in SB274, which dealt with seatbelts; and ultimately came down to the wire in HB2177. **SB268** – dealt with stream maintenance and obstruction requirements. It would have exempted stream maintenance from Kansas Threatened and Endangered Species Act. It came out of Sedgwick County so they wouldn't have to work with our department to conduct stream maintenance. It had a hearing, but didn't go anywhere. **SB269** – also came out of Sedgwick County as well and would have removed spotted skunks from the T&E list statutorily; it didn't go anywhere. **HB2117** – bill we introduce last year, we reintroduced in this year and would require completion of boater education to be phased in over a period of time just like Hunter Education. The response was fairly negative from legislative committee as anti-government, anti-regulation. **HB2168 and SB50** - both dealt with property tax and bed and breakfasts and didn't go anywhere primarily because there is a larger tax bill debate that is going on. **HB2177** – like the omnibus KDWPT bill; the two bills that dealt with law enforcement, licenses and authority of prosecutor and original sailboat bill all went into this and went to conference committee; and according to their rules if bill has passed either side then the bill is conferenceable. Ultimately bill packaged together came out late in session and went to Senate floor and voted down 11-25 and went back to Committee and bill was killed at the end. **HB2341** – seized wildlife retroactive for 10 years, a big concern. **House Concurrent regulation 5008** – deals with right of the public to hunt, fish and trap, making it a constitution right. It has come up more frequently and when I started with the agency in 2000, the consensus of the majority of chief attorneys for state wildlife agencies that I interact with on the national level opposed it, but apparently the reality is, having watched the last 15 years and how little litigation there was on it, I don't think the department would oppose it today. I think there will be a big push this next year to put that on the ballot in November. Chairman Lauber – Will antler bill surface again? Tymeson – HB2341 passed the House, had a hearing in the House Agriculture Committee, it didn't look like there was going to be any action on it, took bill and blessed it by sending through an exempt committee, sent to House Judiciary and sent out to floor, passed 82-43 with no opportunity for our department to rally opposition to it which is extremely fast. It did pass and referred to Senate Natural Resources and is still alive. Senate conference committee report failed for that provision so I am not sure it will get passed in the Senate. It will get some action in the Senate committee, but 11-25 is pretty resounding no in Senate. Mounting opposition to bringing that topic up again; expect attempts to modify it. Chairman Lauber – I promote vigorous opposition to that.

Break

B. General Discussion

1. Tourism Briefing – Linda Craghead, assistant secretary Parks and Tourism, presented this update to the Commission (Exhibit E). Provided annual report for Tourism. Robin talked about expenses a little bit and Tourism as a whole has a \$4.9 million budget, of which only \$1.8 million comes from our state funding, the rest is leveraged funds where we go out and work with businesses, like CVBs, Blue Cross Blue Shield like we did recently with state park extra free day; that other \$3 million from private leveraging. People wonder what Tourism does; we have had this discussion many times with the legislature because when you do the economic impact study it shows we have a \$9.5 billion impact on the state. What we decided to do, instead of looking at that big picture number, is to bring it back home to a number people can relate to; for the legislature that number revolves around taxes. What Tourism does for Kansas in local transient guest taxes, in 2012, Tourism brought back \$34.7 million back to the local communities, in 2015, risen to \$42.958 million back to local communities. Transient guest tax is just on hotel rooms, the extra tax at the end of the bill. Also, generates statewide lodging sales tax revenue from \$36.7 million in 2012 to \$40.92 million in 2015. Combined \$71 million in 2012 and \$83 million in 2015; an impact in sales tax alone. Average daily room rate, revenue received from each of those rooms and occupancy rate has also gone up. Occupancy rate in 2012 was 57 percent and 59 percent in 2015. Not just the same amount of people staying in the same hotels, but an increase of nearly a million, 800,000 room nights per year available for people to come; so the number of rooms available is going up. Went to Kansas Economic Summit in Wichita a little while back and industry as a whole, which all the agency is part of; the hospitality and leisure industry is ranked third most growth potential in the state by WSU Economic Team. Tourism isn't charged with just hospitality and leisure, but it paints the face of the state. We have the lowest unemployment rate that we have had in the state's history. It is not about building more businesses and opening more businesses, but bringing more people to our state. We are responsible for leveraging and positioning the state of Kansas as a great place to travel, a great place to live a great place to start a business, a great place to start a career, a great place to attend college and a great place to retire. When people come to the state of Kansas to start a business or whatever it isn't because of the incentives we offer, it is because that CEO believes it is a good place to live; that is when he is going to move his family. We just have to get people to come and visit, and as a result they will decide to come back and stay a little longer. One last thing I will point out in respect to this report is there is a section on the next to the last page called the Arrivalist. People ask, "How do you know people are seeing and using the ads?" we tried some of the digital technology that retail stores are using. We decided to use a firm called Arrivalist to help us track our digital technology and digital marketing and advertising is making a difference or making an impact on the decision-making process. We put a pixel or a cookie on that digital ad and then we are able to know when, or if, you have crossed the state border. We know how long to went to our website ad, how long you spent on that website ad, how much time to spent or if you watched a video because of that ad. It sounds scary, but the rest of the world is doing it. We are charged with marketing the state of Kansas as a whole; whether motorcycling, hunting or fishing, all of those things are tracked; it doesn't track 100 percent of people, but from a statistical perspective it has a lot more meaning than most

statistical formulas out there. It enables the team to modify ads that are not being effective digitally and allows me to target market areas that are very responsive to certain things because not everyone wants to hear or see the same ads. We are able to look at a person's interests on the internet and target market those people who have a specific interest and fit them to a tee. On budget and research, 72 percent of budget goes directly back plus 7 percent of postage goes into marketing efforts for the state. We can only spend what we are authorized by the legislature to spend and in the past we could not spend state park revenue to market state parks. We went through and set objectives with Robin on how we want to market the state. The fun side of that we get to do some fun and creative things; (*showed videos and commercials*). At the end of the video we put tag bars to show where the pictures were taken. These are out there for all staff to use; on U-tube and our website and the more we get it out the better off we are going to be. *Next video is outdoor adventure; next targets leisure tourist, journey seeker commercial at Maxwell Refuge*, will start that in the spring and want to build on that with a print ad with same images and turn it into a digital ad. Pheasant numbers are up so worked with PF for a series of ads with e-blast to their member; ad has a video, it has direct links to WIHA atlas, bird forecast and right through to buying your license. Partnered with celebrities with respect to waterfowl. TV spot on upland bird hunting running currently on the Outdoor channel and the last one will begin this spring on Outdoor Channel as well, a turkey hunting spot; we will also do print and digital ads from those too. Trying to incorporate staff into this team effort and the last ad was Todd and his daughter Savannah; and Keith went out with his grandsons to Douglas SFL this last week on a fishing shoot and the thing his grandson's will remember the most is when the drone went in the water. A full page ad is a lot of money in like Oprah magazine or something like that; so what we will do is flip an ad and have daughter talk instead of father on turkey ad and the same thing with fishing, have man's voice and little boy's voice; on Maxwell Refuge video it has a female voice, but next one will be with male voice; a different spin on same ads and hopefully catching the heartstrings of a different group of people. We have a responsibility to market the entire state; we have partnerships with local CVBs to leverage each other's message to get positive image out there; beyond the borders of Kansas and to keep tax dollars at home. Tourism conference next week in Wichita and will have multiple reports from that; joining nearly 300 of our best friends across the state of Kansas. Pearce – Is there a link where I can access first video? Craghead – TravelKS.com website. Pearce – I didn't see a lot of outdoors there, Quivira and Cheyenne Bottoms, the Governor spent two days there saying he wants to promote those. Craghead – That is a quick overview of Kansas and the birds filmed in that flyover were filmed down at Cheyenne Bottoms. Showed the entire state in short period of time. Pearce – That is what we have that is special the wild stuff; every state has small towns and festivals; we also have the Smoky Hills and the Flint Hills, we've got many more areas in the state. Craghead – We have a large state and in the past none of that was promoted before tourism moved into the agency. We have to maintain a good balance because we are driving the local economies. Pearce – On the room taxes, how do you decide if that is ours and not for business travel? Craghead – It is for all travel. Jennison – They may be some who stay for business, but when you think about the business traveler and where they travel to and if it is some place they enjoy going to; conferences are picking out a place where there are other things to do too; so a business traveler is also very important. Craghead – If you are traveling for business we want you to go do some fun things while you are here. We want you to spend your dollars in Kansas. Pearce – What percentage of people who stay in motels are here for business (*couldn't hear rest of comment*)? Craghead – I wish I could survey them all, like some of the Hyatt's are sending out notes as you

leave asking what brought you here or things like that. We would love to capture that information and are working with some of them to try and do that and that way we could better fine tune our target messaging.

2. Coffey County Fishery – Justin Morrison, district fisheries biologist, presented this update to the Commission (PP - Exhibit F). Coffey County lake is 5,100 acres in size and is the cooling reservoir for the Wolf Creek power plant. It sits 2 miles east of John Redmond Reservoir and relies on John Redmond for water source to maintain constant level for pumping. There is a pumping station just below John Redmond Dam that pumps the water the two miles to Coffey County Lake. It was constructed in 1970s, filled in 1982, and initial fish stockings were in the late 1970s (largemouth and fathead minnows) through the 1980s and periodically from then on by Wolf Creek staff. In 1996, a MOU was signed between Wolf Creek, Coffey County and the department to allow public access; in 1996 and 1997 two drowning incidents closed the lake; opened again in 1998 and renamed Coffey County Lake and put new regulations in place. The regulations were: life jackets worn at all times; Coffey County would maintain full time patrolling; eliminated reservation system; the lake is evacuated and closed under certain weather conditions (mainly high winds) and since 911 they close the lake under orange terror alerts; and maximum of 250 people on the lake. Management goals are to put together by Wes Fleming, Wolf Creek biologist and myself. Our main priority is to control gizzard shad because they have tendency to clog the water intake valve, which will shut the plant down and cost a lot of money. The gizzard shad population is controlled by high-density predator populations, which we are able to achieve with restrictive length and creel limits. I found an old report from 2009 and compared those regulations to present regulations; present regulations are less restrictive than in the past; got rid of slot limits for walleye and smallmouth and length limits for other species have been reduced and creel limits, with exception of blue catfish, which was separated from the channel catfish and was reduced to five per daily creel implemented January 1 of this year. Since Coffey County lake has one single point of public access it gives us the opportunity to gather some important angler information through exit creel surveys. We stop anglers at gatehouse and have them fill out a card to record numbers of anglers, hours fished, species caught and released and harvested and that allows us to get a good grasp on management goals. From last year's exit creel: 4,200 fishermen, fished over 11,000 hours, caught 42,500 fish and harvested almost 6,400. The white bass and the smallmouth are the dominate species; smallmouth most harvested followed by white bass and channel cat, then crappie. The blue catfish was separated out from catfish creel in 2011, so we only have a few years of data on them. Species overview: two species of black bass - largemouth and smallmouth; catfish – channel, blue and flathead catfish; crappie, white bass, wiper and walleye. The smallmouth bass is doing well in the lake right now and tend to dominate the black bass population; the lake habitat is geared more towards them. It is deep clear water with a rocky structure, but we are seeing more largemouth because of aquatic vegetation, which is providing a good spawning and brood rearing habitat. Both species provide good fishing year-round, but smallmouth is best; largemouth are caught in winter in the hot water discharge area of the lake. Good numbers of harvestable channel catfish, but not too many over five pounds, but good opportunity. Blue catfish are what people are interested in and their population is in stable condition and good numbers available, not same quality as Milford, but we have fish up to 50 pounds, but generally 20-30 pounds are common. Recently Catfish Chasers fishing club had an all-night tournament from 7 p.m. to 8 a.m. Sunday morning; there was 37 boats registered with 33 boats weighing in fish; 90 blue cats weighed in The first place,

five fish limit, weighed 136.45 pounds (average of 27 pounds), second was 132.45 pounds, and biggest fish weighed in at 33 pounds. Only two fish died during the very successful tournament. The crappie population suffers from poor recruitment and is protected with 12-inch length limit. There are a good number of large fish but size structure is not really there. White bass and wiper usually dominate creel and wipers are held back growth wise because of competition for the same resource so typically not over five pounds. They are stocked periodically by Wolf Creek staff. Walleye suffer same fate as the crappie; poor recruitment so numbers are decreasing, 21-inch length limit protects them, but population only in fair condition and could use boost in maintenance stocking. Good multi-species lake and neat opportunity in winter around hot water discharge with potential trophy opportunity on blue catfish, crappie or even flathead. Wes Fleming, Wolf Creek biologist: Our partnership with Justin and Kansas Department of Wildlife, Parks and Tourism is special to us and we want to continue that and provide that recreational fishing out there. Chairman Lauber – Reason crappie don't have good recruitment is that because the young are consumed by other predator fish? Morrison – Yes, there are a lot of mouths out there looking for food.

3. Flint Hills National Wildlife Refuge – Jack Bohanna, USFWS Wildlife Refuge Manager, presented this Update to the Commission (Exhibit G). Appreciate opportunity to come out and visit with you. We have four national wildlife refuges in Kansas and about 562 across the country. Kansas has Quivira, Flint Hills (where I am at, 20 miles southeast of Emporia), Marais des Cygne which is half in Kansas and half in Missouri, and Kirwin in the NW part of the state near Nebraska. History of Flint Hills NWR: started in 1966 working with Corps and through MOU when John Redmond went in. We manage 18,500 acres of the Corps lake (fee title lands) and do enforce title 50 cfr rules and regulations of the U.S. Fish and Wildlife Service. About 11,500 acres are open for hunting and primary management is for migratory waterfowl. We get a lot of folks that come in from out-of-state to turkey and deer. We have wildlife viewing, hiking and residents who come to duck hunt. We do moist soil management and have a tremendous level of success. Native millet that came up on its own is phenomenal this year and has some smartweed. The Corps changed their conservation pool at John Redmond from 1,039 to 1,041 and that has impacted the refuge significantly. We lost about two feet of a 9,000 acre lake of storage water capacity. We expect greater impacts, the lake will hold water at 1,068 and this year it got to 1,067.7, so that is a lot of water to hold and everyone is trying to hold water back so we had water all the way into July, and we missed the first growing season. We also have 42 miles of roads and only one equipment operator so that is challenging, but we have taken up a HGM (hydro-geomorphic survey) to look at the refuge as a whole to look at where the best place to do work is and working through that process right now, probably for the next couple of years, and will give us idea of where water was in the past and where we have had successful forests, then go in and work in those areas. We have 2,300 acres of farm ground (in 1966, 14,500 acres) and we put in barriers between river and farm ground to keep sediments out of the lake; have one electric pump to raise and lower water flow and putting in second one right now. We have 2,400 acres we keep in levee in moist soil and another 2,000 or so that Mother Nature will come in and flood out. We have replaced buoys out in John Redmond to establish lines within the lake that are closed so ducks cannot be pushed off or harassed. Our office is now solar powered and will be able to back sell some of that power; also in the last two years we got about \$2.4 million from the federal highways department, some on the refuge to replace bridges and some off the refuge to improve access to the refuge. Chairman Lauber – Never seen it, but there is an area on the

river that is referred to as a log jam. I would like to know where that is located on the map and what is biological significance of that? Bohanna – Sediments that have built up there and timber that has gotten wedged and it slows the river down. Chairman Lauber – Is it at the confluence of Eagle Creek and the river? Bohanna – It is about three or four places right north of Jacobs Creek, a mile in length that way. The river is trying to change course right now around those areas so to fix that problem I don't know how you would do it. We go in and clean it and starts over again in the next high water event; the sediment problem in the Neosho is the real problem. Chairman Lauber – Does it provide habitat for stuff or is it a nuisance? Bohanna – It is a huge nuisance for boats, no boats can get past it and there are places you can walk across the river easily. We say log jam, but it is more of a land bridge and continues to come back. The Corps feels it is not impeding the water flow because the water just goes around it. Open to ideas to take care of that. Keith Sexson – Is it cutting a new channel? Bohanna – It is, when the water comes up. We used to have a place we call Strawn Flats road and the road is being cut out because of that.

4. Antelope and Elk 25-Series Regulations Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit H). Antelope 115-25-7, no significant changes. Provide two-minute overview: had a season since 1974 and three units are open to hunting and are consistent with the deer units 2, 17 and 18. Archery pronghorn hunting is open in all three units, are unlimited and available over-the-counter to residents and nonresidents. Firearm and muzzleloader permits are good in one unit, either 2, 17 or 18, unit specific, and are available only to resident hunters. The demand for pronghorn hunting is high with about 1,200 applications for firearm and muzzleloader permits each year and there is usually only about 200 permits, so we issue those permits by preference points and it requires two to four points for resident to draw muzzleloader permit and six to eight points to draw a firearm permit. General residents get half of the permits, landowner tenants get the other half and there is not near as many of them so landowners can get a permit from anywhere from zero to two preference points, depending where they are and if applying for a muzzleloader permit can basically get one every year. The season structure begins with a nine-day archery season, followed by four days of muzzleloader-only hunting and then the next four days (Friday through Monday) are the firearm season, but muzzleloader continues. Typical success rate is 10- to 15-percent for archery hunting, 60 percent for muzzleloader hunting and 70 percent for firearms hunting. We run aerial surveys once or twice a year for pronghorn, depending on which unit and we come up with permit recommendations later, probably by the next commission meeting. Most hunting opportunities occur in western half of those units. Chairman Lauber – If you were to put a number on the number of pronghorns that generally reside in Kansas, how many would you say? Peek – Around 2,500. Chairman Lauber – Up here, around Emporia is 50? Peek – More likely 30. The issue is coyotes get the fawns before they are even running.

Elk 115-25-8, (also presented by Matt Peek) again a quick overview. Three units; Unit 1 is part of Morton County that encompasses Cimarron National Grassland and there is a population of elk down there that travels between Oklahoma, Colorado and Kansas. They occasionally come into the Grasslands to calve so that area is closed to hunting. Unit 2 is the area encompassing Fort Riley military reservation and that is where most of the hunting opportunity in the state occurs. We typically issue about 25 limited-draw permits, with a thousand or so applicants for them. Landowners in that unit can buy over-the-counter hunt-own-land permits, but that area is not open to other general resident hunting besides the limited draw. Unit 3, remainder of state, is

open to over-the-counter general residents and landowner tenant permits. We have had that system in place for several years now. It has been effective and allows landowners to deal with problems they have, but also gives them an incentive to have a few elk around. Season lengths: off of Ft. Riley in Unit 3 is 6 ½ months; on Ft. Riley open in September to muzzleloader and archery, and October, November and December it is open to any equipment type so hunter can deal with limitation the Fort puts on them, depending on the training that goes on out there. (*Unknown question*) Peek – About 150 to 190 on Ft. Riley, typically run aerial surveys, but not very systematic, but 150 would be a good guess, but less than 200. Chairman Lauber – That has been the herd size for awhile and we will have roughly 8- to 10-percent of that number harvested? Is that consistent with elk in other areas, if you have 150 animals you harvest 15, the numbers stay the same? My feeling would be there would be more young production, but maybe they don't do as well out of their native habitat; and maybe there is some poaching that takes place? Peek – This is their native habitat, they are healthy and we have good production; harvest rates are the same as other states, however we have a better age structure than a lot of areas do. We have a fair number of animals that are leaving the Fort, based on some of the young bulls we have had in the vicinity. Chairman Lauber – We harvest 15 animals? Peek – Yes, 15 to 20; reached equilibrium on number of draw permits we have allocated and current harvest rates are holding population there. Chairman Lauber – Because this falls in your area of expertise, saw an article in Topeka paper reporting seeing a timber wolf in southeast Topeka, skeptical; thoughts? Peek – I think they do confuse dogs and coyotes with wolves, only one confirmed, but have sent tissue samples off several times to the U.S. Fish and Wildlife Service for them to test. The complicating factor is there is a hybrid between a dog and a wolf, 75 percent wolf, and can be undistinguishable between a pure wolf and you can own it the same as a domestic dog. The only way to know is to have the animal genetically tested. Chairman Lauber – I had several people ask me. Peek – I didn't see the article but I did get a report from up that way recently of what the person said was five wolves. There is a long shot chance, several Midwest states have had a single animal show up that typically traces back to the Great Lakes population; but a long shot for a pack of wolves, they don't move like that. Pearce – Any more mountain lion verification since one by Argonia? Peek – That was the most recent one. Pearce – How many, three or four that came about a month apart? Peek – That was the fourth one, the other three may have been the same one; we were never able to genetically link it, but it was in sequence and seemed to be moving in the same direction.

5. Public Land Regulations – Stuart Schrag, acting Public Lands Section chief, presented this regulation to the Commission (Exhibit I). Proposed changes for reference document; this is not the entire document just the sections where we had proposed changes. A basic overview to simplify, condense and standardize this reference document. Refuge closure dates for example, one of the largest section of the reference document, we are trying to standardize that and reduce the number of dates across the state. Also, some removal of designated dove fields that were non-toxic shot only, based on lack of participation, limited use and it didn't warrant keeping them on the list. Also a few additions to our iSportsman daily use list as well. Commissioner Rider – How is iSportsman going? Schrag – Pretty well, over 10,000 check-ins so far with compliance rate of check-outs at 80 percent to 90 percent. We have marketed a little better this year and people are using it; a real successful endeavor. Commissioner Rider – Looking into expanding into any time on property you need to check in or

just waterfowl? Schrag – We are not to that point yet. Initially for places that already had paper permits, or had an iron range in place (a lot of those were waterfowl areas); this year we added nine new properties some that had no iron rangers before. Will look at any property the manager may want added. Getting real-time quick data and we are continuing to progress with that.

Commissioner Rider – Getting a lot of feedback quickly, so I think it is working pretty well. All previously paper places have gone to iSportsman? Schrag – Yes, but have not eliminated paper reports yet because of poor phone reception or no smart phone, but progressing to that where these areas will only be iSportsman. Advance to workshop in January.

Commissioner Rider – Has there been any talk about different areas putting up their own Facebook or social media page; the department has a page, Kansas game wardens have their own page and it is great. You see the behind-the-scenes and the positive things that are going on. I think it would be great to do that and a good benefit. I took a tour with David Jenkins down at Mined Land a month or so ago and he showed me an area where they have done some work, if I had driven by I would have thought “look at all the sunflowers out there,” but they have strategically done things to be better for quail. He could have put a few pictures out there and told what he was doing and it would put a positive light on what these guys are doing.

Schrag – I agree, and we have had those internal discussions on how we can market better and what we are accomplishing on our particular areas. We will implement some in the future.

Chairman Lauber – In Woodson County there was a summertime controlled burn trying to control the oak savannah, it was a well thought out project, but alarmed locals, if different and not done in the past it would help to explain purpose of that.

Schrag – If you go to agency websites there are archived videos about bobwhite management, as well as prescribed burning, a good source of habitat information on our website.

Commissioner Rider – That is my point, if a person wanted to know they would have to ask or actively go and research that and some people not willing to do that or don’t know where to look or start. If on one of those pages, it would be right there in front of them and would be great right on Facebook page.

Schrag – There is some improvement that needs to be made. If you go to “places to hunt” on our website and public lands pops up; I think we have a whole lot of opportunities to promote what we have on our public areas; there are links and a variety of things on that public lands page that we need to improve. The annual bison auction on Maxwell November 18 starting at 11:00.

Moved Redmond dredging project general discussion item since he is here.

6. John Redmond Dredging Project – Earl Lewis, Kansas Water Office assistant director, presented this update to the Commission (Exhibit J). Tracy couldn’t be here, he was delayed in travel. Since I was in the area, I will be giving you an update of what is going on. A lot of people have questions about this project. Jack hit on pool rise a couple of years ago. John Redmond brought the lake up a couple of feet. The main reason is to provide water for this region and clear down the Neosho to the state line. It is a Corp of Engineers reservoir, but the state, through our office, has purchased storage at 13 reservoirs (including Redmond) and run a raw water utility, providing water service through contracts to industry and cities (since 1974 or 1975). Wolf Creek is one of our biggest contracts and has a big portion of the water supply storage at John Redmond tied up to ensure backup to their cooling lake. All the cities below (Burlington, Iola, Chanute, Parsons and all the smaller cities and rural communities) are pulling water off the Neosho. The last drought releases were being made out of John Redmond to backfill that stream flow and to help ensure water at intake on the river. As Jack said, the log jam

is a sedimentation issue. We've lost 40 percent of the storage in the conservation pool at John Redmond due to sedimentation. Before pool rise, there was not enough water to make it through a drought. Sediment is coming in from watershed, so a lot of the work needs to be done there, and studies show from stream bank and bed. Farmers are farming right to the edge and in high water flows it takes the five to ten feet of the field and it ends up in John Redmond. First started to fix stream banks in 2010, starting just above the refuge we began to slant the sides and working our way upstream. We laid them back and put vegetation on them and putting some armoring at the bottom and it seems to have held up pretty well and stopped some erosion. We have more to do and that is part of this project. The dredging project is the first of its kind in the nation. There was a city lake project near Horton and one this last year at Osage City, so there are a few around the state. There is nobody the Corps has been able to find that has gone in and dredged for the purpose of creating more storage, so creating new processes for us and the Corps. Numbers show we need 55,000 acres of storage to meet current demand. To make it through a drought we would have to push it out even further because of stream edge stabilization. Wolf Creek's operating license goes through 2045 and we want that 55,000 acres of storage through then; pool rise, watershed work and dredging to do that. This project is to remove 3 million cubic yards of sediment from John Redmond and do work in the watershed as well. The overall project cost is about \$20 million, and there was a bond issued earlier this year in March to help fund that. The 15-year bond will be paid back partially from State Water Plan Fund and partially from revenue we get from sale under our programs. Kansas Water Authority is our oversight board. Since this is a new pilot project the split they have come up with is 75 percent is to be paid back from Statewide Water Plan Fund and 25 percent from fees generated from the program. We have a contractor, Great Lakes Stock and Dredge, Oakbrook, Illinois, up around Chicago, and they used EVH Engineering out of Pratt and Great Bend. The earth moving firm is Schmidt Excavation from here in Burlington. We are still going through the permitting process and EIS with Corps of Engineers and was approved earlier this year. Corps has section 408 permit, needed when a non-federal entity wants to modify a federal facility (Corps of Engineers); had to go through local folks, Tulsa, Dallas and Washington D.C. and working on getting state permits for where the sediment is going to go. On back side of handout shows where sediment is going to be taken from and where it is going to go. Sediment will come from cross-hatched section. A barge sits on the lake with a hydraulic dredge with a cutter head on the end of a long pipe that will stir up the mud on the bottom and pulls it up through a 24' pipe to big pumps; it creates about a 70/30 or 75/25 water to solids mix and pumps it through a pipe line to a controlled disposal area, essentially large lagoons. The sediments will fall out in the lagoons and we will return the water to the lake and the water quality has to be as good as what is coming out of the gates. The permit system at KDHE is we can't degrade the water quality downstream so we will be testing at least once a week. First components arrived last week to staging area and are being stored in the yellow area on the map. We expect excavation to start moving dirt on Site B, which is Corp of Engineer property; that area has been an ag lease for a number of years and the plan is to reshape that area and plant it to natural habitat after this is done. The other four pieces of ground are on private ground and we are leasing CDF E and I-1 and I-2; are on property that was recently sold from the landowner to the dredging company. We worked with the private landowner for awhile and they wanted to be done with farming and move away and so they decided to sell it. We don't have the ability to purchase property at this point, so the dredging company bought the land and will hold it and hope for second phase that will give them leverage to get another contract. If not, after a few years they will restore it and sell back. A third area

stayed in private hands and we will lease that from the landowner and it will be returned to farm ground in four to five years. We will pull off the top 12 inches of topsoil and stock pile it and put it back on at the end of the project. Not a lot of public ground suitable for this so being able to go to farmers and demonstrate to them we can put this on their property and a few years later come back and yields just as good as they were getting before is pretty important if we are going to end up with a long term program. The plan is to start on construction on B, then move through construction of those four or five disposal cells by end March, with dredging to start around April 1 and plan to be done by end of next calendar year, December 2016. Then come back later and reclaim to what the landowner wants. Jennison – Project was \$20 million, to put in perspective, what did it cost to construct John Redmond? Lewis – In 1963 or 1964 it was \$40 to \$45 million. This isn't the first thing we went to, many discussions on whether to build a new reservoir, would cost about \$500 million for a new reservoir after mitigation. To bring water down from Kansas River would be about \$100 million a year. Legislators formed water transfer act back in the 1980s when Wichita wanted to bring water down from Milford; it is onerous. Chairman Lauber – You gave so many cubic yards of silt you want to move, how big is that volume? Lewis – Three million cubic yards is 1,860 acre-feet, think about an acre of ground 1,860 feet deep or 600 acres three foot deep? Chairman Lauber – Will we start hearing complaints from fisherman and hunters it is causing conflicts? Lewis – Shouldn't, we have been told by other folks who have done dredging that the water may be cloudy near dredge, but putting water back in river of equal or better quality. John Redmond hasn't been a great fishing area for a number of years. That area is only 12-13 feet deep and this will add 8-10 feet of depth to the area. Chairman Lauber – When you try to go upstream and try to get voluntary compliance and ask farmer that owns the land and river up to the middle to put berms up and ask them not to farm so close there is going to be recoil; is there compensation? Lewis – We will pay the cost and they have to give us permission to do the project and they can save the soil; some are harder to work with than others. NRCS has programs where a producer would do this on cost-share basis. Doing with systematic approach because we believe that if fixing in one place make more erosion damage in another upstream or downstream if not fixing it all, so starting work as close to John Redmond as we can and start working up. Commissioner Hayzlett – How long will it take for that to silt back in? Lewis – It gains us between three and five years, it averages 700 acre feet of loss per year. Where will we be if we don't do this project and projects upstream in trouble again a lot quicker. Buying storage, but really buying time. Commissioner Hayzlett – So do again in 3-5 years? Lewis – This is a pilot project trying to find out how well this works and if this is a sustainable way to go about it. Doing more projects upstream, so ideally if we had foresight 20-25 years ago we would have been really going at it in the watershed, then we wouldn't be in the critical situation we are in now. Chairman Lauber – Dredging is a quality band aid. Pearce – When you dredge out the hole, will silt come in from rest of lake to fill that pretty quickly? Lewis – No, some slumping right by the hole, but John Redmond is a little different than most places that have the sediment at the upper end, it is more evenly distributed, so it won't sit back in that same spot. Unknown audience – Any consideration of odor generated by dredging? Lewis – Contractor traditionally hasn't heard a bunch of complaints about that, but they can add something to lagoon to keep the odor down. In Ohio, approach of dredging around boat ramps and marinas and said some places they have odor and some they don't. Will fix if needed.

Break

C. Workshop Session

1. Deer 25-Series Regulations – Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit K). KAR 115-25-9, we have some recommendations with season dates, same as last year with an exception. The first extended whitetail antlerless season is two days and Sunday and Monday, a holiday. No changes in seasons we talked about before. Tried to simplify extended season and number of permits a hunter may obtain. We have three options for an extended whitetail antlerless firearms season: 1) short option: two days, January 1 and 2, 2017 in DMU 6, 8, 9, 10, 16, and 17; 2) medium option: eight days, January 1, 2017 through January 8, 2017 in DMU 1, 2, 3, 4, 5, 7, 11, 12, 13, and 14; or 3) long option: fifteen days, January 1 through January 15, 2017 in urban areas, DMU 10A, 15 and 19. The proposed number of additional white-tailed deer antlerless-only (WTAO) deer permits that a hunter could use are: none may be used in DMU 18; one WTAO permit may be used on the combined area of DMU 6, 8, 9, 10 16 and 17; or five may be used on the combined area of DMU 1, 2, 3, 4, 5, 7, 11, 12, 13, 14, 15 and 19. The proposed season dates for the military areas, Fort Leavenworth and Smoky Hill Air National Guard subunit and will come back with season dates for Fort Riley in a separate regulation. Pearce – On Sunday, Monday you say the 2nd is supposed to be a holiday; there will be a lot of people working that day. Fox – There could be. Pearce - Not everyone will have a holiday on the 2nd. Fox - One more workshop in January and this will come back for vote in March. Will give results from population survey in January.

1. Big Game Permanent Regulations – Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit L). KAR 114-4-11 and KAR 115-4-13 will be addressed during the Public Hearing at the Commission Meeting. No input for change has been received this year for KAR 115-4-4, KAR 115-4-6, or KAR 115-4-15. At the last commission meeting we discussed various options on K.A.R. 115-4-2, general provision for tagging of an animal. We looked at those options and the decision was made to not go forward with that and try to address this issue in conjunction with changes in the KOALS system, procedures to issue carcass tags licenses and permits when a new contract is established. Doug Phelps, Manhattan – When is KOALS contract up for renewal? Fox – I believe next year. Keith Sexson – It will implemented February, 2017. Chairman Lauber – How will it be different? Craghead – It will be a real time system that is easier to access and is more responsive than the one we already have. Sexson – With current system changes have to be done in change order and it is costly, new system we will be able to make most changes in house. Craghead – Will allow us to do more marketing and be more customer-friendly. Chairman Lauber – I still don't understand how you can get a permit from phone and deer tag, and there is no carcass tag, something has to be paper.

VII. RECESS AT 4:30 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

Add Commissioner Marshall.

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Terry Landlie, Harveyville – Why no commissioner or office in northwest Kansas. There is no one north of I-70. Jennison – We have looked at that and we try every time we have an opening to find someone up there. We have to balance on geographic location and on political affiliation as well, the most we can have from any one party is four. That presents some challenges especially in northwest Kansas where you have a particularly high Republican registration. We have looked a couple times in NW Kansas since I have been here, but it has been democrats that we needed to replace. We have three people on the Commission from the first Congressional district. Balanced geographically, with the exception of the area you are talking about. Landlie – What about an office, there could be one at Concordia or Beloit, Norton or Phillipsburg, somewhere out there? Or is there no need for one? Jennison – We have one in Colby and Hays. Landlie – I knew there was one in Hays, didn't know there was one in Colby. Jennison – It is a fair question, but the cost of having offices is expensive. The better question is the Commission representation. Landlie – Who decides whether an animal is a game animal or not? Tymeson – Statutes that set game animals and furbearers. Landlie – Set by the legislature? Tymeson – Going to depend, there are statutes that set what is game animal or furbearer. Are you wanting to propose an open season on a particular animal? Landlie – No, I didn't, but like Eurasian collared doves, didn't realize there were that many? How was that done? Tymeson – They are not native or a migratory bird, so the state has jurisdiction over it so we opened a season, in conjunction with the regular season and then we have the extended season. Landlie Commission ultimately makes a decision on that? Tymeson – They make the decision on the season based on the recommendation of the department. Landlie – It doesn't go through the legislature then? Tymeson – Not typically, no.

Commissioner Marshall – I had a constituent ask me about air rifles and deer, could we discuss that at a future meeting? Tymeson – That is something we looked at when we revised 4-4 and I briefly took a look at some of the surrounding states; and Missouri, for example, has a minimum .40-caliber air rifle that they allow for use in the rifle deer season as well as in an alternative method season that they have. Commissioner Marshall – Just a five minute pros and cons on it, possibly at the next meeting. Chairman Lauber – Have staff absorb this and render an opinion at a subsequent meeting.

Dean Fine, Pomona – Years ago, when we didn't have very many nonresidents, they had a permit that the outfitters had to buy. Why don't we have outfitter permits anymore with so many outfitters around? It could draw a little money also. Tymeson – It is a legislative issue, we used to regulate outfitters and guides and the department ramped up in 2000 or 2001, in my opinion, regulation of guides and outfitters and then the legislature came back and parceled out guides and outfitters in part and took away the authority of the department to regulate landowners on their own property, then pheasant guides, then fishing guides, and pretty soon all we were left with was big game guides, which is fundamentally unfair. The issue came before the legislature again and we said we should regulate everybody or nobody, or self regulate and set up a guide and outfitter board like they did in Wyoming as an example. The legislature came back and said we weren't going to regulate anybody. Chairman Lauber – We did try, but it is a tough deal. Fine – The bad thing is they are taking up a lot of leased land that the residents used to hunt. Tymeson – Requiring a permit will not solve that issue; to require them to have a permit is not going to cease them from doing business. Having done that once, regulating guides is not a cheap proposition, we broke even when we had guides and outfitters. Fine – Outfitters bring in

nonresident hunters and they only shoot bucks and we are overrun by does. Chairman Lauber – We have attempted to address that too.

XI. DEPARTMENT REPORT

D. Public Hearing

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

1. KAR 115-2-1. Amount of fees – Mike Miller, information services and magazine editor, presented this item to the Commission (Exhibit N). Amendments were discussed at the last meeting; no changes considered to what was proposed then. Proposed changes were considered necessary to maintain an uncommitted balance in the Wildlife Fee Fund. Staff considered fee increases necessary to maintain pivotal programs such as the Walk-in Hunting Access (WIHA), the FISH program, Community Fisheries Assistance Program, pheasant and quail initiatives; programs we felt were important, law enforcement and day-to-day activities such as public land management and hatchery management. The department has not raised the price for resident deer and turkey permits since 1984, and we haven't raised regular hunting and fishing licenses since 2002. Prior to that time we were on a schedule of raising fees every five years, two to three dollars. We did not do that in this time frame, we tried to maintain our fees as they were. However, inflation has increased the cost of doing business by about 30 percent. A committee began looking at our fees and fee increase proposals back in early spring and we looked at every single fee and issuance that goes into the wildlife fee fund. We did not consider increases on youth and senior licenses; however, the senior annual license fee is in statute so we weren't able to maintain that. The statute says that a senior annual license is half of what regular hunting license is, so if we raise the rate of a regular hunting license we will raise the rate of a senior license. The lifetime senior license will not change. It is \$40. We did look at some value-added permits and licenses. Right now we really don't have any except the spring turkey where if you buy early you get a break if you buy your spring turkey permit and game tag. We looked at value-added price breaks and if you buy a combination hunting and fishing license, right now you pay the same whether you buy them individually or together. We are looking at a \$5 savings if you buy a combo license at any time in the year; if you bought them individually, under this recommendation it would be \$50 or \$45 for combination hunting and fishing license. Also recommending an early-buy combination hunting and fishing license, if you buy before the end of January it will be \$40. We are also recommending multi-year (5-year) licenses with significant savings to help combat churn. The concept of churn is that a good portion of our hunters and anglers don't buy hunting and fishing licenses every year, only one of every three years and with those on the books every year we can get more federal aid based on those sales and it also represents savings as well. There are ways to save money with some of these value-added purchases. Another aspect the committee looked into was what other states in our area that offered similar opportunities were doing; we looked at Oklahoma, Nebraska, Colorado, Iowa, South Dakota and Missouri. We found with our recommended fees we would be right in the middle, in line with most fees in other states. We felt we were below market value with some of these fees for the last 13 years. Other things we decided to put into this recommendation was the elimination of 48-hour waterfowl permit, which was \$25; and changing 24-hour fish to one-day

fishing license. Chairman Lauber – You mentioned senior lifetime, that is a hunting and fishing for \$40. Miller – Correct. Jennison – Thank Mike and committee for the work they did; I sat in on some of the meetings and they were really concerned about affordability for our residents and you see that reflected in the value-added products. We need to fairly value the resource we have in Kansas while providing opportunity for the Kansas residents. Last year we had over 3,000 more applicants for deer than the previous year, probably an indication that we did not have the correct value you those permits. It has been a long time since we adjusted those, what we raise in WFF is imperative to adjust those because a percentage of that comes in as PR/DJ money and is less because it is part of that. Begun looking at salary matrix, we have lost a lot of employees this year to other states, other government agencies, other conservation groups and the private sector and it is getting difficult to keep people and we have lost a lot of institutional knowledge and it can't continue to go that way. The timing of this is not something we just decided this year, you saw the salary sheets we have been looking at and we started looking at two years ago so we would know where our salaries were and be able to adjust in the hiring process to accommodate that. We are in the second term and politics is something you've got to understand and the likelihood of a new administration would be willing to look at a fee increase their first term is unlikely; if we don't make these adjustments now it could be eight years before they are made. The committee put forth a proposal, while it makes hunting and fishing for our residents as affordable as we can, but it also lets this department do the good work we have done since 1905. Commissioner Dill – What was discussion to not do this again in 13 years or so, not so long; do this on a more ongoing basis so we don't have such large increases again? Jennison – I think you are right, there should have been a fee increase five years ago. All we can do is get it where it is reasonable now and what happens in three to four years is up to somebody else. If you let something like this go as long as we did it appears to be high. We are right there with other states and what they are currently doing; the only one we didn't compare to was Missouri who gets \$100 million in general fund money for their budget, which is \$30 million more than our budget for the whole department. Miller – And that is in addition to their license and permit sales. A good question that the committee should discuss, how we go about this in the future. We looked at fee increases in 2008, but we were starting to see a significant diversification in our license sales at that time. Prior to that we relied on pheasant and quail license revenues so we were more stable and it allowed us not to do fee increases. But, in retrospect now we are looking at a bigger increase than what we would have had if we had done something then. Commissioner Rider – Federal funds, are they based on licenses sold or dollar amount sold? Miller – Based in part on the number of licenses sold, part of a formula they figure and it is different for hunting and fishing. Jennison – It is based on hunters, if we had a 75-year-old that did not have a license, but bought a deer permit he would get counted; if there is some way to show he is a unique individual they count in the number of hunters. Tymeson – In relation to Tom's question; if the committee determines where to go in the future some of these fees are hitting statutory caps and the agency works within regulation up to that cap; so whoever the next administration is or whoever works on it will have to go to back to the legislature to raise some of those caps. Chairman Lauber – This is the step at this time, not in the future. Commissioner Marshall – Mike, getting many comments or questions about the cost going up? Pearce – No, I had a lot more when we decided it would affect the senior permits. Chairman Lauber – Most comments seem supportive on this; not much negative feedback.

Commissioner Gary Hayzlett moved to bring to accept staff recommendations and bring

before the Commission. Commissioner Harrison Williams second.

The roll call vote on to approve was as follows (Exhibit O):

Commissioner Dill	Yes
Commissioner Emerick	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

2. KAR 115-4-11. Big game and wild turkey permit applications – Mike Miller, information services and magazine editor, presented this item to the Commission (Exhibit P). The committee looked at this regulation. We have had an issue over the years with nonresidents who have a deer permit who did not buy a nonresident hunting license even though they were required to; maybe 10 percent of them. We have done some things through email marketing telling people they need it and that has helped. The committee proposed that they be required to buy a hunting license at the time of application for the deer permit or opt out; so if they did not receive a deer permit they could be refunded for the hunting license as well or they could keep it. Chairman Lauber – The primary change is what is underlined in number nine. Commissioner Williams – Will we keep administrative fee? Miller – There is an application administrative fee that we do keep for the deer permit application itself.

Commissioner Tom Dill moved to bring to accept staff recommendations and bring before the Commission. Commissioner Aaron Rider second.

The roll call vote on to approve was as follows (Exhibit Q):

Commissioner Dill	Yes
Commissioner Emerick	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

3. KAR 115-4-13. Deer permits; descriptions and restrictions – Mike Miller, information services and magazine editor, presented this item to the Commission (Exhibit R). This is a wording situation and does go back to fees. Previously there was no tenant or nonresident distinction in tenants; this will make a distinction between a resident tenant and a nonresident tenant. Then there would be price differential based on their residency. Chairman Lauber – Resident is determined by where you pay your taxes. Miller – Previously a nonresident had the same designation as resident tenants or resident landowners. Chairman Lauber –

Resident is determined by where you last filed your taxes, right? Miller – There is a variety of ways to prove residency like where you get your driver’s license, where you pay rent, where you pay income taxes. Marvin Whitehead – It is a violation to have a resident permit in two states, correct? Chairman Lauber – I don’t know about the other states, but you cannot be a resident in two states I don’t think. Al Ward – If you have a lifetime hunting license in Kansas, but now living in Florida? Chairman Lauber – That would be an exception; one of the incentives we use to try and get people to buy lifetime hunting license.

Commissioner Aaron Rider moved to bring to accept staff recommendations and bring before the Commission. Commissioner Tom Dill second.

The roll call vote on to approve was as follows (Exhibit S):

Commissioner Dill	Yes
Commissioner Emerick	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

Jennison – Thank Commissioners for their leadership and support of the department on the last issue.

4. KAR 115-1-1. Definitions (set lines) – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit T). We want to clarify term “setline” by allowing people to attach a setline to a 25 pound weight which could be used to anchor a set line away from the shore or bank. The new language is on line 54, a setline can be anchored “by an anchor weighing at least 25 pounds or is attached to a fixed and immovable stake or object”. Chairman Lauber – I didn’t realize there were that many odd definitions.

Commissioner Roger Marshall moved to bring to accept staff recommendations and bring before the Commission. Commissioner Harrison Williams second.

The roll call vote on to approve was as follows (Exhibit U):

Commissioner Dill	Yes
Commissioner Emerick	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

5. KAR 115-7-1. Fishing; legal equipment, methods of taking, and other provisions (set lines) – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit V). When adding set line with new legal description anglers will want to find it so the float used to find it cannot hold water so water cannot be moved from an infested lake that is not contaminated. We have new language on line 3, “except that any float material used with a setline shall be constructed only from plastic, wood or foam and shall be a closed-cell construction”. “A closed-cell construction shall mean a solid body incapable of containing water”.

Commissioner Gary Hayzlett moved to bring to accept staff recommendations and bring before the Commission. Commissioner Tom Dill second.

The roll call vote on to approve was as follows (Exhibit W):

Commissioner Dill	Yes
Commissioner Emerick	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

6. KAR 115-7-10. Fishing; special provisions – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit X). We have two issues; a conflict in the fish ladder in Wichita that we discussed in the past. There is language on line d that talks about “no person may fish or collect bait within, from, or over”; with the new language being “from, or over.” We had people who were standing on one side of the fish ladder and casting over it and then people coming down the ladder on the canoe passage and that was a conflict, so we are asking to change that information. The other item is the list of designated aquatic nuisance species waters. I did a little checking because Ken Kreif mentioned earlier he thought we were missing two lakes from the list. We don’t agree that the one in Winfield is of a concern, it is an impoundment below Winfield City Lake that is killed out annually, so we don’t anticipate an issue, also it is not open to the public. Looking at the east pond at El Dorado could be one that might need to be posted, but at this time I don’t want to amend this. If we determine it needs to we can post it with posted notice and bring it back to you next year. Two new bodies of water added to the list this year; in Paola, Lake Miola and Wellington City Lake that were contaminated with zebra mussels. Chairman Lauber – Are nearly all of the ANS waters zebra mussels? Nygren – No, we have other issues too like Asian carp and some other invasive species like plants and white perch. Generally, a zebra mussel infestation is from the point infested on downstream because they carry down with the water flow; like Lake Miola and everything down the creek from there would be considered ANS water.

Commissioner Tom Dill moved to bring to accept staff recommendations and bring before the Commission. Commissioner Gary Hayzlett second.

The roll call vote on to approve was as follows (Exhibit Y): *(Commissioner Dill requested change of order of roll call).*

Commissioner Williams	Yes
Commissioner Rider	Yes
Commissioner Marshall	Yes
Commissioner Hayzlett	Yes
Commissioner Emerick	Absent
Commissioner Dill	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

7. KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit Z, reference document – Exhibit AA). This regulation allows us to put together a reference document where we list special length and creel limits that are different than statewide regulations on a lake-by-lake basis. Changes of interest would be reductions in creel on blue catfish at John Redmond, LaCygne, Pomona and Tuttle and we are also recommending a slot length limit on blue catfish at El Dorado where they have a relatively new established population, but they are doing so well we want to allow people to start harvesting those fish. We have new 35-inch length limits proposed where we want to protect populations at Melvern, Clinton and Elk City. The rest of the changes are primarily on smaller impoundments and state fishing lakes and community lakes and I don't expect any controversy. Chairman Lauber – Why would you want slot limit on El Dorado but 35-inch minimum at other lakes? Nygren – At El Dorado we have adult fish in there now that are starting to show some natural reproduction and the population is pretty robust and we think the medium size fish should still be protected, but we want to allow some harvest on low end of the slot. Hopefully, at some point we won't need any length limit at all, but important to offer some opportunity; with the 35- inch length limit that is basically a no-harvest fishery, very few fish of that size.

David Studebaker – avid catfish angler and founder of Catfish Chasers Tournament Series here in NE Kansas (Exhibit BB). I represent several hundred catfish anglers, personally and competitively. Discussion on over-35 rule and an alternate proposal. I fish Perry, Melvern and Milford; at Clinton 35-rule applies and I agree with that because they have a well established population. At Perry and Melvern the number of adult fish there are maybe more than you realize. At Perry on Saturday, I caught nine fish and four over 35-inch and there is quite a population of 30- to 34-inch fish. Melvern is similar. Love the slot you are using at El Dorado, but maybe a little bigger than I would like to see. I propose 28-35" slot at all the lakes that have an established mature population fish, a breeding population. They are successful spawning at Perry and Melvern, I have seen it. All will get to 35-inches at the same time so at times when they are really predictable and susceptible to overharvest is February to May. The problem with that is the five fish limits and if they are all 35-inches all of the work you have put into getting these fish established is gone. We need those breeding stock in the lake, therefore the slot limit I propose would keep those bigger fish in the lake. Would like to see only one over, but two over is okay. Believe Milford could use some regulation too. The popularity of cat fishing has skyrocketed. At Milford you will see 50 boats a-day fishing for blue catfish. I travel nationwide

and fish catfish tournaments; down south that over harvest of populations and problems with commercial fishing, they changed their regulation where you could only catch one fish over 34-inches and you could possess anything smaller and the fish population has exploded there because they are protecting the bigger fish which is bloodline and genetics you want to keep in the pool. Slot allows you keep mid-size breeding stock in the water. A 35-inch fish is 26-28 pounds. We need to protect those fish and I applaud you for that. Different mindset on lakes that have populations in them. Nygren – Blue catfish is a good story, testimony to hatchery system and relatively new territory for us. The approach we have taken is to protect them because they are relatively slow growing; it takes 7-8 years to reach sexual maturity and we backed off and don't stock anymore to get natural production at Milford when we saw that. Try it this year the way it is and look at those other lakes and see if we can open some type of slot to allow blue catfish. Studebaker – We appreciate that, but not too many years or some of this could be irreparably damaged. Commissioner Marshall – Tell us about your tournaments, catch and release, weighed in the boat, taking them back to the dock or what? Studebaker – Five biggest fish you can catch in a day, bring them in to be weighed with live fish only accepted, weighed carefully and returned to the water alive. We call a dead fish one that won't swim away on its own power and we have lost only one fish in eight years. Our guys do an incredible job; we use pure oxygen in our live wells. Actually would encourage you to come to a weigh in; come do some research. Nygren – Would be more than happy to. Studebaker – We weigh fish up to 80 pounds out at Milford and we did some tissue tests and we turned it loose and she is still swimming out there. With guides, the slot limit I am proposing statewide on all lakes, rivers and everywhere; that is how we protect that brood stock. My two that concern me the most are Perry and Melvern. Nygren – As a point of information for the Commissioners, about 20 years ago we banned commercial harvest of catfish on the Missouri River and that is when we started seeing some really big improvements on our big river blue catfish populations. We have had fish in excess of 100 pounds taken. Now we have this same thing working for us on our reservoirs. See blue catfish surpassing channel catfish as what anglers are fishing for. Studebaker – There has been studies done that say the blue catfish industry has surpassed bass fishing; so popularity is exploding which in turns puts a lot more pressure on these fish. If we eliminate populations at the top it takes 8 years to start over. Nygren – We are plugging away every year and until a lake is able to be self-sustaining populations we are putting fish in. The hatcheries have been doing a fantastic job, we are raising them up to 7-8 inches in one growing season and releasing them and getting very good survival. Studebaker – If there is an enemy to zebra mussels these are, you can shake a four-pound fish and Melvern and it sounds like a coin purse; they eat plenty. I know we don't have a huge problem with Asian carp yet, and I don't know if a lake will sustain them; but I have seen 80 pound fish regurgitate 8 pound Asian carp in a tank; they are not afraid to eat whatever they can get in their mouth; so they are a front-line defender for some of aquatic nuisance species like white perch. Chairman Lauber – I suggest we follow staff recommendations and he makes sense to me and rethink about using that slot limit in the future. Vote on it this way and review again.

Commissioner Gary Hayzlett moved to bring to accept staff recommendations and bring before the Commission. Commissioner Roger Marshall second.

The roll call vote on to approve was as follows (Exhibit CC):

Commissioner Dill

Yes

Commissioner Emerick	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

8. Duck Zone Boundaries – Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit DD). Zoning is the establishment of independent seasons in two or more areas within a state for the purpose of providing more equitable distribution of harvest opportunity. Zoning enhances the state’s ability to match season dates with available habitat types, migration chronology, and season preferences of duck hunters in specific areas. Physiographically diverse states have added difficulty in selecting season dates that will accommodate hunted duck species, for example early vs. late migrants, and hunting style. This is especially true for mid-latitude states like Kansas. Although zoning creates boundaries that can confuse some hunters, the objective of zoning for duck hunting is greater hunter opportunity and harvest for all and to match season dates to migration and hunter preference for specific areas. Kansas waterfowl hunters are just as diverse as Kansas waterfowl hunting opportunities. KDWPT typically receives strong, and often conflicting, opinions about seasons. Some hunters prefer early seasons while others prefer hunting in later seasons. Zones and splits are tools that help serve a broad constituent base. Zoning effectively increases season length for hunters willing to travel. The benefits of zoning will increase under restrictive season length frameworks, as were in place from 1988 through 1992 when there was only a 39-day total season length total for duck hunting. The U.S. Fish and Wildlife Service considers states’ request to change duck zones every five years. Any changes decided upon this evening regarding Kansas duck zone boundaries will go into effect for the 2016 season and will be in place until 2021. The U.S. Fish and Wildlife Service requires that zones be contiguous, only available for the general duck season and for the low plains unit only. Kansas has three options in configuring their duck zone boundaries. We can have four zones without splits; no zones and three splits or two splits or three segments; or what we currently have with three zones with one split in the season. Although the zone boundaries are in place for five years, season dates and bag limits may be adjusted annually. To determine proper duck zones for Kansas, staff has attempted to strike zones to maximize season timing for fall abundance, greatest harvest opportunity and greatest satisfaction for all Kansas duck hunters. Similar to the season setting process, staff considers multiple factors such as when ducks are present in the different areas and habitats across the state, when we harvest ducks and where, and what the hunters want. To gather public input, duck zones have been on the commission agenda for two discussion sessions, two workshop sessions and tonight’s public hearing. We have conducted seven public meetings across the state, we have surveyed over 10,000 Kansas resident duck hunters and staff has conducted numerous hunter contacts through direct conversations, phone calls, letters and emails. Based on these inputs we find the majority of Kansas duck hunters are satisfied with Kansas current zone structure. However, similar to waterfowl season dates there are segments of hunters who prefer adjustments to Kansas duck zones and duck seasons. We find that many of these are polarized opinions of what these adjustments should be. These conflicts are as much as hunter preferences

and a geographical issue. As a result of examining waterfowl habitat across the state, the timing of duck migration and harvest patterns in Kansas and collecting hunter preference staff is recommending to remain with the three zone option and one split for the Kansas low plains zone. Staff is recommending no changes to the late southeast zone boundary, but is recommending a change to the early-late zone boundary and this will allow Cedar Bluff reservoir to be placed in the late zone where it currently is in the early zone. A map of this change is in the briefing book and illustrates the staff recommendation. Commissioner Marshall – I had a gentleman call and asked about splitting McPherson zone up; what are your comments? Bidrowski – McPherson was changed in 2011 where it divided the wildlife area; McPherson is made up of three basins and the Inman area used to be in the late zone and we have had some suggestions since then and in this current round suggestions from hunters to make it revert back to the late zone. However, at the same time we have also had opinions that would like to keep it the same for simplicity; keep all the areas in the same zone. We don't see much difference in the habitat type, migration chronology and harvest in that area but we know that does affect some private land hunters in this area and this is one of those instances where we have to draw the line somewhere. Commissioner Dill – I had a couple of people opposed to Cedar Bluff going into the late zone and one that said it would be great. We realize you have to have it contiguous which is why we do the dog leg at the top. Is there a particular reason why Cedar Bluff changed? Bidrowski – Cedar Bluff is that habitat anomaly, the early zone is shallow marshes with early migrants, gadwall, teal and doves and Cedar Bluff can be compared to some of the other north central reservoirs like Webster and Kirwin that are in that general area and for years we tried to put Cedar Bluff in the high plains unit, but that was not going to be allowed the Fish and Wildlife Service and this is the result to have Cedar Bluff provide some later seasons opportunities compared to what the early zone does. During the survey we looked at three different options on what we could do and the options of what we could do. The option we chose would have the shift of zone boundary that would give more north central Kansas and high plains a late zone and take some of the interior, which would go through the Smoky Hills area of Kansas where there is not generally considered a waterfowl area. Commissioner Dill – Southeast zone was controversial for a long time and had a core group that wanted to move the boundary south, but obviously from the results of the survey this time seems to be they are satisfied with the way it is? Bidrowski – In our public meetings we had the highest turn out in Kansas City area, as expected, and had the majority of hunters split between the issue. The interesting thing we found with the survey is the southeast zone residents are some of the highest satisfied duck hunters. We do know there is some differences around Marais de Cygnes about the timing of the season and that is mostly revolving around the differences between some of the private duck clubs, however that could be set with season date issues. There is a lot of hunters who do enjoy the late season January days, but there is a need for some early November days. I think we can satisfy both constituent groups with our ability to move around season dates. Commissioner Marshall – Mike, did you hear anything on this one? Pearce – Yes, mostly happy. Southeast guys I talked to, that includes as far west as Fall River, want to make sure they have the last half of December and January. Some of the late zone have been covered up with ducks for the last three weeks and we don't open for two weeks. Most everybody is happy; there is something for everybody. It is the happiest I have heard in five years.

Commissioner Harrison Williams moved to bring to accept staff recommendations and bring before the Commission. Commissioner Tom Dill second.

The roll call vote on to approve was as follows (Exhibit EE):

Commissioner Dill	Yes
Commissioner Emerick	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 6-0.

Results of the 2015 Kansas Duck Hunting Zone Survey (Exhibit FF).

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

January 7, 2016 – K-State Alumni Center, Manhattan

March 24, 2016 – Kansas Historical Society, Topeka (possible legislative lunch on March 23)

April 21, 2016 – Great Plains Nature Center, Wichita

Dean Fine, Pomona – I sit right next to the property line of the trail and you get all the way from Vassar to Quinemo to Pomona and that is all good deer hunting area and I think a person ought to think about closing that down during those seasons even if it is October and December because there is still people who walk on that. Craghead – That is the Landon Trail, not the Spirit Trail, it travels from Ottawa south. Landon trail is controlled by The Nature Conservancy, not us.

XIV. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

(Exhibits and/or Transcript available upon request)