

**Kansas Department of Wildlife, Parks and Tourism  
Commission Meeting Minutes  
Thursday, January 7, 2016  
K-State Alumni Center  
1720 Anderson Ave., Manhattan, Kansas**

**Approved** Subject to  
**3/24/16** Commission  
Approval

The January 7, 2016 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at the K-State Alumni Center, Manhattan. Chairman Lauber and Commissioners Emerick Cross, Tom Dill, Gary Hayzlett, Aaron Rider and Harrison Williams were present. Roger Marshall will be present in the evening.

**II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS**

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

**III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**

None

**IV. APPROVAL OF THE October 22, 2015 MEETING MINUTES**

Commissioner Gary Hayzlett moved to approve the minutes as corrected, Commissioner Harrison Williams second. *Approved.* (Minutes – Exhibit B).

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

Tom Loats, Overland Park – Lifelong Kansas resident and public land hunter. Concerned with guides and outfitters using public hunting land to make a living. At Cheyenne Bottoms on December 19, got set up first thing and broke holes in ice, about 10:30 guide with four clients set up between us and another party. For next four hours he shuttled in and out with twelve different clients interrupting everyone on the marsh; a 10-minute ordeal every time. This is only one of the dealings this year with guides, had several this year. Guides have to produce for their clients or they don't get paid and clients don't rebook. It forces people to set up in places they wouldn't normally go. Another thing that took place, was guys running ads for drop off and pick up service at Cheyenne Bottoms for \$100, it has spawned things I have not seen before and competition is fiercer for public lands. Chairman Lauber – Don't disagree with how you feel. Need to talk about this in public lands discussion. We have made an effort to ask guides to register when using public lands, want to see how that has gone. Loats – In every state that touches Kansas it is illegal to guide on waterfowl management areas. That would be my ideal suggestion. South Dakota has a great plan, a lottery drawing to hunt ducks and pheasants there. I

am not against guides, but should be curtailed to ground they own or lease or that they improve habitat on. Chairman Lauber – Can we discuss this again during public land discussion? Jennison – We’ve had discussions internally. Stuart is prepared to talk about this during public lands discussion.

Paul Shultz, Olathe – Same subject, a long list of questions, what is time frame when we discuss this? I have emailed all of you and have someone who responded back to me.

Chaston Hoeme – Concerns of mule deer population in western Kansas. Purchased either species antlerless tags to void them and take them out of circulation. Home range of farm is 20 miles, between Scott, Wichita and Gove counties. Did not see one mule deer in there. Father, Stacy Hoeme recorded numbers for last 20 years. Lack of conservation reserve acres that have been broken out. Concerned with drop off of population. Do something about antlerless-only either-species deer tags, until changed we will continue purchase and void them. Chairman Lauber – Talked to other people where mule deer are, some say dropping off; some see a lot of deer. Commissioner Williams – Saw email and Lloyd can give more information. Hoeme – Watched October meeting and saw Mr. Fox say population was stable but moving west, but we are in west unit and there are none. Lloyd Fox – Surveys we do are in Wallace, Logan and Gove counties, but not where he is talking about, west edge of 7, 17 and 2; that area is in between where we are conducting surveys on an annual basis. Last year we eliminated all either-species antlerless-only permits in east part of units and cut back on resident and nonresident numbers. Our data is showing population is stable and east zone is where we cut back. Chairman Lauber – If we were to fund another survey in the area he is talking about it would take two to three years to get data? Fox – Could provide feedback with density information and classification structure of the deer (i.e. bucks, does, fawns). I would be glad to show him the numbers we have. Chairman Lauber – I am comfortable with the numbers, but I don’t know how to fix what he describes. See what you can do, no recommendations. Fox – Put together proposals for research with Dave Haukus from Coop unit, will not begin immediately but down the line. Chairman Lauber – Do what you can do and be patient with us. Hoeme – Can we eliminate either-species antlerless-only tags? Chairman Lauber – Have complaints on mule deer tearing up crops and hay in the winter. Have to balance issues. Fox – Those permits are addressed through Secretary’s Orders and will take another look at that in the next few months. Commissioner Hayzlett – Hunted in counties he suggested. When you do survey, how do you do that; talk to landowners? Fox – Off public highways and count deer as we encounter them there and estimate numbers. Do not go off of public roads, so it has some limitations. Commissioner Hayzlett – Getting same comments in my county and Wallace County, they are not seeing mule deer. How accurate is that if you stay on public road? Fox – Presume numbers less available than in big pastures back away from those roads. I will show trends and numbers this evening, to show how many mule deer in last ten years. Not a picture of marked decline. We do same routes every year. Chairman Lauber – Interested in seeing that and share with Mr. Hoeme. If don’t see need for antlerless permits, so would like to reduce as much as we can.

Michael Pearce – Gerald, what part of state are they seeing more mule deer? Chairman Lauber – Hill City area.

Spencer Tomb, Manhattan – Welcome Commission and Secretary to Manhattan. Would like to

see you do something about public access on local lakes, it is getting more difficult. I have been in Manhattan since 1974, better waterfowl hunting here, but through the years have lost access of those lands for hunting and fishing. The infrastructure has deteriorated, roads have ceased to exist, bridges have not been rebuilt; the amount of public land, land still there, but access to it is gone; because of change in landowners, and where they used to welcome hunters on the land they are stopping it. Pendulum has swung away from people who want to walk in and carry decoys; one is almost 2,000 acres that you can't get to anymore on Tuttle Creek Lake. This ought to be examined. Also, a member of Riley County Fish and Game Association and we are writing a resolution to try and work from to improve access to public lands. Chairman Lauber – This is not Corp land? Tomb – This is corps land leased to the department for public hunting. Chairman Lauber – We will bare that in mind. Tomb – Used to be able to use field roads that the farmers used, but access to those roads is shut off now, even when the ground is frozen. I can't carry that many decoys now, I drag them. We have lost a lot of access; and pendulum has swung almost to protection by local managers; authorized vehicles only and that is shutting down a lot of areas on Tuttle Creek Lake.

Ken Kreif – From Wichita area, share a couple more pieces of information on zebra mussels. Since 2013 been providing additional ways to spreading invasive species to aquatic areas (handout – Exhibit C). Contamination continues across Kansas. Consider doing 100 percent water testing for zebra mussels on 200 bodies of water that is not contaminated, now only 50 percent being tested. Untested water could be source when moving bluegill and green sunfish, could be moving contaminated water without knowing it. Agency is aligned with Kansas best interest, not special interest groups. Did research and in October 2012, purpose of proposed agenda is to attempt to further spread aquatic invasive species. Read purpose of department: *The driving force behind the Commission's actions are the goals and objectives of managing and promoting the wildlife and natural resources of our state.* Reconsider past position on fish movement. Read mission statement of department. But, you continue to allow movement of bluegill and green sunfish. Sent formal letter in August 2015, signed by 75 Kansas citizens from 19 communities asking you to stop allowing movement of bluegill and green sunfish and have not heard a formal response. Passed around container of zebra mussels taken from a pontoon at Council Grove. Chairman Lauber – Can a person possess zebra mussels? Kreif – As long as they are dead, I did clarify that. Nothing in place to restrict movement of water. Put in regulation that help is needed to prevent the spread of Aquatic invasive/nuisance species to KDWPT waters, however these bluegill and green sunfish cannot be transported in any river, lake, stream or pond water. Transportation must be in clean well water. Saw three minute video on your website. In summary, request 100 percent of non-contaminated waters be tested, that we get a response on formal letter sent to you and that you add minimum protocol of clean water. Chairman Lauber – As I have said before, the movement of bluegill and green sunfish were prohibited because of misidentification with Asian carp, not because of movement of water. Decided at a later date that it was hampering setting trot lines, detriment of people who were using live shad, that they cannot still use shad. To the extent you want to restrict and impair rules in your lake you can do it; but hard to do in entire state. To look again, only because of your persistence, don't think we are going to go anywhere. You are here at every meeting, hard to have acceptance to do what you want to have us do. We are not getting anywhere. Kreif – I am not just representing Lake Kahola. I have spent money of my own to get training, but there is still more that can be done for invasive species. Use clean water, to prevent spread of invasive species. Commissioner Rider –

When Jessica gave presentation on this at previous meeting I feel education and pamphlets is the way to go on this and not opposed to signage on contaminated waters to help educate people. Kreif – Organization does a great job on educating and posting, but may find more contamination on areas not being tested.

## **VI. DEPARTMENT REPORT**

### **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). Introduced a document a couple of meetings ago and revenues are down again, but document was not posted yet, so I will have that again at next meeting. I don't know if potential exists for EDIF money going to parks and tourism to be reduced or not, but it is a possibility. Park Fee Fund (PFF), on graph shows we have developed a trend and expect 2016 to be same as 2015 and 2014; 2011 the bench mark and it was down from 2010, but revenues are up about \$2 compared to 2011. Looking at Wildlife Fee Fund (WFF), I want to have Mike talk a little bit about that. The new licenses went on sale the middle of December, and we would have anticipated a little higher revenue based on that, but I think we probably did not get some money deposited in time for this report because December was below \$200,000 from last December. November and December combined are up. I will have Mike finish up report with what we are seeing in new license sales. Mike Miller – Keeping tracking of license sales since went on sale December 15, 2015, when all 2016 licenses go on sale. It seems to be holding its own, made revenue transfer last week that is not reflected here. Looking at basic licenses, like resident fur harvester at this time in 2015, may not be current, we were at 340, this year at 291. I looked at resident combo hunt; last year we just had just resident combo hunt and this year we have added an early purchase combo, a five-year combo. When you add those together we have sold 1,338 last year and 1,330 so far this year if you add all of those combos. There is five-year fish and five-year hunt and a lot of different options this year. Right now it looks like the early purchase combo which is \$42.50 is really popular. There is always a learning curve for constituents and clerks to know it is available. Nonresident hunt we were at 3,340 last year and at this time we have 3,652. The resident hunt last year 12,989 and this year 12,370. Then we have other options available. When I look at five-year combo licenses only, did query right before Christmas and had 36 five-year fish and 36 five-year hunt sold. Fairly similar to where we were last year at this time. From inquiries we are receiving, a lot of interest in five-year permits. Got a rush on lifetime licenses, only went up \$60; but swamped on December 31, the last day available at old price; sold 600 since November. Still doing queries and comparing sales from last year, staying steady, no major resistance factors. Commissioner Rider – Holding steady for last 10 years? Miller – Did not look at that, but stable for at least last five years, some drop because of drought, but don't have data. Focused on looking at resistance because of price increase. Chairman Lauber – April seems to be a big month. Is that because people buy fish or combo hunt and fish then? Miller – It is the nonresident deer application period and spring turkey permits has been huge the last few years. We have 21,000 permits and last year they were \$315, this year will be \$415; that is a good chunk of revenue. Commissioner Dill – Will five-year licenses and lifetime licenses sold have a revenue impact on us in three to five years? Miller – Because getting all of the revenue now? not sure, looking at possibly endowment-type fund for lifetime licenses, but not sure that is how we are going to handle five-year licenses. The only

experience is youth multi-year licenses and we are only selling around 3,000, valid from when they turn 16 to when they turn 21. Jennison – We are looking at that to see how we can draw that out evenly, rather than have a tendency to spend it that first year. Todd Workman – In beginning phases of putting actuarial tables to the number of people we have in the system; trying to make ourselves bulletproof for possible federal regulation changes on how we can count those. Right now shape, they are allowing license plus 5.17 percent interest on those, which is something that we will strive to get up to 2.54 which will take a license to 74 and equal out. We have to be able to pull 80 percent, the least amount we can do and that is what we are striving for. When someone buys a license when they are 16, we can count them until they don't need licenses anymore. Miller – In looking at five-year licenses, wanted to get them established to combat churn, we knew some people only buy fishing or hunting license once out of every three years. Don't know if it will be as big of impact on annual budget as you might expect; now on the books for five years and can count towards federal aid. Pearce – Robin, at one of last meetings, you wanted to see increase in licenses to give pay raises to some of employees who had no legitimate raises in 15 years, have you started that? Jennison – We have begun that; first thing we had to address was compaction issue and hope to implement the final phase in the beginning of the next fiscal year. Pearce – For all employees across the board? Jennison – Yes. Commissioner Rider – Are we going to hire more game wardens? Jennison – First address salary issue before we increase the number of officers. That has been our approach, offer a reasonable pay compared to other states. Then discuss internally to have the right number of law enforcement officers in the field; currently public lands are law enforcement qualified too and the cost is getting higher to put an officer in the field. Equip them the way other law enforcement officers are equipped in the state to safely do his job, when salary issue taken care of.

2. 2016 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission. Second year of two-year cycle starts Monday, folks would like to see a short session. There are 22 bills on our website and I cover about 120 bills and that number will increase this year. There are no new initiatives this year. I do cover firearms bills, but not on our website; and you will see more this year because of President's initiatives. **SB45** – concealed carry and not needing permit, passed and signed by Governor in April; **SB46** – identification of domestic deer, worked with Dept of Ag on that issue because of disease, signed by Governor in March; **SB50** - B&B classification, don't expect much tax debate this year; **SB59** – magistrate judges can hear felonies; **SB97** – contact with regulated dangerous animals, received call this morning, allowed contact up to 25 pounds or 40 pounds, surprisingly most debate on senate floor last year, passed the Senate and was sent to House Agriculture and Natural Resources committee and didn't go anywhere; **SB112** – dealing with citations issued by our department, passed Senate and referred to House where it became part of larger bill (HB2177); **SB113** – forfeiture of licenses and permits and changing so person would not have to forfeit iPad or iPhone if license is on that, SB112 became part of SB113; **SB120** – limitation for department to purchase land, in SE Kansas with tri-state mining agreements on EA properties, exemption up to 640 acres; amended overall ability to purchase any land from 320 to 160 acres without approval, signed April 6; **SB132** – also dangerous animals, increased scrutiny, did not go anywhere; **SB134** – noxious weed law, set up Council and allows Dept of Ag to set noxious weeds by regulation, didn't go anywhere; **SB169** – department imitative to make channel catfish official state fish; **SB190** – supported this bill, on one-person sailboats in instructor led classes and not having to have someone on same sailboat, passed Senate referred to House committee, got blessed and ended up

in conference committee; **SB268** – came out of Sedgwick County and would have exempted stream maintenance and obstruction requirements from the Endangered Species Act, had a hearing but didn't go anywhere; **SB269** – also out of Sedgwick County on removing eastern spotted skunk from Threatened and Endangered Species Act statutorily, a poor idea, had hearing but didn't go anywhere. **SB274** – second rendition of SB190 on operation of sailboats; **HB2029** - companion bill to SB46 on domesticated deer; **HB2074** - dealt with firearms possession and regulation of firearms sales by local authorities, passed as part of SB45 concealed carry bill; **HB2116** - channel catfish official state fish first attempt; **HB2117** - bill we introduced last year, we reintroduced this year and would require completion of boater education phased out like Hunter Education, had hearing and didn't go anywhere; **HB2168** – also B&B tax, had hearing and didn't go anywhere; **HB2177** - KDWPT omnibus bill, all bills that were still alive lumped together (conference committee bill) SB112, SB113, SB190 and provisions of HB2341 were lumped into this bill; **HB2293** – also a restriction on dangerous regulated animals and didn't go anywhere; **HB2327** – would have made meteorite official rock of Kansas; (in most cases it doesn't matter what ultimately passes, but it gives the ability of Tourism department to market those species as symbols to the kids and are used to promote our state, so have value); **HB2341** – prioritizing seized wildlife, back to antlers from many years ago which would have made changes to current statute that had only been affect six months and how we distribute illegally taken wildlife after the conclusion of cases, lumped into Omnibus bill; **House Concurrent resolution 5008** – national initiative Right to Hunt, Fish and Trap, guaranteed in constitution from Vermont since 1789, since 2000 roughly 20 states have come up with this; in beginning I was opposed to this constitutional rights, but in reality, 16 years later I have watched litigation and it has helped states like Wisconsin establish dove season in face of opposition; expected movement this year and believe department will be supportive. At the end of a very long session last year all of those bills that were in conference, came out with four separate bills, failed on Senate floor 11-25 and then motion to reconsider those bills and send them back to conference, where we hoped HB2341 that dealt with antlers would be stripped out and noncontroversial items would be moved back out. The House reappointed different members to that committee and it looked like they were going to use that as the budget vehicle and ultimately it is still in conference. There are a couple of bills I have heard about this year; one that deals with life jackets and sailboards or paddleboards and an exemption and I am supposed to meet with a representative on that tomorrow. And Representative Bob Grant passed away recently and there is a bill to name bison herd in Cherokee County after him.

## **B. General Discussion**

1. Commissioner Permit Update and Drawing – Mike Miller, Information Services, presented this update to the Commission (Exhibit E). Ten years after first drawing in January 2006, the Kansas Wildlife and Parks Commission held the first drawing for Commission Big Game Permits when one elk and six deer permits were issued to applying conservation organizations. By statute, one elk, one antelope and up to seven deer permits may be issued with the limit of permits issued being seven. Qualified applicants include local chapters of nonprofit organizations based or operating in Kansas that actively promote wildlife conservation and the hunting and fishing heritage. An organization or chapter is eligible to receive a permit only once in a three-year period. In 2006, permits sold for \$49,000 with 59 applications being received and last year 164 applications with only 152 of those eligible (due to winning in past three years) and

the permits sold for \$53,826. After the permit is sold by the organization, the cost of the permit is subtracted and 85 percent of the proceeds are sent to KDWP to be used on approved projects. After the projects are approved, the money is sent back to the organization. The other 15 percent can be spent at the organization's discretion. Sheila Kemmis – Received 138 applications, with 132 being eligible.

Drawing Winners (Exhibit F):

Commissioner Emerick Cross – (1) – #67 Pheasants Forever – Ark 2000 (DEER)

Commissioner Tom Dill – (2) – #45 NWTFF Horse Thief Hunting Heritage (ELK)

Commissioner Roger Marshall (drawn by Lauber) – (3) – #126 Friends of NRA Louisburg KS39 Chapter (DEER)

Chairman Gerald Lauber – (4) – #100 RMEF Dodge City Chapter (DEER)

Commissioner Gary Hayzlett – (5) – #125 Friends of NRA Butler County KS 33 Chapter (DEER)

Commissioner Aaron Rider – (6) – #96 Pheasants & Quail Forever Region 24 Chapter (DEER)

Commissioner Harrison Williams – (7) – #117 Friends of NRA Capital City KS4 Chapter (DEER)

*Break*

2. Webless Waterfowl Regulations – Rich Schultheis, migratory game bird biologist, presented this report to the Commission (Exhibit G). Subject to same guidelines as waterfowl. The U.S. Fish and Wildlife Service (USFWS) annually develops frameworks from which states are able to establish migratory game bird hunting seasons and establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks. General stability in season dates and bag limits allows the inclusion of webless regulations, bag limits, and season dates as KDWP permanent regulations. The USFWS has approved an increase in dove season length from 70 to 90 days in Kansas and other Central Management Unit states beginning with the 2016-17 season (KAR 115-25-19). Seasons varied through 2009, when the current structure of a first segment from September 1 till October 31, and a second segment of 9 days that opens the first Saturday in November was adopted. The primary reason for two-segment was to allow for overlap between dove season and upland game bird opener because we don't have enough days to run it straight. The proposed change is for a one-segment season open for 90 days straight opens on September 1 and runs through November 29. This precludes the need for two seasons and also simplifies regulations, which often receives strong support from our hunters. Changes to the extended exotic dove season are necessary to permit extending the migratory dove season, which would then begin the day after migratory dove season closes, so would begin on November 30 and run through February 28, which is what it runs through now. No changes recommended to other webless migratory game birds. Table at end of briefing book does include season dates, limits and things like that if this new season is approved. Chairman Lauber – Common question I receive; why don't they open dove season earlier than September 1? What is the reason they can't move it forward? Schultheis – September 1 start date is a strong line in sand and included in Migratory Bird Treaty Act, a treaty between nations, so there will be no change. We receive that question quite a bit. There would also be significant litigation that goes into that; there are a number of birds still nesting at that time. Commissioner Hayzlett – Does anyone get as many exotic dove complaints as I do in my area? A few days ago, complaint from gentleman in Finney County

who says he has 200 to 300 in his yard and says they are a total nuisance; his question was, why is there even a season on them? Are they under migratory bird season act? Schultheis – Federally they are not afforded the same protection as migratory species. In other states they are handled differently, depending on the state; whether it is considered nuisance species where season is open year-round, or like Kansas where we have a set season. With new season you can hunt them from September 1 through February 28. We have had discussions in the past on the direction we want to move with exotic dove season and whether we might open that up to allow additional harvest in other times of the year. I don't get a lot of complaints, but occasionally I do get a complaint or two, but I think your area is the predominant location where I hear the most complaints. Generally if you see concentrations it would be during this time period.

3. Waterfowl Regulations – Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit H). Included in briefing book are the 2016-17 waterfowl seasons and U.S. Fish & Wildlife Service (USFWS) frameworks for September teal, general duck and goose seasons, youth waterfowl hunting days and extended falconry season. These federal frameworks establish the maximum bag and possession limits, season lengths, and earliest opening and latest closing dates that states must operate under. Note, there is no change from last year, however federal regulatory cycle has been advanced for setting state season is now due to USFWS by May 1. This means the season setting cycle for Kansas has been moved up four months for all migratory game birds. In future years, beginning general discussion will be held at January meeting, workshopped in March meeting and for final season selection will be April. Chairman Lauber – We are expected to give our season dates to them and then, if for some unexpected reason they would reduce the harvest package, would we have to provide a second set or come back for an emergency meeting? Bidrowski – That has not been determined among staff, but more likely replace it at July or August meeting in that event. Chairman Lauber – Basically moving the traditional argument forward. Bidrowski – Correct. Chairman Lauber – And we would vote at what meeting? Bidrowski – April. Chairman Lauber – And at the March meeting you would provide season recommendations? Bidrowski – Correct, staff recommendations would be provided at March meeting.

4. Statewide Action Plan – Megan Rohweder, SWAP revision coordinator, presented this report to the Commission (Exhibit I, PP – Exhibit J). Provide summary of the Kansas State Wildlife Action Plan (SWAP) revision. A quick history of the origins of the plan: in the 1990s Teaming with Wildlife, a large group of conservation organizations, began working on increasing funding for state and federal funding for wildlife conservation and keeping species from becoming endangered; specifically working on increasing funding for nongame species. In 2001, federal legislation established statewide grant program (SWIG) to support the needs of wildlife and their habitats and related educational activities. To be eligible for these annual funds, each state and territory was required to have an approved Comprehensive Wildlife Conservation Plan, which includes eight required elements mandated by USFWS. The eight elements are: 1) Information on distribution and abundance of species of wildlife, including low and declining populations that department staff deem appropriate and are indicative of diversity and health of Kansas wildlife. Kansas developed a list of species of greatest conservation need (SGCN), which addresses this. 2) Description of locations and relative condition of key habitats and community types that are essential to the species identified in element one. 3) Description of issues that made adversely affect those species and their habitats and descriptions of priority and

research efforts needed to identify factors that may assist in the restoration and improved conservation of these species and their habitats. 4) Conservation actions determined to be necessary for those species and their habitat and priorities for implementing such actions. 5) Proposed plan for monitoring species and habitats and plans for monitoring effectiveness of plans and adapting appropriated to respond to new information of changing conditions. 6) Procedure to review statewide action plans at intervals not to exceed 10 years. 7) Plans for coordinating to extent feasible with development, implementation of review and revision of the plan with federal, state and local agencies and Indian tribes that manage significant amounts of land and water areas within Kansas, or administer programs that are significantly affecting species and habitats. 8) And provision to ensure public participation occurred in development, revision and implement of projects within the program. The 2015 SWAP revises and replaces the 2005 Kansas Comprehensive Wildlife Conservation Plan as the principle document guiding conservation of Kansas' rich wildlife diversity. This plan serves as a dynamic, adaptive document that acts as a template that will guide for wildlife diversity. Not only as a guide for Kansas Department of Wildlife, Parks, and Tourism (KDWPT), but for any conservation partners, organizations or stakeholders. The goal is to secure wildlife populations so that they don't need protection through a federal or state listing. The plan is based on best available information while collaborating with wildlife conservation agencies, organizations and experts and relying on their knowledge and experiences and current work. To go through major changes made to the plan starting with element one: looked at selection criteria used to determine which species were considered SGCN; looking at last 10 years and new criteria we developed and getting input from experts. There were 38 species removed from the list and eight were added. We also revised the ranking criteria, which were used to give priority to 285 species. The original ranking criteria were complicated and many issues were brought to our attention in using a method like that. We simplified it and did a hierarchical method and decided to use just two tiers instead of three and to address element two updated descriptions for priority habitats already established in original plan, updated and listed dominant flora in each and produced maps that better illustrate the actual localities of these priority habitats. To address elements three and four, which were conservation issues and actions, they were taken from original plan and reclassified using Salafsky's, et al. standard lexicon classification system. This was recommended in the best practices guide. Using a standard lexicon can improve conservation work through consistency of terms and would also allow for all of the states' SWAPs to be summarized at regional level. There is a list of statewide issues that aren't specific to any species or habitat or any region of the state. No actions are included with those issues because we wanted to highlight the importance of conservation occurring at landscape scale. Original issues taken from the plan, originally addressed priority habitats, were taken and reorganized to fit under our ecological focus areas (EFA), which I will explain in more detail later. Regrouped to fit in EFA and that list was reviewed by our SWAP partners to ensure issues were still applicable and to ensure there weren't any new issues to be included; also to allow them the opportunity to provide priority issues that they are dealing with and working on. As new addition to the plan we developed these EFAs and helped address elements one through four. They are spatial landscapes where conservation actions can be applied for maximum benefits to Kansas wildlife. They were developed using a variety of data layers including land cover and natural community types; also considered layers that considered connectivity and large natural areas, high quality habitat, physiographic provinces and locations of our SBCNs. There are 14 terrestrial EFAs. Acknowledge some of them are very large and can fill a majority of the state, but realize this is the first time they were

developed and based on the best information that we had, we envision these boundaries shifting and changing with each additional revision. There are 11 aquatic EFAs, which are referencing Lintec systems where flowing water is (rivers, streams and creeks). There are aquatic habitats in the terrestrial EFAs, but those would be more wetland, seep and spring habitats. Another addition to the plan was the inclusion of climate change, a general overview of statewide and corresponding concerns and lists climate change predictions for the state. Also, did climate change vulnerability analyses of species using nature serves and climate change vulnerability index. This index assesses the relative vulnerability and relative importance of factors contributing to the vulnerability of species. So not only can it tell us which species are vulnerable to climate change, but why they are likely to be vulnerable. We did the analysis on a handful of the SGCN, selecting species from each tacit group with variation in their distribution and habitat use. The index provides an index score of extremely vulnerable, highly vulnerable, moderately vulnerable, not vulnerable/presumed stable, and not vulnerable/increase likely. Doing an assessment like this can be helpful in developing strategies to not only deal with the actual affects of climate change, but also to develop strategies to deal with the affects of expected or predicted climate change. For future revisions we envision conducting analysis on all of the SGCN and/or running vulnerability analysis on habitats as well. Also included in this revision were success stories throughout the plan; put in to highlight work and projects that have been done since the original plan was put in place. It shows projects and work that addresses the priorities and issues listed in original plan and summarizing projected funded through SWIG. The purpose was not just to produce a plan so it can sit on a shelf and meet criteria, it is meant to be implemented to improve wildlife conservation in the future. We want it to be dynamic and adaptive document, knowing that monitoring will provide new information and monitor conservation progress will also identify changes that can be made and added to this plan; realizing that, especially in our state where majority of land is privately owned, successful actions will take coordination and collaboration from many entities and stakeholders. Through ongoing coordination and coordination Kansas' SWAP will serve as vital adaptive template for future wildlife conservation efforts in the state. The draft of revision plan was submitted to the USFWS the end of last month, they will have time to review and provide comments and we will open up plan, from now until mid-March, our public comment period and plan will be available on the website starting Monday, for anyone to take a look at and provide comments, suggestions or questions. The final plan approval, we anticipate, will be done by July, but that all depends on how long the USFWS keeps it and changes from the public comment period.

5. Fort Riley Wildlife Management – Shawn Stratton, Fish and Wildlife administrator, Fort Riley, presented this update to the Commission (PowerPoint - Exhibit K). Thanks for the opportunity to present today. I'll be giving you a general overview of Fort Riley wildlife conservation, habitat management and research. The Department of Defense (DoD) manages roughly 30 million acres on 400 installations across the states and houses some of the most endangered ecosystems along with 456 federally listed threatened and endangered species (TES). Although the National Park Service manages three times as many acres, there are not as many TES. Annual average Army expenditures are over \$20 million for TES. Also, DoD lands have more TES than the Bureau of Land Management, U.S. Forest Service, U.S. Fish and Wildlife Service, as well as National Parks. Why does DoD have disproportionate number of TES? Because installations are coast to coast in all types of ecosystems, especially eastern U.S. and coastal regions, installations become islands of biodiversity around urban sprawl and there is a

lot of development around installations, and conservation measures are put in place through Integrated Natural Resource Management Plan (INRMP) for installations. The tallgrass prairie is one of the most endangered ecosystems in the world and grassland bird species are facing decline. One success story that Fort Riley has was in 1998 when the Henslow's sparrow was petitioned for federal listing under the Endangered Species Act and the USFWS decided not to list, citing Fort Riley as the reason because of a stable population. The Fort is in the Flint Hills ecosystem and encompasses three counties, Clay, Geary and Riley counties. The Fort is 101,000 contiguous acres, with 73,000 acres available for public use, with 64,000 acres in grassland and 67 percent of those are unbroken native tallgrass prairie, and 1,500 acres of wetlands. DoD is obligated to maintain compliance with all federal laws including the T&E Species Act, Sikes Act, Federal Insecticide, Fungicide and Rodenticide Act, Clean Water Act, Toxic Substance Control Act, National Environmental Policy Act, and the Migratory Bird Treaty Act. These federal laws require each installation to provide conservation and rehabilitation of natural resources on military land; to establish outdoor recreation facilities that allow equitable hunting and fishing opportunities; develop cooperative plans with USFWS, USDA and state agencies, which is INRMP I talked about. In INRMP, we strive for sustainable natural resource management while minimizing impacts through the training mission of why DoD does what they do. It contains the Endangered Species Management Plan, which is signed off on by our Installation Commander, KDWPT and USFWS and we review and update that plan each year. Fort Riley is home of the Big Red One, the first infantry division with about 18,000 troops tied to four different brigades. Currently, some of the training that occurs includes: military vehicle maneuvers, combat vehicle operations, troop encampments, small arms fire, mortar and artillery fire, and aircraft, primarily helicopters but some unmanned aerial vehicles (currently 11 different UAVs, the biggest is gray vehicle, which is similar in size to a small Cessna airplane, the largest the Army currently has). Our environmental division mission statement is to: *sustain an environment in compliance with our nation's mandates that effectively supports combat forces' execution of their assigned missions & exemplary well-being for our community.* Within the environmental division, we have two branches, the fish and wildlife section falls in the conservation branch. The flora and fauna found on the installation include: 409 species of plants, 43 species of mammals, 223 species of birds, 40 species of reptiles and amphibians and 50 species of fish. Fort Riley threatened and endangered management; one resident T&E species, the Topeka shiner which has been found on seven streams on the installation; occasionally see least terns which are a migratory species; whooping crane are a transient species, recently on Milford Wildlife Area and we worked with the manager, Kristin Kloft in regards to that, had helicopter flight paths over in that general area so we put a notice out to airman; piping plover is another migrant, but we have not documented very many of those; and currently under review by the USFWS is the regal fritillary butterfly, we have submitted information to USFWS and we have a cooperative project with Coop Unit here at K-State. Possible T&E species: American burying beetle, western fringed prairie orchid, northern long-eared bat and Eskimo curlew. Currently we have 12 species in Kansas T&E and 15 species in need of conservation on the Fort. Nongame management: herpetological monitoring (frogs, turtles, toads, etc), we do amphibian call surveys, trapping and capture surveys and vernal pool monitoring. We have nearly 145 miles of streams and rivers and we sample through backpack electrofishing and seining. We conduct many bird surveys: bald eagle nocturnal roost utilization surveys that we run one to two times a week October through March; bald eagle diurnal habitat as well, October through March; we have had up to three bald eagle nests and we have one pair that likes to move frequently, six

or seven times in nine years; shorebird surveys; RTLA breeding bird surveys; spring grassland surveys, MAPS surveys, you're familiar with these if you are a birder; winter bird survey; winter raptor surveys; and roosting and nesting structure surveys. In recent years this has come on heavy: acoustic bat monitoring, started in 2011, fortunate to be ahead of northern long-eared bat listing and had not documented them on the installation, which prevented Fort Riley from having any restrictions; mist netting; and mark and recapture banding of bats when we capture them in buildings. In wildlife management, the fisheries and wildlife side, Fort Riley iSportsman is where all outdoor recreation is. You have to register on the system, similar to agency iSportsman, new in fall of 2011. The Department of Army is going to this system and all major installations will be on this system in next couple of years. The elements we can assess: harvest management strategies, monitoring of population parameters, fisheries and wildlife health, and fisherman/hunter demographics and satisfaction levels. We can survey through the system and we get lots of reports of different things that would be difficult to pick up on the field. People who recreate on facility provide comments at the end of their day. Big game management: aerial surveys primarily for elk and can get male/female ratio and age structure; hunter briefings which we will start doing for all recreational users, Department of Army has required some further restrictions in recent years, using these to make sure everyone is aware of what they can and can't do, these will be done through iSportsman system. We conduct spotlight deer surveys in conjunction with the state; harvest data collection through iSportsman; we do tissue samples and chronic wasting disease sampling; had an elk telemetry project from 2003 to 2006 with Coop Unit. Upland Game Bird management, surveys we conduct include: bobwhite quail – wing data (ask hunters to clip wing and we age that), spring whistle count surveys, fall covey call surveys, and conducted habitat study telemetry from 2010 to 2013, primarily looking at the response of habitat manipulation; do spring auditory surveys for pheasants as well. Prairie chicken surveys, we have greater prairie chicken on the installation; have done some studies in the past; have a stable population, but want to watch them. On fisheries side, in cooperation with KDWP and are a CFAP operator, so the state provides stocking for trout and channel catfish and we have 29 recreational ponds. On habitat management, restoration of the prairie is number one project that we work on and the factors that all of Kansas is dealing with in regards to prairie is woody plant invasion. It starts with the thickets, dogwoods, sumac and ends up trees and cottonwoods on your hill sides. Over the last ten years we have been hitting this hard. As with other DoD installations, we have a buffer around the installation, in the Army it is called the Army Use Compatibility Program (AUCP) where private land can be signed up into easements to not allow development to occur on private lands and we are partners with the Kansas Land Trust on that. Another thing affecting the prairies is the noxious weeds and exotic grasses; we deal with this every year and sericea lespedeza is a big one, then tartarian honeysuckle or bush honeysuckle that are taking over our riparian forests. We aerial spray for both of those and use helicopters for honeysuckle and fixed wing for sericea lespedeza. We have also dealt with salt cedar that has come down on the river, Johnson grass, musk thistle and Caucasian or Old World bluestem. One way to combat woody plant invasion is through active prescribed fire program and ideally we would like to burn the installation on a two- to three-year cycle, so we usually burn about 30,000 acres a year, generally 5,000 to 10,000 acres that are wild fires due to munitions being fired. Wildlife food plots are spread throughout the installation, about 700 acres total, mostly in winter wheat fallow rotation and we have some alfalfa, forage sorghum and sunflowers, primarily for the dove hunters; and the Rocky Mountain Elk Foundation (RMEF) is a huge supporter and put in strategically placed corn fields because of depredation on private landowners outside Fort, about

100 acres, which has helped with the depredation.

6. KSU Fish and Wildlife Cooperative Research Unit Update – David Haukos, Coop Unit, presented this update to the Commission. Thank you for opportunity to talk about Kansas Cooperative Fish and Wildlife Research Unit; welcome to Manhattan and Kansas State University. Cooperative Fish and Wildlife Research units are a staple of conservation effort in the U.S. and model for conservation in the world. Back in 1930s recognized that science was underlining factor in conservation and management of natural resources, including wildlife and fisheries. An important aspect of North American Model of Wildlife Management. During 1930s, when wildlife management was starting as a profession, folks recognized need to develop knowledge to aid in conservation management of wildlife resources and as a result Coop Research Units were started. Ding Darling started the first Unit in Iowa in 1932, primarily funded out of his own pocket, and by 1960 Units were spread across the country and in 1960 legislation was passed in Congress that allowed for recognition and funding. Coop Units exist in 38 states, 40 Units and most exist at land grant universities. Kansas State University has one of the youngest Units, established in 1991, 25 years old this year. The only one with a younger Unit is Nebraska. Structure of Units is fairly consistent: a coordinating committee made up of cooperators; in Kansas they are: KDWPT, USFWS, U.S. Geological Survey (USGS), Kansas State University and Wildlife Management Institute; a constant committee for every Unit. The reason for these committees is to guide and provide input into direction of wildlife research by the Units. Established through cooperative agreement that outlines responsibilities of each cooperator. In Kansas, agreement renewed in 2012, in place until 2022. Unit structure involves federal scientists, so technically we work for USGS and Department of Interior; consist of three federal scientists: a unit leader (myself), assistant unit leader in wildlife, which is currently vacant; and an assistant unit leader in fisheries, Dr. Martha Mather. Our mission is in association with cooperators, to conduct research of interest to cooperators, basically at request of state and federal agencies. We train biologists or wildlife and fisheries professionals for their future careers through teaching and involving them in graduate research, or post doc graduate associates. We also conduct research by serving on committees, and providing information at the request of state and federal agencies. Currently in Kansas Unit we have 14 graduate students and post-docs that are associated with wildlife research and four associated with fisheries research. Most of our funding comes from four different sources: KDWPT provides 30- to 40-percent of annual research funding, federal agencies another 30- to 40-percent, National Science Foundation will provide 10- to 20-percent and the rest from private or conservation groups, in terms if productivity we average about 20 to 25 peer review scientific publications a year; in addition to graduating three to four students on an annual basis. We are looking forward to working with cooperators and additional research efforts in the future.

7. K-State Outdoor Management Enterprise Class Update – Adam Ahlers, K-State Assistant Professor, presented this update to the Commission (PowerPoint – Exhibit L, never showed). New transplant to Kansas, just finished school at University of Illinois and accepted a position at Kansas State University in the department of horticulture, forestry and recreation resources. My program is relatively new and we are not a typical biology program, most of our students are interested in opening a wildlife enterprise business; upland gamebird hunting business, waterfowl guiding business or big game business; offer classes revolving around those topics, topics on clay shooting operation or rifle ranges and things like that. We also offer classes

that are of interest to other career paths; so students will receive a business minor or hospitality management minor for students who want to go work in the guiding, wildlife, fishing or canoeing business to have better report with the customers. We also offer courses in wildlife management and wildlife biology. I am trained wildlife ecologist and most of research deals with ways we can improve health and distribution and abundance of wildlife populations, so I bring that to the table; along with a new faculty member we have, Dr. Drew Ricketts, who is also a wildlife ecologist. We are a new organization, which allowed us to start up a new research program. We have new grad students coming in and have graduated our first graduate student this last year; he did a project on looking at how deer selected different food plot types and on how different food plot types grew once you planted them. We have a graduate student now working on a southern flying squirrel project in southeast Kansas looking at how they colonize habitat patches that are now fragmented when 100 years ago they probably weren't. My research deals mostly with semi-aquatic mammals harvested game species; right now looking at how muskrats respond to invasive plant species in the wetlands. One of things students can do for Kansas, besides working for guiding businesses or hunting or fishing businesses, is land management; so they take courses that apply to land management and public land management, which sometimes don't get offered in other types of programs. Our students are familiar with how to use equipment like disks and tractors doing general food plot maintenance or prairie maintenance. We have had some changes in the past, relatively new program started a few years ago by Dr. Thomas Warner who talked to some businesses around the state who wondered how they could keep going when there weren't programs developed to allow students to work in those areas; he retired last year and I took his position and faculty who retired a few months ago, we hired new faculty to replace them as well.

### **C. Workshop Session**

1. Antelope and Elk 25-Series Regulations – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit M). Antelope, KAR 115-25-7. Still trying to schedule and complete winter population surveys. At last meeting I gave a general overview of season structure as well as season dates. Nothing new to present at this time. Elk, KAR 115-25-8 (Exhibit N) – We have permit recommendations. We are recommending 10 any-elk and 15 antlerless elk permits, the same number as allocated the past several years. We work with Shawn and Fort Riley staff to come up with those numbers. Harvest on the Fort this year has been fairly good, but also typical to what it has been the last few years. The season on Fort Riley is closed and they harvested eight out of 11 any-elk permits and seven out of 15 antlerless permits. Those permits that haven't been filled yet can still be filled in other parts of the state that are open to elk hunting. At the last meeting covered season structure and format. Chairman Lauber – There were 11 permits and eight were filled? Peek – Ten any-elk plus the Commissioner's permit. Chairman Lauber – Filled with bulls? Peek – Most of them were, all but one. Commissioner Williams – Regulation unchanged since 2006 on antelope, why? Peek – Reached a situation with antelope, and elk, where we're not receiving complaints on season structure and people are happy with the system, so it is a good thing that we have been able to leave it as it is. It is better for hunters to have consistency in units and season dates. Commissioner Williams – On boundary lines in Unit 18, actually all of them in firearm/muzzleloader as well as archery; in the past we have always followed highway boundaries and nowadays there are street addresses for rural and county roads. In particular, that

herd down in Unit 18, has moved east into Clark County. Would it be feasible to use county roads since that herd, 40 animals or so, has moved? Peek – I don't believe we would change units. You are saying so we could expand hunting to the east? Commissioner Williams – Yes, since less than one-third of Clark County is even in Unit 18 and herd is east of 283 highway. Peek – Typically, with elk we have opened up next unit rather than move boundaries. We could open Unit 16 to hunting as well if we wanted to allow hunting of those animals. I have not heard a lot of interest in hunting that small group of animals, that group of animals has been there for awhile. There is another small group in Barber and Comanche counties, but I haven't heard of people wanting to hunt them. Commissioner Williams – Animals have just moved farther east because of drought, even though out of drought with all the rainfall in southwest Kansas; perhaps open Unit 16 to include that. Peek – We can discuss that in-house.

2. Public Land Regulations – Stuart Schrag, acting Public Lands Section chief, presented this regulation to the Commission (Exhibit O). Presented proposed changes for reference document at October meeting. Chairman Lauber – I want to hit on other issues on public land. One of the things we have asked for in the past, is guides who want to guide on public land, to register with public lands manager so we would know how much was going on. Has this been generally been ignored? Schrag – Compiling data since 2012, acting section chief since May and I have fielded more calls from constituents than before. Chairman Lauber – Constituents feel like there are a lot of guides on public land. Are guides contacting you? Schrag – The process has been that instead of going to each wildlife area manager they had to fill out an application and send it to Pratt since 2012 and I have been compiling data and I have a PowerPoint to give at the March meeting if you so desire. Chairman Lauber – Have they been registering or is there minimal compliance? Schrag - Up to this point we have yet to issue more than 29 permits in any one hunting season and I am sure that is a low number from what is actually happening based on our reports from managers, law enforcement and hunters. We asked for a report if they received a permit; number of hunters and species harvested. In 2012, we had 79 percent compliance on reporting, in 2013, we had 44 percent compliance. Each one of the guides can have sub-guides or sub-permits. In 2012, we issued 24 guiding permits and we had 45 sub-permittees, so each of them can take out however many clients they are directed to. We issued 28 in 2014 and 45 sub-permittees. Based on what I am compiling, the phone calls and emails I have been receiving; and I have been responding to all of them. Public lands mission and goal is to provide as much opportunity for the greater good as possible. Now is the time to take a look at this. Chairman Lauber - I am sensitive to the fact that guiding can bring tourism dollars, but will get tourism dollars from non-guided residents and nonresidents too. I don't think guiding hurts the resource, particularly in waterfowl because it is migratory species, biologically not a factor but, sociologically it hurts because common compliant we get is no place to hunt, no access and leasing. Kansas has a very limited amount of public land. There is a difference in commercial application and usage than in purely recreational use. We need to find if we can restrict public access to commercial ventures. I am sympatric to complainants. Schrag – Some other information I want to share with you: waterfowl guiding complaints were number one this year, deer hunting on public land and walk-in hunting areas was number two and deer hunting complaints on walk-in areas were associated with numerous tree stands, unmarked and two per person and baiting. Tom referenced the surrounding states that already prohibited it; from our research we know that ND, SD, MO, IL, KY, NE, OK and IN all prohibit commercial guiding; IA and OH have no regulation on commercial guiding; MN is against it but they do not currently

don't have any regulation prohibiting it and CO on public areas, allow on some and not on others. Commissioner Dill – Through regulation or statute? Schrag – Through regulation. Chairman Lauber – There are two issues: waterfowl and you are a pretty good salesman if you can get someone to pay to go on walk-in hunting areas. There is going to be some blow-back because some guide somewhere is going to tell me how important he is to the local economy. We allowed this and tried to get record keeping for us to get a handle on it and to monitor this, we don't have good compliance. Schrag – Correct. Chairman Lauber – I don't want to regulate guides, but would like to have staff come up with wording, or maybe staff decides it is not a problem that needs to be dealt with; before next fall's hunting season. Schrag – Our focus is not on private land access, just public land access. Commissioner Williams – I concur with you whole-heartedly; Dill and Cross agreed as well.

Paul Schultz – I grew up in Iowa, here since 1981, grew up hunting public land. Here in complete support of the department, think you do a great job and my overriding comment is that you have such limited inventory when it comes to waterfowl, nicest piece is Cheyenne Bottoms, and you really need to look at how it has deteriorated over the last six years. I will ask my questions and I am not here to offend anybody, just here to educate myself and figure out what I can do to change what is going on. Do you know how many waterfowl hunters from out-of state last year? Tom Bidrowski – (could not hear response) How many outfitters? Commissioner Dill – Great questions, my suggestion is to share with Commission because a lot of those we are not going to have immediate answers for, but if Commission and department could get those questions we can address and find the answers. Chairman Lauber – Would you read through them quickly. We won't have the answers. Schultz - How many outfitters from out-of-state? Chairman Lauber – There is no registration. Schultz – There is an online form on your website? Schrag – Is it a blog? Chris Tymeson – That is what we were talking about before, the public lands use permit. Chairman Lauber – Twenty-nine was the answer, but there may be other guides and outfitters. Schultz – How many of those are from out-of-state? Schrag – In 2014, only one; in 2012, three; and this year, three. Schultz – Is there a fee? Schrag – No sir, it is a free permit. Schultz – What are the qualifications necessary to become an outfitter? Schrag – None at this time. Schultz - What percentage of out-of-state hunters are using outfitters? That goes to your comment on revenue; personally I think revenue being generated by outfitters is, for the most part, not on public ground. If you have been at this game for a long time, back when I was growing up you could knock on door and get permission to hunt and no money ever exchanged hands, now it is pay to play on private land. That pushes the guy who doesn't have the resources or enjoys hunting public ground onto public ground. What is the benefit to the state to allow outfitters use of public land? I will leave copy of these with you Stuart. Do you think this practice makes the experience better for anyone? That goes back to inventory, I think if you look at that piece of ground and what you have. My last comment will address the number of guys from different states we encountered out there this year; they are appalled by what is going on so you may be deteriorating the experience and ultimately affect the tourism part of it. Do you think monopolizing the state's public resources is in best interest of the taxpayers and outdoorsman of state of Kansas? I think all of the contiguous states don't allow guiding on state property. Do you think they all have it wrong and Kansas has it right? We have met guys at Cheyenne Bottoms and throughout the state from Missouri, Oklahoma, Arkansas, Louisiana, Florida, Texas, North and South Carolina, Iowa, Nebraska, Colorado, California, Ohio, Indiana, Georgia, Minnesota, North and South Dakota and Kansas. In conversations with them they are all appalled and blown away that the state of Kansas is allowing that to happen; and how it has affected their experience.

Out-of-state licenses went up this year, why and how was the amount established? My perception is, you could triple the cost of out-of-state licenses and the guys who come here to hunt waterfowl are going to pay it. Chairman Lauber – When it comes to payment and licenses, we have not been bashful with raising fees for nonresidents. There is interstate law that prevents us from raising rates to no end and we have been litigated and we have gotten it resolved. A lot of people wish no nonresidents at all, but I can't fix that; they are here and going to be here and they provide a shot of adrenalin to our budget. In my rationalization, when this came up two or three years ago we said lets monitor it. I hadn't been hearing that quality of the experience was declining because of guiding on public land. That was not brought to my attention. Thought we would monitor it and this is the first year I have been getting a consistent message from constituents. Schultz – This is the first time I have ever come to a public meeting. Chairman Lauber – I was aware this was problematic and I think you can see it. The Commission is interested, but we are not going be able to totally eliminate the nonresident factor; we go to their states. Schultz – I am a free market system guy and I read off where the guys we met at Cheyenne Bottoms were from and they are great guys. Cheyenne Bottoms is an incredible place to hunt waterfowl, but the last time we were out there we met guys from several states who said they likely won't come back because of what is going on. Chairman Lauber – I don't want to damage our image and having said that we probably have more demand than we have supply and will be able to move forward with this.

Pearce – Stuart, I misunderstood what you were saying, what did you say was your opinion?

Schrag – My position, based on talking to our public lands staff is that we are all about providing opportunities for the greater good and hearing complaints and looking at the data, I am questioning now whether we are fulfilling that mission. So it is time to take another look at this.

Pearce – So you think having the guides is hurting the quality of other hunts? I am trying to understand what you mean by that. Is guiding hurting that or has a right to be there? Schrag – I have concern that it is having a negative impact on public land. Pearce – Chris, can you see any problems with this on a legal basis of denying guides access to working on public lands?

Tymeson – I spent a little time this weekend trying to research the issue and didn't come up with any litigation on the issue and I did see that Missouri, Oklahoma and Nebraska all prohibit guiding on public lands. I don't see litigation, but that doesn't mean it couldn't exist or that we could have an issue with it; or that someone could come up with some sort of novel argument. I think there are much bigger issues that have not been discussed. We regulated guides in the 1990s and early 2000s and the legislature took that away. Defining commercial guiding is an issue and I think that will take more enforcement, rather than us bantering around what is guiding and what is not. For instance if a guy is at Cheyenne Bottoms and has his guiding information on the side of his truck and he is out there with his brother or best friend, is he guiding? Enforcing that type of law will be more difficult than people anticipate. Pearce –

Commissioner Lauber, are you asking for more of a report at March meeting? Chairman Lauber – Yes, and I would like to see this start being workshopped as a consider to either quit allowing it or allow it based on a Commission vote. Unless Chris comes up with another timeframe to get it established by next fall Pearce – How do you feel about guided fishing on public waters?

Chairman Lauber – I haven't had any complaints on that; it is a good point. Limiting my opinions to hunting that is where public outcry is. Tymeson – This deals with department lands and waters, lands under lease or under our control, not with general public land. We control state fishing lakes, but we don't control the reservoir when you are talking about fishing or access.

This deals with wildlife areas, not the Corps property next to it. Pearce – So if someone wanted

to guide waterfowl hunters on the middle of Milford Reservoir, off the wildlife area, the state couldn't really do anything about it. Tymeson – I don't think we are going to be able to.

Chairman Lauber – I don't propose we deal with anything other than department managed wildlife areas. Pearce – Would that include Corps lands managed by the department? Tymeson – Yes, if under lease or control by us under statute by definition, then we could.

Spencer Tomb – I have been in Manhattan since 1974 and duck and goose hunting has gotten better in some ways; but more crowded now. More people going to public land now and the best waterfowl hunting is on public land. There is still some good on private land, but most of waterfowl hunting will be at federal reservoirs or downstream from them. The Kansas River is public land and you have some of the exact same problems with people trafficking back and forth with air boats, running the birds off and making it difficult to hunt. Hunting experience has deteriorated; more rapidly in last 10-15 years.

Schrag – Reporting process requires the guides to report post season and that deadline is July 1, so I will have data up until March, but won't have all of the reports in for this past hunting season. I will continue to compile the data I already started on. Commissioner Cross – Stuart, can you go back and define the difference between permit and sub-permit? Schrag – We issue guiding permit to a business and part of the application process details business, business owner and lists every sub-permittees or all of his employees who are going to be active in this guiding service.

Loats – (read letter from fellow duck hunter) Kansas is ranked 49<sup>th</sup> in the country on the amount of public land available. It is an arid state and so don't have much public water to hunt on. Private land deer guides and waterfowl guides have leased everything along the rivers and the big waterfowl areas for their leasing/guiding operations. So this takes that land away from the Kansas hunter. Waterfowl is not a put and take species; the more pressure it receives the more the birds leave. You said earlier there is an abundant waterfowl supply and I think there is, we are at all time highs. But when you have an area such as Cheyenne Bottoms, or any other public hunting area that has certain areas where the habitat is perfect, food is perfect and water is perfect. These guides have figured this out, they live and work there, have leased everything around there and they are going to rest their fields and marshes and if they have the opportunity, hunt hot spots on public land. Those in favor of dispelling guides from public land just want quality hunting experience and we see that slipping away.

Schrag – I do have a couple of other things besides guiding. I wanted to follow up on Commissioner Rider's questions and comments from the last meeting. Hopeful, for March meeting, to have iSportsman presentation showing where we are at currently and some results. On Facebook comments, we got together and discussed that and we decided to piggyback off of main agency Facebook page, we don't want a lot of satellite Facebook pages because it detracts from the main agency page or the Game Warden page; the more we do that the less "likes" and followers we are going to have. We have already submitted some timber stand improvement photos yesterday. If we see we are creating a huge following then we will readdress it if we need to create our own public lands Facebook page. Commissioner Rider – That sounds good.

Chairman Lauber – I promised I would bring this up; a couple of people who continue to want to hunt coyotes at night with night vision and special scopes. I think the resource can stand it, but it opens up a lot of law enforcement issues. The guy has been patient, he is a prolific emailer, and I told him I would bring it up at this meeting. Kevin Jones – We did receive an email and I have been looking into it. From law enforcement prospective, I believe it is a significant issue for us

and there are a lot of tangent issues that need to be taken into consideration. We have talked a lot about public land versus private land; what are landowners experiencing. On comments we got relating to coyotes very few people like coyotes, particularly if you are in the livestock industry. There are issues about access on private land, we get complaints right now about people coon hunting on lands where they didn't have permission and I think we would see an increase in those types of activities. We have had cases where spotlighting of deer is an issue and we have discussed using coyote hunting as a ruse to use illegal methods to hunt deer. The comment was, why should one group of people be punished for the actions of another. But, this activity is something that gives individuals an opportunity to have an excuse or alibi to do something illegal, under the guise that it is legal. We have had numerous deer this year shot and left and nothing taken from the deer not even heads, so poaching is a problem. A federal court case, where individuals from out-of-state coming in and taking quite a few deer using spotlighting techniques; not just driving down the road and shining the light, but dumping people out and walking through sections of ground and killing deer. So there really is an issue here when you open this can of worms up. The number of staff we have available to enforce the law; through November and part of December, officers are called out a lot and put in a lot of overtime to address complaints we receive from landowners about people unlawfully hunting on their lands, deer illegally harvested or shot and left. At present time I am not supportive of idea of this. Chairman Lauber – Frankly that is good enough for me. I think the people I have talked to were not doing it because they wanted a poaching opportunity, but that they got new cool toys and wanted to go shoot something with it. I think you would open a can of worms and I am not very interested in doing it. Commissioner Hayzlett – On your own property it is illegal to spotlight coyotes or call them in after dark? Jones – The law says it is against the law to cast artificial light across the land or waters of the state of Kansas for the purpose of looking for wildlife. Wildlife is a broad definition including coyotes. A landowner has the right to defend their property and kill wildlife that is in or near buildings or is damaging their property. There are exemptions in the spotlighting law that allows a landowner, a livestock producer for instance, that is seeing depredation on his calves, for instance, to go out and take care of that problem. But, just to open it up to the general public, is prohibited. Chairman Lauber – I think you can use a spotlight if you didn't have a firearm or weapon in your possession. Jones – The provision in statute would allow a landowner or their caretaker (hired hand) could have a spotlight and firearm in their possession while checking stock at night.

**VII. RECESS AT 4:20 p.m.**

**VIII. RECONVENE AT 6:30 p.m.**

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

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

None

**XI. DEPARTMENT REPORT**

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

8. Fancy Creek Shooting Range Update – Richard Seaton, Fancy Creek Board President, presented this update to the Commission (Exhibit P). Provided Google map picture of the range that looks north. There are 20 lanes on rifle range, 9 on pistol range and 12 on 50-meter range. Also, provided copy of our proposed building, only a proposal. Need a place to get people out of weather and have storage. Currently have a building that Tuttle Creek provided for us 15 years ago, but it is not very secure. The proposed building is 40 x 80 with a large classroom, office, secure storage and bathrooms with outdoor and indoor access and covered outside area. Estimate for building and concrete is about \$400,000. Purpose would be for teaching and classroom spot. If bigger could hold indoor NRA BB gun training in there. Gun safety is one of our goals. Remembered some of the ones who started the range at flag pole with a “headstone”. Want to see if we can get some of the Pittman-Robertson money that you have control of. We are almost completely run all by ourselves. Advertizing is consistent and professionally done and have raised about \$25,000 and used \$10,000 of that to improve pistol range. Built covered space with concrete and looking for help from you with that. Fancy Creek, at north end of the lake is vastly under-used. There is a single track mountain bike trail there also and it is rated 4 out of 5 stars. We are open all year long, ten months on first and third weekend, every third Thursday and also every Sunday in months prior to hunting season. Had a decrease in users for awhile after 2012 election due to lack of ammo. It is a well used, well run facility. Have two events, a kid’s day at the end of April and Women on Target; and we serve them lunch. Have assisted hunt selection process and numerous hunter education classes put on there. With building would need water and septic system put in there. \$100,000 to \$125,000 to get that in there and another \$25,000 or so for a kitchen. Need to insulate well for heat and sound. Pistol range expansion, need some engineering work, butts up against, do dirt work on hill and use it to shorten pistol range, currently 20 meters. Shorten to 15 yards and 15 lanes. Need more space at pistol range. We are ADA compliant with porta-pot on concrete. Baffle repair, filled with river pebbles, exposed to weather for 15 years; in long run, they are building baffles at El Dorado that are made of concrete and want to put those on all ranges. The older baffles have a sway to them. Had a failure on pistol range, middle dropped out of baffle, so looking for repair money also. Last is parking lot; it washes out and would take 30 loads of gravel, about \$12,000 to fix. This is our wish list. Shooting sports is expanding on regular basis so we are looking for a little help in getting this done. I will work with Ross on this.

Ross Robins – Update on shooting range program. Fancy Creek has been our model range and is why we use what we do for other ranges. Volunteers at Fancy Creek is reason it does so well. It was built in pieces with wildlife fee fund money and match from Fancy Creek people and they continue to update on their own. Recently finished Hillsdale, except asphalt on the parking lot. Working on new range at El Dorado, a change from what we have done before which were mostly rifle ranges, not a lot of thought of pistol ranges, but that is not the case anymore. They are all full of handgun shooters; 56 position range with 36 of those handgun. It is a completely new design with concrete baffles and concrete side walls, will save a lot of space. Excited about that. Not only changed our model to include a lot of hand guns. When we built Fancy Creek, that was what the normal was and they were inexpensive. We plan on building El Dorado and then go back and bring older ranges up to speed and Fancy Creek is on the top of the list. Have to wait for money to come in. Have PR dollars that we have to match. Will have enough money to finish El Dorado on July 1, but then have to wait to accumulate more money.

Mike Pearce – You said, 56 shooting stations at El Dorado? What is break down? Robins –

There will be 14 rifle positions, a 25-yard range that will host six. Pearce – The 14 is 100-yard? Robins – Yes, check with me tomorrow, I may have my figures mixed up.

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

3. Deer 25-Series Regulations – Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit Q). First is KAR 115-25-9; we have been hunting for about 124 days now will go to 148 days; next year we will have two more days, the way the calendar works, where you can hunt deer somewhere in the state, 150 days by our current proposal. No major change to 115-25-9, with one exception; Smoky Hill Air National Guard has requested to go back to same season dates as the rest of the state is using. Using the same structure we have had the last year or two. 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 (Fort Leavenworth), 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 in short season option (DMU 6, 8, 9, 10 16 and 17); or five may be used in medium option (1, 2, 3, 4, 5, 7, 11, 12, 13, 14, 15 and 19.)

Keith Clark – I am a landowner in Lyon and Morris counties and I have spent a lot of time in the field on my property and adjacent property the last seven years. I have noted a significant reduction in number of whitetail deer, concerned that allowance of five antlerless tags is excess. I am in Unit 14 and I would request that somehow I understand the data behind the allowance, especially in my area? I put in a call about a year ago and didn't get any response to that. This year I spent all of turkey season, all of muzzleloader season and the majority of firearm season only to see three or four does. I am hunting in a wooded area on the Neosho River, with cropland around it. Fox – I would like to get together with you; we do a survey that goes through the Neosho River valley, southeast of Council Grove and goes over to Diamond Springs. Unit 14, with our surveys, has been increasing in numbers, especially south of Woolsey, don't see as many as last couple of years, but I would show that data if you would like to see it. We have spotty distribution of deer and in some areas fewer deer and other areas many more deer; but overall upward trend in Unit 14, unlike we are seeing, for example, in Unit 10. I am in Emporia office and would be glad to show it to you. In 115-25-9a, at Fort Riley we include other two military areas in 9, but keep Fort Riley separate to make any last minute changes. Personnel from the Fort are here tonight; we looked at their recommendations and presenting as they recommended. Changes they would like to see is no pre-rut firearm antlerless season, but would like to have four additional days for youth and people with disabilities from October 7 to 10 and additional days for archery hunting, September 1-11 and also January 9-31. Also, a time period when antlered deer can be taken with archery. The firearm season dates would be November 25-27, December 17-23 and December 26-27

4. Big Game Permanent Regulations – Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit R). Discussed 115-4-2, and as a result of that are going to look at changes in the system. That was on tagging and possible antler tags. We will review in conjunction with the new contract for the KOALS system, try to address it that way. All of the other regulations in the 4-series have either already been handled this year or there was

no additional input for changes; with the exception for 4-4, which is legal equipment for hunting big game. This occurred at last Commission meeting and we were asked to take a look at large caliber air rifles for possible inclusion for hunting big game (covered below).

4. Air Rifles for Big Game – Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit S). We did some background information on that I have provided that. Air rifles have been around for a long time, .46 caliber air rifles were around when Lewis and Clark Expedition was going on. They were used as military weapons, so there is a long history on them. In recent years, small air rifles 0.17 or 0.22 caliber air rifles; smaller pellet and BB guns have been modified and improved and some of those are now capable of moving a projective at very high velocities and are effective as small game hunting equipment. The larger caliber air rifles, the ones I have been able to research and get ballistic information on, do not move a bullet at a high velocity. The .50 caliber air rifle has a velocity 679 ft/sec and generated 230 foot pounds of energy. That is less energy than is produced by a factory loads for a .22 mag rifle and these bullets do not expand so do not increase the size of the wound channel. At this time there are a handful of states that have legalized them for big game (AZ, VA and MO). So far there has been neither problems reported or benefits from allowing such types of equipment. However, at this time we do not feel it would be prudent to allow large caliber air rifles for big game hunting because of their limited capabilities. We have been getting a bunch of additional comments about other types of weapons; whenever we open this regulation that seems to occur. One of the big items seems to be an item called an air bow, which is projecting a bolt or arrow using compressed air. It looks somewhat like a crossbow, only it shoots an arrow through. Again this is not legal in Kansas and we are not recommending any change in regulation 4-4 to accommodate these new types of weapons. Dave Easton – Any figures on participation in October pre-rut season? Fox – Not heavily used and not popular with Kansas sportsmen. This is second year and going forward with additional year.

#### **D. Public Hearing**

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

1. Free Park Entrance and Free Fishing Days by Secretary's Orders – Tony Reitz, Kaw Region Manager, presented the Secretary's Orders (Exhibit U). Here on Linda's behalf, see dates in briefing book item. We don't need to vote on this as it is Secretary's Orders.

#### **XII. Old Business**

*None*

#### **XIII. Other Business**

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

March 24, 2016 – Kansas Historical Society, Topeka (possible legislative lunch on March 23)  
April 21, 2016 – Great Plains Nature Center, Wichita

June 23, 2016 – Fort Scott

August 11, 2016 – Great Bend

October 20, 2016 - Liberal

January 2017 – Emporia (Flint Hills Technical College, Phil Taunton suggestion)

#### **XIV. ADJOURNMENT**

The meeting adjourned at 7:20 p.m.

(Exhibits and/or Transcript available upon request)