

REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, June 23, 2016
Danny & Willa Ellis Family Arts Center, Fort Scott Community College
2108 S. Horton, Ft. Scott, Kansas

Tour of Fort Scott, 9:00 a.m., meet at Fort Scott National Historic Site, Old Fort Building

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

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

IV. APPROVAL OF THE April 21, 2016 MEETING MINUTES

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status (Robin Jennison)

2. 2016 Legislature (Chris Tymeson)

B. General Discussion

1. Fort Scott Presentation (Lindsay Madison, CVB director and Bill Michaud, Chairman of Chamber Tourism Division)

2. Recognition of Fort Scott's involvement in Community Fisheries program (Don George)

3. 2017 Turkey Regulations (Kent Fricke)

4. Squirrel Season Briefing (Kent Fricke)

5. Law Enforcement Program Update (Kevin Jones)

C. Workshop Session

1. Park Regulations (Linda Lanterman)

2. Fishing Regulations (Doug Nygren)

3. Threatened and Endangered Species Regulations (Chris Berens)

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

- 1. KAR 115-8-24. Revoke - Guiding on Public Lands (Stuart Schrag)**
- 2. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (Lloyd Fox)**
- 3. Secretary's Orders – adding Blue Cross and Blue Shield of Kansas Healthy Trails Day to fee free day at Kansas State Parks (Linda Lanterman)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on June 23, 2016, to reconvene June 24, 2016, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment.

If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911.

The next commission meeting is scheduled for Thursday, August 11, 2016 at Life's Finer Moments, 1285 16th Rd, Clay Center.



Lindsay Madison, Executive Director
Jessica Cook, Marketing, Relations & Events Coord.
Fort Scott Area Chamber of Commerce & Tourism Center
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Date: Thursday, June 23, 2016
Group Name: KDWPT Commission, 12-20 people on FS Tour Thursday morning
Planner: Linda Craghead, O 785-296-2281, C 785-409-3499,
linda.craghead@ksoutdoors.com
Connie Hartford, connie.hartford@ksoutdoors.com
Timeline: FS Tour 9-11:30am, lunch 11:30-12:30pm, meeting 1pm, break by
4:30pm, then
back at 6:30pm – some staying the night before, and possibly night
after
Meeting will be held at the Ellis Fine Arts Center

Itinerary – Thursday, June 23, 2016

- 9am:** Arrive and tour Fort Scott National Historic Site, 1 Old Fort Blvd.
- 9:50am:** Board trolley for tour of the City of Fort Scott including historic mansions, US National Cemetery No. 1, Gunn Park, Downtown on the National Register of Historic Places and more!
- 10:40am:** Trolley drops off at Lowell Milken Center for Unsung Heroes for brief overview & tour of exhibits or demo. of live unsung hero performance, 1 S. Main St.
- 11:25am:** Group walks to Papa Don's for lunch, 10 N. Main St., order lunch on their own, eat as group in back room
- 12:30pm:** Walk to vehicles at adjacent Fort Scott National Historic Site and drive to Ellis Fine Arts Center for meeting, 2108 S. Horton St.
- 1pm:** Meeting
- 4:30pm or before:** Break - suggest going to Lyons Twin Mansions, nice patio in front of Nate's Place, 742 S. National, park in back – they will not be serving dinner at this time, but serve snacks and beverages in the evening. Another option is Crooner's Lounge/Liberty Theatre courtyard, 117 S. Main St.
- 6:00pm:** Back at Ellis Fine Arts Center for meeting, 2108 S. Horton St.

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, April 21 2016
Great Plains Nature Center
6232 E 29th St. N, Wichita, Kansas**

Subject to
Commission
Approval

The April 21, 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 Great Plains Nature Center, Wichita. Chairman Lauber and Commissioners Emerick Cross, Tom Dill, Gary Hayzlett, Roger Marshall, Aaron Rider and Harrison Williams were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila – Under General Discussion, delete item No.

4, Law Enforcement Program Update; Kevin Jones is unable to be here today.

IV. APPROVAL OF THE March 24 2016 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber presented Sheila her 25-year certificate and congratulated her on her service.

Rick Dykstra, Milford – I've lived in Kansas 35 years, coming from California. Talk about two things, tourism and wildlife (read article – Exhibit C) “On behalf of the owner of Acorns Resort, Mike Harris, let me say thank you for allowing me to update you on what we are doing at Milford Lake. The first resort in Kansas has been up and running for the past 10 years, let me say that this resort and the new additions could not have taken place without great partnerships, which included the State of Kansas, to include Wildlife, Parks and Tourism, Corps of Engineers, Geary County and the City of Junction City. What started as two small cabins has now grown to 20 cabins that can sleep from two to 12 per cabin and nine lodge rooms that can sleep four per room. Visitors from throughout Kansas and the United States are discovering what great outdoors we have. RVers have also discovered that our 61 sites put them in the middle Of the lake and the middle of many recreational choices.

At the end of March 2016, we opened the Milford Lake Conference Center. This is the first and only conference center in Kansas to be located at the U.S. Army Corps of Engineers lake. The center can hold 275 persons for social and theater style events or 200 for dinners, wedding, reunions, or many other events. The center features great views of the lake and woods. The center features one main hall which can subdivide to three break-out rooms and one executive board room for 14. You'll find all of the modern amenities, to include a state of the art sound system, built in DLP projectors with screens and Wi-Fi. After a few hours indoors, you can step out to the large main deck and be surrounded by the lake and woods. Opening in June 2016 is the

new Cove Bar and Grill. Located next to the conference center, the Cove has a very large paved outdoor patio area which allows you to sit and eat, while overlooking the lake. In fact, boaters will be able to pull up in a slip and get something to eat. If you want to stay indoors, the views of the lake are stunning. Windows cover the entire area facing the lake. We are very excited. Recreational fishing is one of America's most popular and universal outdoor recreational activities. Trend studies assessing anglers' fishing motivations conducted by Responsive Management found that, overall, fishing to be with friends and family and for relaxation are increasing. Fishing, for most participants, is primarily a social activity and secondarily a recreational activity. Promotion strategies that focus on the importance of family and friends and naturalistic aspects of fishing or on the relaxation fishing provides will succeed while programs that focus solely on resource issues such as bigger fish, more fish, or structural issues will be less likely to succeed. It appears to me, that with the new Walleye Initiative, some lakes are going to try to serve a subset of the recreational angler. The recreational anglers enjoy being with family or friends while fishing. In fact, many enjoy the solitude of just being outdoors. But with the new Walleye Initiative, it appears to me that we are now trying to serve a sub-set of the average angler - The Trophy Angler. In the future at Milford Lake you just won't go fishing with friends and family, you will go "Trophy Fishing." To most anglers, including myself, it's not about the size of filets or the size of the fish, it's about time spent outdoors. As many of you know, Milford Lake has had the opportunity in the past to host some of the most prestigious fishing tournaments in the United States. These events bring many new anglers and dollars to the State of Kansas. They also return to the lake over 98 percent of the fish back to the lake. These tournament anglers have come back to Milford with others to enjoy our fishing. For someone to say or think that we would be able to recruit a national walleye event with a two fish limit at 21 inches has never recruited a national fishing event. Fifteen-inch walleye lakes will become the trend for those seeking to catch a few for the dinner table. According to Michelle Stimatze, Marketing Director at the Junction City/Geary County CVB, the CVB is very concerned about the impact this new proposal will have on the area. They do not think this will have a positive economic impact and will drive away the recreational walleye angler. They also think it will stop regional and national walleye events from coming to Milford Lake. We do not need to be what bass is to Florida. We do not need to be what walleye is the Lake Oahe or Devils Lake. We just need to be Kansas where people enjoy getting outdoors and fishing, hiking, hunting, biking, etc. So what should be done? Should we be looking at the water clarity of Milford Lake along with the lack of vegetative cover for small fingerling walleye, essentially giving them a hard chance of survival in a lake patrolled by wipers, bass, crappie and white bass. I would ask the commission to consider other alternatives than raising the length limit and decreasing the creel on walleye at Milford Lake. I've heard the thought on this new proposal that it will hurt for the first five to seven years, but then you'll come to Milford Lake to catch two walleye over 21 inches. In 10 years will you have to raise it to 25 inches because all the 21-inchers are being kept? As I said earlier, I would ask that the focus be on time spent outdoors with family and friends and not on how big the filet will be. If action must be taken, please think about the average angler. Possibly two walleye in the 15- to 18-inch range and two walleye over 21 inches. In closing, I would like to extend an invitation to the KDWPT Commission to hold a commission meeting at the Milford Lake Conference Center, we know you'll have a great experience. Also, if any of you would like to spend a day of fishing at Milford Lake, please contact me. Just remember, it is called fishing, not catching. Chairman Lauber – The fishing part of this will come up later in fishing regulations.

Susan Powell, Atlanta – In February I wrote the Commission members a letter, here to give general opinion and outlook of what I see is going on. Most of my comments are in the form of a question, so if someone can answer today or down the road, I would appreciate it. Appreciated responses I received from the letters. Here to talk about problem outfitter and guides, both in-state and out-of-state. Used to be a license for outfitters and somewhere down the road it was done away with, which was a big mistake; I don't know why but maybe some of you do. At that

time a person couldn't obtain an outfitter license if they had convictions for wildlife violations; I want to know how this can be reinstated? I don't understand why these people who are doing things unlawfully should be taking in hundreds of thousands of dollars using someone else's property to hunt Kansas wildlife and not be held accountable for breaking the laws. The rangers have too much area to cover and spread too thin, which lowers the chance of apprehension. When you get involved with the U.S. Fish and Wildlife it takes so long to bring anything to finality; to file charges and prosecution to happen. This gives the outfitter more time to guide and collect money to pay fines; nothing changes in their operation in the interim. Does Kansas not have authority to suspend hunting activities in interim? Whenever someone is prosecuted or fined, what prevents them from letting another family member or friend from assuming the business, hiring more unethical lawbreakers for guides and continue business. Is there a level of violation of wildlife law that removes the ability of state and local officials to prosecute? Another problem created by out-of-state guides and hunters is the money/money issue which hinders residents from hunting and trapping endeavors. Chairman Lauber – Appreciate your comments and heard them from others. Question on guides and outfitters, at one point tried to regulate or at least register; told too intrusive on economic development; legislature watered down what we could do and we decided not to license anyone. There should have been minimum standards and we were not able to do that. Contact your local legislator. From time of violation to conviction is because of court system. We don't prosecute, the County attorney does and we don't get any court costs or fees, only forfeiture of equipment. Try to do because the right thing to do, but they can seek continuances and we can't stop that. More land is leased by in-state leases than out-of-state and we feel bad that people have no place to go, just don't know how to fix that. Can't buy property for public hunting because perception by many that the state shouldn't own land. We do walk-in hunting, but hard to compete with private sector interests. Have heard this disappointment from constituents, but not all outfitters are bad. If you want some level of registration start with your elected officials. We can't afford to hire more officers, but can contact your local sheriff for assistance. Chris Tymeson – Ten years ago legislature revoked our rights to regulate guides, so that is the right place to start. Prosecution happens at local level not at state level. Chairman Lauber – Appreciate you coming to visit with us.

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). At the last meeting Commissioner Dill asked about the cabin program and I indicated Hillsdale was top on our list for cabins and talked about Wildscape and how we paid off that note and weren't going to have Wildscape borrow money anymore. They were going to get donations up front and there is a law where people got a tax credit for donating to nonprofit organizations. That is what we had hoped to use and they had found donors in the Johnson County area and we thought we could pull that off. However, in the Senate there is a proposed bill, SB 500 which was introduced to do away with that program, which would be problematic. Visited with Secretary of Commerce about Hillsdale and he was upbeat with Parks using that, feel this is coming from legislators and we will keep an eye on that. Start with wildlife part of agency, doesn't get any general funds or economic development funds. One thing of interest, April is a big month because of deer permits, to date for nonresidents brought in \$7 million so will exceed \$10 million so we are on track. We have not hurt number of folks wanting to come to Kansas with the increase in fees. Don't think parks will get much SGF money, only get a little over \$1 million and a little road money. Get EDIF, and before tourism came in we got \$5 million a year and now still only get about \$5 million and have absorbed tourism into the agency. If you go back to 2011, January was the first month this administration took over and the monthly revenues in park fee fund (PFF) was \$196,000 and have increased significantly, and total for that year was about \$5.2 million; already at \$4.7 million so far this

year. Expect this year to get where we have \$5 million balance in PFF. In Cabin Fee Fund, at bottom, important part is Wildscape payments, were paying \$457,000 a year when they had the note, they got 75 percent of revenue; now we give them 10 percent and I think we are on track, down a little, but gross revenue is static. Actually, running a little ahead of what I projected. Think we are not going to get any more general tax support from legislature and what follows that up, Consensus Revenue Estimators met and have handout of what they presented to legislature (Exhibit E), does not touch the agency. End up with bit of history for this meeting; last week was the 30th anniversary of Governor's One-Shot Turkey Hunt and I visited with those from other states. The event was praised for class act. History of turkeys in Kansas: from spring of 1963, a decision was made by Commission in 1961 to capture and release wild turkeys; farmers and other folks had been releasing pen raised turkeys. Our program was based on programs started in Texas and Oklahoma. About 400 wild turkeys were released. Grown into a tremendous opportunity and turkey hunters are increasing. Chairman Lauber – Explain briefly what SB 500 is? Jennison – If someone donates to nonprofit can get a tax credit and Wildscape is nonprofit and cabin programs qualify for that tax credit. Charlie Black, Wildscape – Had that in 2009 and 2010. Jennison – Didn't explain the program or how important it was. New secretary of Commerce is avid rural tourism advocate.

2. 2016 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission. Updated March 28, 2016 (handout from website – Exhibit F). Not much has changed from last report in March. Cover highlights, second year of two-year cycle, legislators come back Wednesday and hope to be out in 5-7 days, maybe more. Thank partners that helped us out with the legislature this year. SB 97 allowing contact with certain regulated animals, bill passed in 2004/2005 dealing with lions, tigers, bears, cheetahs, mountain lions and those types of animals, and this was an attempt to allow contact with animals below certain weight limit, passed out of committee, but did not pass on last day of session, but still conferenceable item. SB 190, four or five bills dealing with this; bill would allow a person to operate sailboat after completing an instructor lead class, dealt with providing an exemption for persons in class to sail without boater education; still possible for movement during conference committee. SB 249, not on department website but deals with state agencies in general, and not allowing acquisition of any real estate from state/private partnerships, like Wildscape; and requirement of all leases of five years or more would have to have approval from state finance council and we have 1,000 ag service contracts and 1,000 WIHA contracts. There were a couple of bills that dealt with threatened and endangered species and they didn't move; one would have delisted a species statutorily and one would have exempted certain activities on stream maintenance and we did an MOU with Sedgwick County and cautioned the legislature on delisting species by statute. SB 278 designated Cowley County the official stone bridge capital of the state. SB 280 is in conference committee tax bill and provisions on Bed and Breakfasts. SB 384 was another Threatened and Endangered Species Act bill that we opposed; we came together in subcommittee and met with proponents and whittled it down to the department publishing recovery plans on the website and developed within four years of listing of a species or no mitigation and took exemptions from current regulations and put in statute with one exception, which the department still opposes; that bill was added to HB 2547 and sit in conference committee. SB 425 would have authorized county commissioners to regulate conservation easements in their county; approximately 20 opponents and 3 proponents and bill died. HB 2293 also dealt with dangerous regulations animals and went in opposite direction and would have tightened restrictions and added wolves and primates to the list. HB 2341 deals with prioritizing options for disposal of seized wildlife; seized wildlife is evidence until person comes to trial or enters plea agreement, this would prioritize them even more than they are now from bill that passed a couple of years ago. HB 2479 started as noxious weed council and department was a member of that; would declare noxious weeds by statute instead of regulation and current rendition would allow counties to go into wildlife areas and treat them after notice to our department and we oppose that. We currently spend \$250,000 to \$300,000 a year controlling

noxious weeds on properties we manage. There were two bills, HB 2510 and 2511 that dealt with state water plan fund and fees and both of them would have resulted in diversion, taking license dollars and using it inappropriately; did not get a hearing, would have cost department \$20 million in federal aid, PR/DJ monies. HB 2457 names bison herd at Mined Land WA after former representative from southeast Kansas, Bob Grant, passed House 120 to 2 and were referred to Senate Natural Resources and they added language from endangered species bill and sitting in conference. House Concurrent Resolution 5008 deals with right of the public to hunt, fish and trap; passed both houses by 2/3 majority, unanimous in Senate 36 to 0 and in House 117 to 7; it will go to ballot in November where it has to be ratified by simple majority of voting public. Chairman Lauber – Which bill had to do with evidence? Tymeson – HB 2341; had hearing in Senate late in the year and did not get passed out of committee; passed House last year. Chairman Lauber – That is also the bill known as antler bill? Tymeson – Correct. Chairman Lauber – What is a clouded leopard? Tymeson – Not biologist, but small leopard of about 40-50 pounds. SB 97 would have exempted contact with cheetahs and clouded leopards and other species under 40 pounds. Chairman Lauber – Mark Twain saying, “A man that carries a cat home by the tail learns a lesson he can learn in no other way”.

B. General Discussion

1. Tourism Update – Linda Craghead, assistant secretary, presented this update to the Commission (PowerPoint – Exhibit G). Look at today’s media and look at revenue forecasts, share what tourism does and what agency does are all part of tourism industry, an \$8.9 billion revenue. Key indicator is hoteliers; they collect tax, transient guest tax and have seen \$10.8 million revenue back to local areas, \$42.6 million generated and returned back to grow local communities. In sales tax, we don’t get any state general fund (SGF); hoteliers alone collected \$40.92 million, an increase of \$8.1 million. In jobs, 62,188 at last count, 34.8 million people. Hotel revenue grew from \$641 million in 2011 to \$841 million this last year. Increase of 800,000 room nights. Kansas is great state to visit, hike, hunt and leisurely recreate. Over last several years parks have made tremendous progress due to hard working individuals and marketing. Think about high definition and play station, dining out, breakroom, roaming has different meaning in parks than online. A new campaign is starting, “Lets Camp America,” to get people out to parks outside of regular season, starting May 7. The live link tells you five things to see and do, blog from locals. Seeing growth in marketing, work hard to promote fishing opportunities, actually doing sweepstakes for anyone who buys a fishing license to sign up for lifetime fishing license. Drive people to buy more, capture more email addresses because digital is best way to contact people so we can do eblasts. Have to capture email addresses, do it in the parks already, but not done the same for hunting and fishing licenses so we can communicate on regular basis. Saw new turkey videos before on Outdoor Channel and got good feedback and got license purchases because of it. Now concentrating on fishing, (*watched fishing video*). That is Keith Sexson and his two grandsons at Douglas State Fishing Lake. Crossing over to leisure tourist to get them introduced to baiting hook, etc. Blessed to have participant on Ellen show, Macey Hensley, Cottonwood Falls, and she knows everything there is to know about presidents and their wives and she is only five years old. Has been on Ellen show at least seven times and is due to be back in a couple of weeks; doing commercials with her and we had to get permission from Ellen Show for her to do the commercials; one at Eisenhower Museum and one at Exploration Place. Also, developed video for Macey to send to Ellen; she got Abe Lincoln costume from Ellen. People have done a good job, staff is small but focused. Trying to cross-leverage marketing and capitalize on that. New Powder Hook partner and leveraging with outside money. May 7 and September 12 are Lets Camp America dates. Also, looking for a vendor to be marina operator at Cheney.

Break

2. Park Regulations – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit H). Presenting possibility of adding another permit to state parks. This change would allow park visitors to purchase an unconventional vehicle (UV) permit for additional recreational opportunities. We are recommending that we establish a \$50 annual permit for (UV) to be utilized on state park roadways with a posted speed limit of 30 mph or less from sun-up to sun-down. This is something new, researched with other states and Nebraska is getting ready to do it. New Hampshire has it already. Not going with ATVs, but less powerful vehicles, UTVs will be allowed. Chairman Lauber – I was at Perry last summer and a person had a vehicle and park ranger was explaining why they couldn't do that, but someone went by with handicap cart; don't see big problem, but be aware of possible abuse, to back it up. Don't see a problem. Michael Pearce – Do vehicles already have to be licensed for public roads? Lanterman – Already permitted if licensed, these are not for vehicles not licensed. (read description of vehicles in Dept of Revenue guidelines).

Michelle Ratzlaff, citizen of Kansas – Here to ask you to protect beautiful state parks, before you allow all ATVs, take moment to consider financial cost and more enforcement. They steal sounds of nature and quiet from people at parks, additional monitoring for driving under influence, harms landscape and wildlife. In commission statement, says driving force goals and objectives are promoting wildlife resources, prohibit these vehicles. Been in over 20 state parks over the years, hunt, fish, camp and hike and bring people with me to these parks.

Joe Bernoble (*did not sign in*), Friends of Crawford State Park and homeowners of Crawford, which is the one park where you can own property on the lake. Moved there two years ago and have enjoyed living there. Friends Group has history of providing things for state park and about two years ago were interested in using golf carts; talked to two legislators and investigated that. We enjoy natural resources and quiet environment and propose nothing to detract from that natural beauty. Call it a golf cart policy, convenient, better use, more economical, environmentally conscientious and quiet because electric. Use on roads only, not off road and asked our lake to be pilot for that program to see how much it took to control that. In 2011, Fort Scott legalized use of golf carts in their city and asked how many permits they had sold, also they charge \$50 annually; don't have to reinvent the wheel and I brought a copy of that ordinance today. Last year they had 34 permits sold, from three the first year and have sold 27 this year so far. Asked if they had any issues and they said zero issues. Sometimes during festivals have people who are not licensed using one. All questions are answered in this ordinance. Not interested in you adopting a policy that we have to live with 24 hours a day.

Goble is a good park manager and Alan Stark, who we worked with on this. Commissioner Dill – Are they all electric? Bernoble – No, gas or electric. Commissioner Marshall – Is there a noise threshold? Lanterman – Significantly less than Harley motorcycle. Commissioner Williams – Have you done comparison on gas versus electric? Lanterman – Don't feel like big disparity, maybe upkeep of batteries. Michael Pearce - \$50 a year, what is it for regular vehicle?

Lanterman - \$25. Pearce – When does it go to vote? Tymeson – October. Pearce – Have you looked at electricity bills and this will affect those? How many vehicle permits do you sell?

Lanterman – About 70,000 at DMV, 100,000 total; lighter on our roads; already allowing with disability permits and staff uses them. Commissioner Rider – Not sure if much difference between gas-powered golf cart or car or truck in dealing with noise issue. Lanterman – Right, NH is \$100 and NE looking at \$50; both using UTV and golf carts. We chose not to do ATVs.

3. Fishing Regulations – Doug Nygren, Fisheries Division director, presented this update to the Commission (Exhibit I). First discussion for fishing changes to take place next year. Reference document is lengthy and creel limits that are different than regulations used to accomplish certain goals and strategies. First 20 or so in italics deal with walleye initiative and changes in walleye, saugeye and sauger that would help us provide those diverse opportunities by metropolitan areas to give people options for different types of walleye fishing based upon a drive of less than 90 miles. Issues that are going to be most controversial would be the ones affecting Kanopolis Reservoir which would be changing from a 15-inch to an 18-inch limit; and

Milford would be changed to a 21-inch length limit and a 2/day creel. The rest are small impoundments and don't expect a lot of push back or concerns on those. Commissioner Rider – What is Milford at right now? Nygren – It is 18-inch, 5/day. Chairman Lauber – Does this include Glen Elder? Nygren – We have removed Glen Elder after review of biology and computer models. Chairman Lauber – I was aware 24-inch being withdrawn, not aware everything withdrawn there. Biggest issue will be Milford, had a fair amount of opinion and opposition in non-agenda comments. Letters and emails universally against it. Got both sides on Milford. Nygren – Optimize ... large quality females, got eggs from surrounding lakes, because not enough from brood stock. In addition, looked at field information. Creel surveys done for a long time. Make note, measure and record. At Milford, 60 percent who caught walleye harvested it, some kept only one, 15 percent kept two; very few keeping three or more walleye. Only harvest 72,000 a year; not going out a lot. Will result in same harvest if do slot length limit; high exploitation walleye won't make it through the slot, so minimum length limits are best options. Chairman Lauber – In reality if walleye average a pound each; when put two-fish limit doesn't provide biological benefit only psychological. Nygren – Calculated at Milford and will protect about 15 percent more fish, and 15 percent more would have to be released if 5/day over 2/day, but may distribute harvest more. Chairman Lauber – Not about the money, have certain amount of expense and harvested well beyond their capacity, could double size. Nygren – More pounds. El Dorado had 21-inch length limit for a long time, Craig, what are numbers? Craig Johnson – Don't have those numbers with me. Chairman Lauber – Could increase pounds of harvest and don't think it will take more than five to seven years; walleye don't live any longer than that. Nygren – Milford's population is down right now, big part is improving stocking program and stocking at larger sizes and at bigger numbers. Excited about meeting demands. In Wisconsin, they're stocking 7-inch walleye and have 30 percent survival rate. Commissioner Williams – How long to grow from 18 inches to 21 inches? Nygren – About a year and half, most growth in fall. Commissioner Williams – From 15 inches to 18 inches? Nygren – About a year. Chairman Lauber – How much should we protect brood stocks? Bigger limit in lake and easier to get eggs? Nygren – Hope to see natural production if walleye make it to 21 inches. The way we are managing walleye we have to stock. Commissioner Marshall – How much do we spend? Nygren – \$1.7 million a year, about 50 percent of that to stock walleye and takes large portion of pond space.

Michael Pearce – Is this something the Commission votes on? Tymeson – Commission votes on regulation where this reference document is attached. Pearce – When up for vote? Tymeson – October and go into effect Jan 1.

Lance Mitchell (*did not sign in*) - Thanks for taking time to look at resource, not failing, but not prospering either. Overharvest is number one problem and I see a lot of fish go home. As soon as fish hits minimum length it is gone. Get another year out of fish. Biggest reason for declines, the fish have nowhere to hide, lakes under 10,000 acres. With map chips, fisherman can find walleye structure on lakes, fish all in a day; and add social media to that, post on Facebook and people come out. Technology has come a long way and fish have nowhere to hide. If we want more fish, reduce number you can take home, if not catching limit anyway, should not complain about reduced number. Milford saw large tournaments and many came down in September or October to start working the lake. Big tournaments not coming back at 2/day and 21-inch limit. Lose time and nonresidents coming down. Tournaments are doing advertising for Milford, but if not there no advertising. Define what I define as a slot, one over 18 inches; NE has one over 20-inch four fish limit. Harland, Nebraska, not far, and fishes like Glen Elder and tremendous walleye fishery, not appropriate for all lakes. Glen Elder and maybe Milford. Help move forward with this, walleye stamp brought up by Mr. Rader at March meeting could pay to replace what we took. Appreciate time to offer my opinions and views. Chairman Lauber – Of opinion slot limit won't work unless recruited naturally. We are at bottom of natural walleye range; and Nebraska may have something we don't have. Nygren – Would have to set very narrow slot with exploitation rates to have any fish to grow through that slot, if available in April, May or June 70 percent will be gone. Chairman Lauber – From Junction City/Milford standpoint, not worried about

tournaments, want tourism and tax dollars; would have to call it trophy fishing rather than common-man fishing. Rather have healthier harvest of walleye and more statewide than have big tournaments. Have counter measures and issues as well. Commissioner Dill – Read a couple of times, on walleye stamp, thoughts on that and how many could we potentially sell and could we increase length and size? Nygren – There was a stamp in place at Milford that helped us pay for the hatchery there, but dropped when bond was paid off. Administrative decision to have fund for walleye management only. Chairman Lauber – Rather prioritize within budget than start walleye stamp. Not sure that it will make any difference. No extra hatchery space now. Nygren – Don't have enough hatchery space to fulfill requests now, we make decisions every year on what we are not going to raise. Focusing in on Licensed Angler Survey and species that are the highest priority, which are largemouth bass, catfish and walleye; not much on crappie because we get good natural reproduction. In middle of 4th year of 6-year study on largemouth bass and expect that to go up. Hatchery demand is going up, continue to run up against the wall. Commissioner Dill – Do you buy anywhere? Nygren – Channel catfish for urban fishing program and rainbow trout. We have partnerships with some private aquaculture folks and this year Mark Harman will be raising walleye fingerlings for us, we will be providing the fry; and other private sector folks to help with shortfall, but not enough private space in this state to help with what we need. Chairman Lauber – We harvested 72,000 walleye, less than whitetail deer; about 400,000 anglers and I am guessing number of people who would voluntarily buy the walleye stamp would not be that great because right now they are incidental take. Have people who will drive 70 miles. Nygren – People who said walleye was their most preferred species made up about 88,000 in Licensed Angler Survey; I think a good portion of those would. Chairman Lauber – There would be expectation, if I buy the stamp, to have it get better and have more and bigger fish. Nygren – They way you would have to do that is combination of the changes we are proposing today and stocking more and bigger walleye. Commissioner Dill – You said half of production costs are related to walleye? Nygren – Yes, walleye, sauger and saugeye, just under half as far as hatchery space. The private sector purchases of catfish and trout program are not part of the \$1.7 million, those are separate. Commissioner Williams – Do you see win/win down the road to reaching departments goals and satisfying the sportsmen? Nygren – That is what we are asking for; short-term sacrifice to have better walleye at the end of the rainbow. Especially if we are enhancing our stocking program, which we are with the resources we have now. We will be raising 7-inch walleye at Milford inside the building next year and they think they can raise 80,000 and expect 30 percent to 40 percent survival of them and continue to raise traditional fingerlings to a larger size, 45 mm, where scales are complete and they are more likely to survive. Between ability to raise bigger fish and better quality small fingerlings and with more walleye recruits out there, people will see a difference. Commissioner Marshall – If you sold 90,000 stamps at \$10 each that would be \$900,000; what could we expect from that money? Nygren – we would need to do a combination of building additional ponds and enhance ability to intensively raise walleye on artificial diet. We have been working on a larva culture project at Meade and Milford different from the past. Traditionally we hatched the fry, put them in ponds and raised them on natural food and then stock them out when they run out of food. With the larva culture project they start off on artificial diet and don't have to take up any pond space, live in tanks until we are ready to stock them. We have another technique we can use that can take the fingerlings that have been in ponds, bring back into building at Milford and train them to take an artificial diet. They come in as fingerlings, about an inch and a half long, train them on artificial food and raise them up to 7 inches or larger. Two different ways to get intermediates and with the larva culture could also raise larger numbers of small fingerlings. Once on artificial food you can grow them as big as you want to. In ponds on hatcheries, when they run out of food if you don't get them out they will start eating each other. Chairman Lauber – Other proposed changes? Nygren – The first one past the italicized section is Wilson Reservoir; due to poor forage conditions we want to change to 5/day for striped bass. Commissioner Marshall – Increase or decrease harvest? Nygren – Increase from two to five to get additional harvest; need to thin out until water conditions improve. We may want to go back to two at some point. Commissioner Marshall – You think it

is food source opposed just a nutrition issue? Nygren – Just not enough forage in there for primary productivity to provide shad and things stripers need to thrive and do well right now. The lake did come up a little, we were hoping for more but at least moving in the right direction. The rest are relatively small changes on small impoundments; changing name on a lake at Wichita from Cruiser Lake to Wichita K-96 Lake. Reference document subject to changes as Commission or administration requests. Over course of year, we'll be doing spring sampling and shoreline seining and may have other changes as we go throughout the year. This used to be done by Secretary's Orders and is now done in reference document so it is part of the regulation. As part of walleye initiative, we're proposing to reduce length limit on walleye caught in flowing waters; tailraces and streams and rivers across the state and that way the shoreline angler who doesn't have a boat to go out there in May and June and fish the flats will be able to harvest regardless of the length. To do that Chris will tweak KAR 115-25-14 and put in verbiage that sets the statewide minimum on walleye, sauger or saugeye at 15 inches and that does not apply to rivers. New trout stocking area at Glen Elder so we can release trout below the dam, we have been putting them in state park pond, in outlet area and will require a trout permit to fish in that location during trout season. Fishing open season on floatline fishing, currently we have a season that runs from July 15 to September 15, established in the beginning to minimize conflicts with other fishermen and boaters on the water; there has not been a lot of conflict so allow anglers to floatline fish year-round on all federal waters and did restrict to daylight, now add nighttime fishing and may have to add a regulation for reflective tape or something like that and have to be attended. Don't want them to just throw them out and walk away like they do in some other states. KAR 115-18-20 is black bass pass, someone came to last meeting and talked about desire to have bass pass increased from two to five a day for bass pass tournaments. When we set up the program, we were concerned with mortality. Recently, part of research project from Dr. Hal Schramm, Mississippi looked at every phase of a tournament; from time fish is caught, hauled in the livewell, brought to weigh-in, weighed in and released and he has come to the conclusion that most of the mortality occurs at time the fish is caught when it might hook into some vital part of the fish or next worst thing is the temperature at the time of the event. Since our bass pass is not allowed to be used in the heat of the summer, temperature is not an issue, so see no reason to oppose a move from two to five. They have agreed to collect additional information from tournaments to show benefits. Have reports of his report for you to review before we go to vote. Michael Pearce – Is float fishing just on some lakes? Nygren – All federal reservoirs.

4. Law Enforcement Program Update – Kevin Jones, law enforcement division director, presented this update to the Commission. *Kevin unable to be present.*

C. Workshop Session

1. Guiding on Public Lands - Stuart Schrag, Public Lands Division director, presented this report to the Commission (Exhibit J). Update: we're allowing guiding under free permit, under existing regulation KAR 115-8-19. Prohibiting commercial activity through this regulation would encompass both hunting and fishing guides on all state and federal wildlife areas, Walk-in Hunting Area's (WIHA), Fishing Impoundment and Stream Habitats (FISH) access areas, and state fishing lakes under the management and control of KDWP; omitted state park lands. Heard from one guide service in opposition of what we are proposing. Commissioner Dill – Vote in June? Schrag - Vote in August.

2. Threatened and Endangered Species Regulations – Chris Berens, Ecological Services section chief, presented this report to the Commission (Exhibit K). Legislature has not been in session and currently working through issues with HB 2577. We may be presenting changes to KAR 115-15-3 and KAR 115-15-4 at future meetings in an effort to find resolution with those sponsoring this bill. Chairman Lauber – Ready to move if something changes? Berens – Ready to move when it comes out. Changes to some wording and some of regulations will go into our

statute too; but overall something we have worked with proponents on and feel a good compromise.

3. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. – Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit L). This is where we used to put in special events if something came up in the legislature. Personnel at Fort Riley have requested no pre-rut firearm antlerless season, but would like to have four additional days for youth and people with disabilities from October 7-10 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. Twelve days of firearm season broken into three segments: November 25-27, December 17-23 and December 26-27. Bring back in June for vote.

Chairman Lauber – Had gentleman who approached me at last meeting. Asked about squirrel hunting, and if there would be any hurt to resource if we increased bag limit. Not sure if I would want to harvest more than five, but something to be said and it is a good outdoor sport. Would like someone in small game to kick it around and come back with ideas. Michael Pearce – Which would have more effect, to hunt in February when squirrels are pregnant or this? Keith Sexson – We will take a look at that, it is an interesting concept. Commissioner Rider – Had a guy last year interested too.

VII. RECESS AT 3:30 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Michael Pearce – Chris, when will vote be on guiding on public lands? Tymeson – August. Pearce – When will employees see a pay raise? Jennison – Working through compaction issue, started that in December or January and universal offer after beginning of next fiscal year, July 1. Pearce – Elaborate what is coming with that yet? Jennison – No. Pearce - Who got pay raises already? Jennison – Regional supervisors and captains, not as accepted at lieutenant level, so backed off on that until we work out a few other details. Pearce – Did any of the lieutenants take pay raises? Jennison – We had a couple. Pearce - Do you have a son-in-law in law enforcement? Jennison – Yes. Pearce – What is his rank? Jennison – Lieutenant. Nygren – Made a mistake earlier on float line regulations; it is not allowed on all federal waters but only on designated reservoirs and will be looking at adding some more to that list, but not likely on all federal reservoirs. Commissioner Marshall – When you bring it back will you give us a list? Nygren – Yes. Chairman Lauber – Is hand fishing allowed on all federal reservoirs and rivers above? Nygren – On all federal reservoirs and only on Missouri, Kansas and Arkansas rivers, navigable rivers.

D. Public Hearing

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

1. 115-25-19. Doves; management unit, hunting season, shooting hours, and bag and possession limits. – Rich Schultheis, migratory game bird biologist, presented this report to the Commission (Exhibit N). Proposed changes affect the regular dove season beginning September 1 and running November 29 and exotic dove season that would begin the next day, November 30

and run through February 28. These proposed changes are a result of an increase in the number of days permitted for migratory dove season. It was formerly 70 days and starting with next season, 90 days. Chairman Lauber – It has been suggested collared doves be split off and separated from mourning doves and I don't know if this is the regulation to do that, but need to look at that in the future. Schultheis – Can be harvested during regular season starting September 1 and during exotic season, which runs through February 28, so can be hunted for about six months. Some states take a different approach, year-long seasons and different definitions of what those birds are, and we can take a look at that. Chairman Lauber – Look into separating them out.

Commissioner Roger Marshall moved to accept staff recommendations on KAR 115-25-19 and bring before the Commission. Commissioner Aaron Rider second.

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

Commissioner Williams	Yes
Commissioner Rider	Yes
Commissioner Marshall	Yes
Commissioner Hayzlett	Yes
Commissioner Dill	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented passed 7-0.

2. Waterfowl Regulations – Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit). Included in briefing book are the 2016-17 waterfowl seasons and U.S. Fish and Wildlife Service (USFWS) frameworks for September teal, general duck and goose seasons, youth and extended falconry season. Briefing also included background material with historical season dates, hunter and harvest data. Also, season staff recommendations for 2016/2017 season. Staff recommendations similar to previous years with exception of dark and light goose split and High Plains split, both moved to early January. Commissioner Rider – Why did we move goose split? Bidrowski – Hunters want to harvest ducks while goose hunting and geese while duck hunting. During the time we normally open the season, like last year, open for two days and closed for two days for geese and that is the time we have a lot of hunters in the field so having it close when duck season closes will give opportunities in November while we are still allowed 105 days. January 2 is the holiday this year so will be closed January 2 and 3. Commissioner Rider – One thing that was bothering me a little bit was having the 2nd as holiday, a lot of people have that day off so would be losing that day. Bidrowski – If we close everything on the 1st or after the 1st everyone knows there is no waterfowl hunting on 2nd and 3rd, one the reasons we left it that way. Commissioner Rider – I go with this 51 percent, I mentioned this earlier and you talked about why we did it. Provide as much opportunity as possible and having entire state closed, bothered me because people travel during the holidays. There is no perfect solution on this. Bidrowski – That is a serious discussion we had in developing these recommendations, the ability to travel, but with the way the calendar year fell and the holiday, we need to take five days off and we thought the best time for the southeast zone would be January 2 through 6 and restart again on first Saturday of January. Commissioner Rider – Did not see how we could do it much different. Goose season interests me about keeping open on 2nd and closed on Tuesday and Wednesday, but for simplicity sake it is probably the right move to go with your recommendations. Bidrowski – Particularly in central part of Kansas, those two days were always difficult for hunters to remember that light goose and Canada goose were closed so put hunters in jeopardy when you overlap like that.

Commissioner Gary Hayzlett moved to accept staff recommendations on waterfowl

regulations and bring before the Commission. Commissioner Harrison Williams second.

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

Commissioner Williams	Yes
Commissioner Rider	Yes
Commissioner Marshall	Yes
Commissioner Hayzlett	Yes
Commissioner Dill	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented passed 7-0.

Chairman Lauber – A couple of things suggested, traditionally to get most public input to hold meeting when that was discussed at Great Bend. Now that we changed from August meeting as to when we make waterfowl decisions, do we want to move meeting from August to April in Great Bend? Think about it. Reason initially, from previous Secretary, wanted some consistency and Topeka, Wichita and Great Bend were places where we had a reasonable amount of participation. Something to think about. Commissioner Marshall – If making this decision in April I thinking moving meeting to Great Bend is good idea and then August in Wichita. Commissioner Dill – Spoke to Sheila about thinking about Clay Center. Commissioner Marshall – Think about moving meeting in August from Great Bend to Clay Center. Tymeson – Nothing published so we can. Chairman Lauber – Move August of 2017 to Wichita, need motion to move meeting location for this August to Clay Center? Tymeson – No vote necessary.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

June 23, 2016 – Fort Scott, Danny & Willa Ellis Family Fine Arts Center, Fort Scott Community College, 2108 S. Horton

August 11, 2016 – moved to Clay Center

October 20, 2016 – Liberal, Seward County Event Center, 810 Stadium Rd

January 5, 2017 – Emporia, Flint Hills Technical College, 3301 W 18th Ave

XIV. ADJOURNMENT

The meeting adjourned at 6:49 p.m.

(Exhibits and/or Transcript available upon request)

Secretary's Remarks

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

2015 Bills that passed

SB46 -- This bill would require domesticated deer that enter a premises alive or leave a premises alive or dead for any purpose, other than for direct movement to a licensed or registered slaughter facility in Kansas, have official identification, as prescribed by rules and regulations of the animal health commissioner. The bill passed the Senate 40-0 and passed the House 119-0 and was signed by the Governor on March 25, 2015.

SB120 -- This bill would amend K.S.A. 32-833, relating to land purchases by KDWP, to exempt lands purchased with Natural Resource Damage Restoration Funds from required legislative approval. The bill passed the Senate 32-7. This bill was amended to restrict the number of acres KDWP could purchase without legislative approval from 320 to 160 and to limit the NRD lands accepted to 640 acres. The bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on March 12, 2015. It passed the House 98-27 and was signed by the Governor on April 6, 2015.

2015 Bills that did not pass

SB50 -- This bill would amend K.S.A. 79-1439, which deals with property tax valuation classification of bed and breakfast properties. The proposed amendment would allow outbuildings or adjacent properties to be included as long as the total number of bedrooms does not exceed five. This bill was referred to the Senate Committee on Assessment and Taxation.

SB112 -- This bill amends K.S.A. 32-1049, relating to violations of wildlife, parks and tourism laws to clarify that county attorneys can file charges without a written citation. The bill passed the Senate 40-0, and provisions of this bill were amended into SB113. The bill now contains provisions unrelated to Kansas Wildlife, Parks and Tourism.

SB113 -- This bill amends K.S.A. 32-1001, relating to KDWP licenses, permits, stamps, specifying that only physical licenses, permits or stamps shall be surrendered under judges' orders of forfeiture or suspension. This amendment is proposed to prepare for the advent of electronic licensing. The bill passed the Senate 39-1. Provisions of SB112 were amended into this bill and it passed the house 121-0. It is now in the Conference Committee awaiting action.

SB132 -- This bill would amend K.S.A. 32-1301 to add nonhuman primates and wolves, excluding hybrids, to the list of "dangerous regulated animals." The bill was referred to the Senate Committee on Natural Resources.

SB134 -- This bill would amend statutes concerning noxious weeds and would allow the Secretary of the Department of Agriculture, with recommendations from the state advisory committee, to declare any species of weed a noxious weed. It would also allow county commissions, with approval of the Secretary, to designate noxious weeds to be controlled within the county. This bill was referred to the Senate Committee on Agriculture and had a hearing on Feb. 10, 2015.

SB169 -- This is the Senate companion bill to HB2116, which would designate the channel catfish as the official fish of the state of Kansas. The bill was referred to the Senate Committee on Natural Resources.

SB190 -- This bill would amend K.S.A. 32-1139 to allow a person to operate a sailboat of a length 20 feet or less without completing a boater education course if that person is enrolled in

an instructor-led class. This bill was referred to the Senate Committee on Transportation and had a hearing on February 18, 2015. It was amended, striking a provision that would have allowed completion of a sailing class to be accepted as boater education certification. The bill passed the Senate 40-0. This bill was referred to the House Committee on Transportation and had a hearing on March 17, 2015. This bill was referred to the House Committee on Taxation and the provisions of this bill were amended into SB274.

SB268 -- This bill would amend K.S.A. 32-1012, preventing the nongame and endangered species conservation act from prohibiting stream maintenance and obstruction clearing. The bill came through an exempt committee and was referred to the Senate Committee on Natural Resources. This bill had a hearing on March 19, 2015.

SB269 -- This bill would amend K.S.A. 32-960, the nongame and endangered species conservation act, to specifically remove the eastern spotted skunk from the state's threatened species list. The bill came through an exempt committee and was referred to the Senate Committee on Natural Resources. This bill had a hearing on March 12, 2015.

HB2029 -- This is the companion bill of SB46 regarding identification of domesticated deer. The bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on Jan. 27. The bill passed the House 114-0 and was referred to the Senate Committee on Agriculture. It had a hearing on March 12, 2015.

HB2116 -- This bill would designate the channel catfish as the official fish of the state of Kansas. The department supports this bill. The bill was referred to the House Committee on Agriculture and Natural Resources.

HB2117 -- This bill would require anyone born on or after January 1, 1995 to complete an approved boater safety education course before operating a motorboat or sailboat on Kansas waters. The current law only requires boater safety education of boaters younger than 21. The department supports this bill. The bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on February 17, 2015. The Conference Committee report failed on the Senate floor 11-25 and it was sent back to the Conference Committee for further action.

HB2168 -- This is the House companion bill for SB50, which would allow outbuildings or adjacent properties to be classified as a bed and breakfast for tax valuation purposes. This bill was referred to the House Committee on Taxation and had a hearing on Feb. 12, 2015 and is on House General Orders.

HB2177 -- This bill was originally submitted to allow water right owners in a designated area to establish water conservation areas. However, its contents are now all wildlife and parks-related, including provisions from KDWP-sponsored or -supported bills SB112, SB113 and SB190. Also added to the bill are provisions of HB2341 (detailed below), which the department opposes. Because the provisions of HB2341 run so contrary to the principles of modern wildlife management and the North American Model of Wildlife Conservation, the department opposes this entire bill.

2016 Bills that passed

SB278 -- This bill designates Cowley County as the official "stone bridge capital" of the state of Kansas. Cowley County is the home of 18 laid stone arch bridges built before 1910, 17 of which are still traveled by daily traffic. This bill passed the Senate during the 2015 session and passed the House 118-1 on Jan. 14, 2016. This bill was signed by the Governor on January 25, 2016.

SB280 --This is a broad bill that deals with various taxes and would amend classification of bed and breakfasts. The Conference Committee Report was adopted 122-0 in House and 40-0 in the Senate on May 1, 2016. The bill was vetoed by the Governor and the Legislature overrode the Governor's veto in the House 122-0, and in the Senate 39-1.

HB2156 -- This Conference Committee Report contained provisions related to threatened and endangered species from SB384. The Conference Committee Report was adopted by the Senate 35-2 and adopted by the House 111-2. The bill was signed by the Governor on May 17, 2016.

HB2436 - This conference committee report contains the provisions of SB274 related to boater education requirement and sail boats. The conference committee report passed the House 119-0 and it passed the Senate 40-0 and was signed by the Governor May 5, 2016.

House Concurrent Resolution No. 5008 -- This resolution would amend the state constitution to guarantee Kansas residents the right to hunt, fish and trap wildlife. If approved by two-thirds of the Senate and House, the proposed amendment would be voted on in a November general election. The resolution passed the House 117-7 and was referred to the Senate Committee on Federal and State Affairs. The resolution had a hearing on Wednesday, March 9, 2016. It passed out of committee and is on Senate General Orders. On Final Action in Senate, the resolution was adopted by a vote of 36-0, putting it on the ballot in November.

2016 Bills that did not pass

SB97 -- This bill would amend K.S.A. 32-1301 which regulates contact with dangerous animals. The amendment would allow clouded leopards and certain dangerous animals weighing 25 pounds or less full physical contact with members of the public and incidental contact with the public for animals weighing 40 pounds or less. This bill passed the Senate 23-17 and was referred to the House Committee on Agriculture and Natural Resources. The committee amended the bill to adjust the weight limits to 10 and 25 pounds and removed the clouded leopard exemption. In addition, all venomous snakes cannot be possessed. The committee recommended the amended bill favorably for passage. The bill was stricken from House General Orders at the end of the regular session. Provisions of the bill were amended into HB2059 at the end of the session and the Senate referred it back to Committee. The bill died by a vote of 24-16.

SB274 -- This bill carried over from the 2015 session. This bill deals with the use of seat belts and establishing a seat belt safety fund. However, provisions of SB190 were amended into it. The provisions would exempt boaters born on or after Jan. 1, 1989 and under 21 years of age from Boater Education requirements, allowing them to operate a sailboat that does not have a motor and has an overall length of 16 feet, 7 inches or less while enrolled in an instructor-led class. The bill passed on Senate Final Action 33-2 on April 2, 2015, and it was received and introduced to the House. This bill was referred to the House Committee on Transportation and had a hearing on Wednesday, March 9, 2016. Provisions of this bill were amended into SB507 and ultimately HB 2437.

SB384 -- This bill would amend the nongame and endangered species act, K.S.A. 32-960a and 32-961. Specific amendments would identify critical habitat as any specific area within a geographical area occupied by a threatened or endangered species . . . and not an entire geographical area. It would also require a species recovery plan to be developed and published on the KDWPT website and not allow critical habitat to be designated until a recovery plan for the species is completed. The bill also exempts certain activities including normal farming and ranching practices, development of residential and commercial property on private property financed with nonpublic funds, from permit requirements unless a permit is required by the

endangered species act of 1973. This bill had a hearing on February 4, 2016. The hearing for this bill was continued on February 10, 2016. The bill was referred to a sub-committee. Provisions of this bill were amended into HB2547. Provisions of this bill were taken out of HB2547 and amended into House Substitute for HB2156. The Conference Committee Report for HB2156 was adopted by the Senate 35-2 and adopted by the House 111-2. HB 2156 was signed by the Governor on May 17, 2016.

SB388 --This Conference Committee Report contained the provisions of HB2341 and was adopted by the House on a vote of 81-32 but failed the Senate on a vote of 15-25.

SB425 -- This bill would authorize the board of county commissioners of any county to regulate the granting of conservation easements on property located within the county. The department opposes this bill. This bill was referred to the Committee on Natural Resources and a hearing was held on Thursday, February 18, 2016. The hearing was continued on Wednesday, March 2, 2016.

SB507 -- This bill includes provisions from SB274, and would amend K.S.A. 32-1139 to allow persons to operate sailboats 16 feet long or less without having completed an approved boater safety education course while participating in an instructor-led sailing class. This bill was introduced on March 9, 2016 and referred to the Senate Committee on Transportation.

HB2341 -- This bill would amend K.S.A. 32-1047 concerning wildlife; relating to seizure of wildlife; disposal, and would require the department to return seized antlers, antler sheds and horns of illegally taken wildlife to landowners or tenants on whose property the antlers, antler sheds or horns were taken. The provisions of the amendment would be applied retroactively as they relate to antlers seized by the department after Jan. 1, 2005. This bill was referred to the House Committee on Agriculture and Natural Resources and had a hearing on February 23, 2015. The bill was referred to the House Judiciary Committee and placed on House General Orders where it passed on the House floor 82-43. The bill was then referred to the Senate Committee on Natural Resources. This bill had a hearing on Thursday, March 3, 2016. Provisions of this bill were amended into SB388. The conference Committee Report was adopted by the House 81-32 but failed in the Senate by a vote of 15-25.

HB2479 -- This bill would amend K.S.A. 2015 Supp.2-1314 to allow the Department of Agriculture to require the board of county commissioners take action to control noxious weeds if the department determines they have not be properly controlled. If the board of county commissions does not take action, they department may take necessary control measures and request reimbursement. It would also require any state agency to control noxious weeds on lands supervised by such agency or provide a plan for control within 15 days' notice by the board of county commissioners directing such agency to do so. If any agency failed in this directive, the board of county commissioners would take necessary control measures and bill the agency for the cost of such operations. The original bill was amended and passed by the House 85-39. It was referred to the Senate Committee on Natural Resources and had a hearing on March 8, 2016. On March 21, 2016, a Committee Report recommended the substitute bill be passed, and the bill is on Senate General Orders. The Senate took no further action on the bill.

HB2510 -- This bill would require the Kansas Department of Wildlife, Parks and Tourism to charge an additional "recreation water protection" fee of \$10 for each vessel registration, waterfowl hunting permit and state park permit sold. The moneys would be remitted to the state treasurer to the credit of the water depletion fund to implement the state water plan. This bill was introduced and referred jointly to the House Committee on Vision 2020 and Committee on Agriculture and Natural Resources on Jan. 21, 2016.

HB2511 -- This bill would require the Kansas Department of Wildlife, Parks and Tourism to charge an additional "recreation water protection" fee of \$10 for each permit and license sold by the department. The moneys would be remitted to the state treasury to the credit of the parks fee fund. In addition to operating state parks, moneys in the park fee fund would fund increasing access to waters of the state and maintenance of state fishing lakes. This bill was introduced and referred jointly to the House Committee on Vision 2020 and Committee on Agriculture and Natural Resources on Jan. 21, 2016.

HB2547 -- This bill would name the bison herd on display at the Mined Land Wildlife Area the "Bob Grant Bison Herd," after the local resident and legislator who died in 2015. This bill had a hearing on February 10, 2016 at 3:30 p.m., Rm. 346-S. The Committee on Agriculture and Natural Resources recommended this bill be passed and placed on the Consent Calendar. The bill passed on the House floor 120-2 and has been referred to Senate Committee on Natural Resources. This bill was amended to include provisions from SB384, requiring the Kansas Department of Wildlife, Parks and Tourism to develop and publish recovery plans on the official department website for listed species. The recovery plans would be developed within four years after the species listed as threatened or endangered. The amendments also specify activities that require permits and those that are exempt. Amendments will require the KDWP secretary to submit a report on all species listed as threatened and endangered to the Senate Committee on Natural Resources and the House Committee on Agriculture and Natural Resources. The Senate Committee on Natural Resources recommended the bill be passed as amended on March 21, 2016. The bill passed the Senate 39-1 and is in conference committee. The provisions of the original bill were further amended into HB2059 at the end of the session and the Senate referred it back to Committee and by a vote of 24-16, the bill died.

HB2727 -- This bill would authorize the secretary of the Department for Children and Families to prohibit renewal of registration of certain vehicles and certain vessels and boats by a person owing money under a support order. This bill was referred to the House Committee on Social Services Budget and had a hearing on March 16, 2016.

General Discussion

Fort Scott Presentation
No briefing book items – possible handout at meeting

Recognition of Fort Scott's Involvement in CFAP
No briefing book items – possible handout at meeting

VI. DEPARTMENT REPORT

B. General Discussion

3. 2016 Turkey Regulations [KAR 15-25-(5-6)]

Background

The 2016 spring turkey season was open from April 1 to May 31 and included three seasons: Youth / Disabled, Archery, and Regular. The fall 2015 season ran from October 1 to January 31, but was closed during the regular firearm deer season (December 3-14). Hunting is regulated within the same six turkey management units during both the spring and fall seasons (Figure 1). The six hunt units line up with the management units the department uses to monitor turkey populations and hunter activity, which allows KDWPT staff to utilize both population and harvest data to guide harvest and season recommendations.

The department currently sells spring turkey permits to more than 40,000 hunters and fall turkey permits to more than 9,000 hunters. Those individuals purchased 71,313 carcass tags for the spring 2016 season and 12,134 tags for the 2015 fall season (Table 1). Nonresidents accounted for 35.5 percent of Kansas' spring 2016 hunters and 21.7 percent of the fall 2015 hunters. Harvest has averaged around 33,000 and 13,000 turkeys over the last several spring and fall seasons, respectively (Table 1).

Population Status and Productivity

In recent years, the Kansas turkey population has increased in all but the western one-third and north-central portions of the state where populations have declined (Figure 2). The increases in the remainder of the state have been due to dry weather during the nesting and brood rearing periods, which facilitated improved poult production. Despite the recent population increases in those areas, the population is still far below the peak levels observed in the mid 2000s. The vegetative conditions were generally improved or maintained entering the 2016 nesting season across most of the state. However, recent precipitation events have coincided with the peak hatching period for turkeys, which is generally detrimental to production.

Discussion

The department uses an adaptive harvest management strategy to guide staff recommendations on wild turkey bag limits for both the spring and fall seasons. The strategy aims to maintain a high level of hunter success in every hunt unit and provides a consistent method of developing staff recommendations. The strategy includes a hierarchy of bag limit combinations and uses established thresholds to determine when each combination will be recommended. At the time of this report, the data from the spring 2016 season had not been analyzed. Thus, it is not yet known if any of the established triggers have been hit this year. The staff recommendations for the 2016 turkey bag limits will be presented at the next commission meeting. Recent commission action reduced bag limits during fall 2014 and 2015 seasons, and changed the spring 2015 and 2016 season structure. According to the adaptive harvest management strategy, four units have the potential to be recommended for bag limit changes for the 2017 turkey seasons.

Table 1. Kansas wild turkey permit sales, total harvest, and hunter success for each of the last 5 seasons, 2011-2016.

	Spring	Fall
--	--------	------

Year	Permits & Game Tags	Total Harvest	Success ^a (%)	Permits & Game Tags	Total Harvest	Success ^a (%)
2011	64,972	32,298	61	12,914	3,677 (39%)	36
2012	63,928	31,239	60	14,302	4,799 (44%)	45
2013	73,581	33,925	57	13,780	4,152 (42%)	40
2014	71,903	31,988	55	13,064	2,862 (37%)	33
2015	74,609	36,758	NA	12,134	2,093 (36%)	26
2016	71,313	NA ^c	NA	--	--	--

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

^b Percentage of harvest composed of females.

^c NA = not available

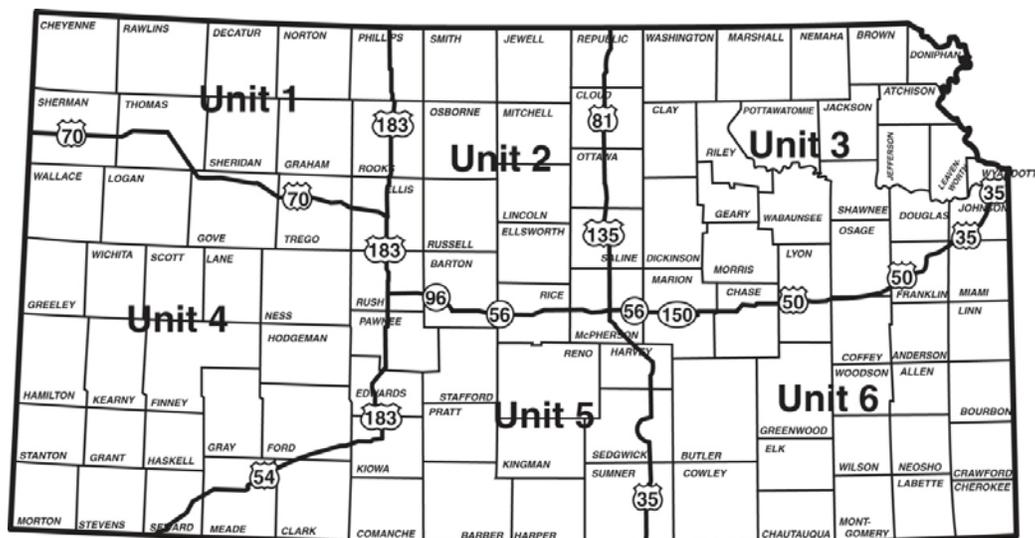


Figure 1. The map depicts the hunting units for Kansas' 2016 turkey seasons. A spring turkey permit could be purchased over-the-counter for Units 1, 2, 3, 5, and 6, as well as a game tag. Five hundred spring permits were issued for Unit 4 through a pre-season drawing and they were also valid in adjacent units. A fall turkey permit can be purchased over-the-counter for Units 1, 2, 3, 5, and 6. Up to 3 additional fall turkey game tags can be purchased for Unit 2. There will be no fall turkey hunting authorized in Unit 4.

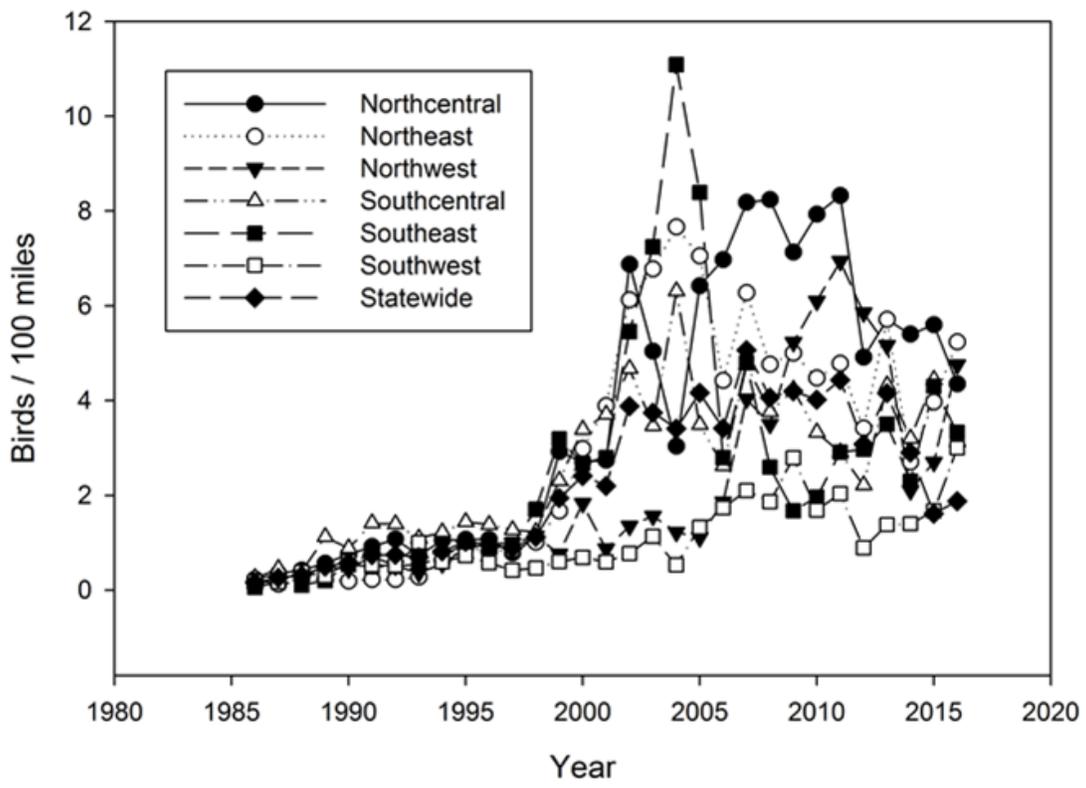


Figure 2. The spring rural mail carrier index (birds/100 miles traveled) to wild turkey populations in the 6 Kansas management regions, 1986-2016.

VI. DEPARTMENT REPORT

B. General Discussion

4. Squirrel Briefing

The daily squirrel bag limit in Kansas has been set at five since 1968. The possession limit was increased from 10 to 20 in 1997. Kansas currently has the longest season (272 days) of neighboring states, although it does have the lowest daily bag limit (Table 2). Approximately 10 percent of hunters who purchased a small game permit in Kansas for the 2015/2016 season hunted squirrels, and squirrel hunters harvested an average of 1.38 squirrels per day hunted (6.41 squirrels per season, Table 3). While the number of hunters that harvested a limit of squirrels statewide is unavailable, data is available for wildlife areas that have *iSportsman*. From October 2014 to June 2016, 895 squirrels have been reported as harvested from 432 days of hunting. Of those, 5.8 percent of hunters reported harvesting a limit of five squirrels, while 74.1 percent of hunts resulted in a harvest of only one or two squirrels (Table 4; hunts resulting in no harvest were not reported).

Table 1. Historic Kansas squirrel season dates, bag limits, and possession limits.

Years	Season Dates	Daily Bag	Possession
1997 - 2015	Jun. 1 - end of Feb.	5	20
1992 -1996	Jun. 1-Dec. 31	5	20
1971 - 1991	Jun. 1-Dec. 31	5	10
1964 - 1970	Aug. 1-Dec. 31	5	10
1963	Sep. 15-Dec.15	5	10
1962	Sep. 1-Nov. 30	8	16
1960 - 1961	Apr. 15-May 31, Sep. 1-Nov. 30	8	16
1959	Jul. 1-Nov. 30	8	16
1957 - 1958	Sep. 1-Dec. 31	8	16

Table 2. Current Kansas squirrel season dates, bag limit, and possession limit in relation to neighboring states.

State	Season Dates (approximate)			Bag Limits	
	Open	Close	Season Length (days)	Daily	Possession
Kansas	June 1	February 28	272	5	20
Nebraska	August 1	January 31	184	7	28
Missouri	May 28	February 15	262	10	20
Oklahoma	May 15	January 31	260	10	20

Table 3. Statewide estimates of annual squirrel hunting activity in Kansas, 2010-2015.

Season	Percent Hunting Species	Estimated Total Hunters	Estimated Total Days	Estimated Total Harvest	Season Days Per Hunter	Season Bag Per Hunter	Average Bag Per Day
2010	8	12,301	49,897	79,435	5.55	6.46	1.37
2011	9	11,369	43,368	70,699	5.53	6.22	1.24
2012	11	11,382	57,642	56,063	5.06	4.93	1.24
2013	11	10,050	60,855	66,778	6.06	6.64	1.26
2014	11	10,751	69,440	69,016	6.46	6.42	1.30
2015	10	11,201	66,593	71,810	5.95	6.41	1.38

Table 4. Number of hunting trips on public lands entered into iSportsman that resulted in squirrel harvest (October 2014 - June 2016).

Number of Squirrels Harvested	Number of Registered Hunts	Percentage of Hunts in each Harvest Number Category
1	158	36.7%
2	161	37.4%
3	58	13.5%
4	29	6.7%
5	25	5.8%
Total	431	100.00%

Law Enforcement Program Update
No briefing book items – possible handout at meeting

Workshop Session

Unconventional Vehicles (UV) Regulation Change Recommendation: Effective Calendar Year 2017 Permit Sales

Background: The current regulation does not allow unconventional vehicles on state park roadways. This change would allow park visitors to purchase an unconventional vehicle permit for additional recreational opportunities to include: work-site utility vehicles and low speed vehicles, including golf carts. These non-traditional vehicles would be allowed from sun-up to sun-down on state park roads with a posted speed limit of 30 mph or less.

A valid driver's license and an annual permit of \$50 issued by the department shall be required for operation of all unconventional vehicles on state park roadways.

Recommendation: Establish a \$50 annual permit for (UV) to be utilized on state park roadways with a posted speed limit of 30 mph or less from sun-up to sun-down.

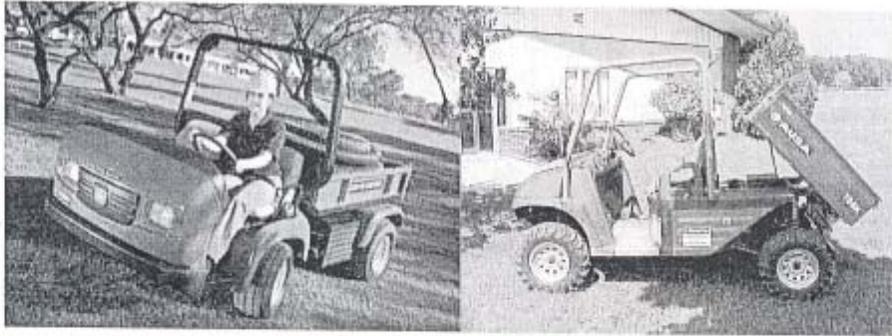
Unconventional Vehicles

AS SEEN ON THE HIGHWAYS, ROADS AND STREETS OF KANSAS

<u>All-Terrain Vehicle (ATV)</u>	Page 2
<u>Work-Site Utility Vehicle (WSUV)</u>	Page 4
<u>Micro Utility Vehicle (MUT)</u>	Page 6
<u>Low-Speed Vehicle (LSV)</u>	Page 8
<u>Motorized Bicycle</u>	Page 10
<u>Electric-Assisted Bicycle</u>	Page 12
<u>Motor-Driven Cycle</u>	Page 14
<u>Pocket Bike</u>	Page 16
<u>Golf Cart</u>	Page 18
<u>Motorcycle</u>	Page 20
<u>Electric Personal Assistive Mobility Device</u> ...	Page 24
<u>Recreational Vehicle (RV)</u>	Page 26
<u>Autocycle</u>	Page 29
<u>49 CFR 571.3</u>	Page 30

(Plus memos regarding titles and registration from KDOR for reference)

WORK-SITE UTILITY VEHICLE (WSUV)



Definition:

8-1493. "Work-site utility vehicle" defined. "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more non-highway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational non-highway vehicle. (Per SB 73 2015)

Registration:

None required. KSA 8-128 exempts WSUVs from registration requirements.

Insurance:

Since WSUVs are exempt registration, they do not meet the definition of a "motor vehicle" within the insurance statutes (40-3103 & 40-3104). WSUVs are not required to be insured under state law, however, city ordinance may require liability insurance.

Driver's License:

Required while operated on county and township roads and within city limits when such operation is authorized by the city. A WSUV meets the definition of "motor vehicle" as used in KSA 8-235.

Seatbelts:

If originally equipped with safety belts as described in 49 CFR 571, the usage of safety belts and child restraints could be required. WSUVs meet the definition of "motor vehicle" in 8-1437, therefore, meeting the definition of "passenger car" in 8-1343a as used within the Child Passenger Safety Act and Safety Belt Use Act.

Equipment:

If operated between sunset and sunrise, must be equipped with the lights required by law for motorcycles.

Operation:

Synopsis:

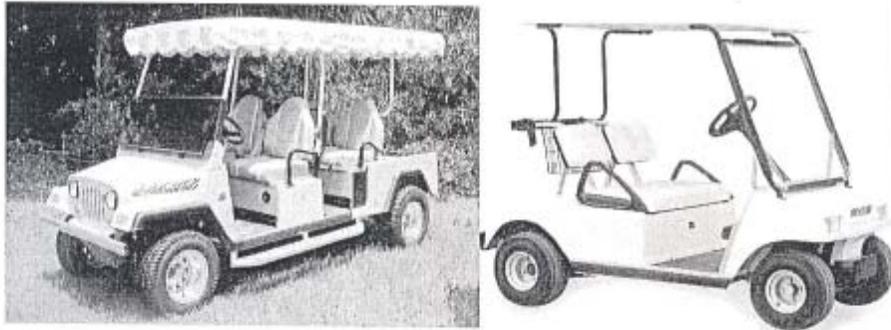
- Unlawful to operate a WSUV on interstate, federal or state highways.
- WSUVs may be operated on county and township roads.
- Cities can authorize operation of work-site utility vehicle upon the public highways, streets, roads and alleys within the corporate limits of the city.

8-15,109. Operation of work-site utility vehicle; where; when. (a) It shall be unlawful for any person to operate a work-site utility vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of any city unless authorized by such city.

(b) No work-site utility vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

(c) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

Golf Cart



Definition:

“Golf cart” means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

Registration:

None required. KSA 8-128 exempts golf carts from registration requirements.

Insurance:

Since golf carts are exempt registration, they do not meet the definition of a “motor vehicle” within the insurance statutes. Golf Carts are not required to be insured under state law, however, city ordinance may require liability insurance.

Driver’s License:

Required while operated incidentally on federal and state highways, county roads and city streets. A golf cart meets the definition of “motor vehicle” as used in KSA 8-235.

Seatbelts:

If originally equipped with safety belts as described in 49 CFR 571, the usage of safety belts and child restraints could be required. Golf carts meet the definition of “motor vehicle” in 8-1437, therefore, meeting the definition of “passenger car” in 8-1343a is used within the Child Passenger Safety Act and Safety Belt Use Act.

- 8-1437. **"Motor vehicle" defined.** "Motor vehicle" means every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Operation:

Synopsis:

- Unlawful to operate a golf cart on federal or state highways, except to cross them.
- Unlawful to operate a golf cart on an interstate highway at any time.
- Golf carts may be operated on county / township roads only if the posted speed limit is 30 MPH or less.
- Cities can authorize operation of a golf cart upon the highways, streets and roads with a posted speed limit of 30 MPH or less, and alleys within the corporate limits of the city.

KSA 8-15,108. Operation of golf cart; where; when. (a) It shall be unlawful for any person to operate a golf cart: (1) On any interstate highway, federal highway or state highway; (2) on any public highway or street within the corporate limits of any city unless authorized by such city; or (3) on any street or highway with a posted speed limit greater than 30 miles per hour.

(b) The provisions of subsection (a) shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit in excess of 30 miles per hour.

(c) A golf cart shall be operated on any public street or highway only during the hours between sunrise and sunset.

(d) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

115-2-3. Camping, utility, and other fees. (a) Each overnight camping permit shall be valid only for the state park for which it is purchased and shall expire at 2:00 pm on the day following its effective date.

(b) Any annual camping permit may be used in any state park for unlimited overnight camping, subject to other laws and regulations of the Secretary. This permit shall expire on December 31 of the year for which it is issued.

(c) Any 14-night camping permit may be used in any state park. This permit shall expire when the permit has been used a total of 14 nights, or on December 31 of the year for which it is issued, whichever is first.

(d) Camping permits shall not be transferable.

(e) The fee for a designated prime camping area permit shall be in addition to the overnight, annual, 14-night, or other camping permit fee, and shall apply on a nightly basis.

(f) Fees shall be due at the time of campsite occupancy and by noon of any subsequent days of campsite occupancy.

(g) Fees set by this regulation shall be in addition to any required motor vehicle permit fee specified in K.A.R. 115-2-2.

(h) The following fees shall be in effect for state parks and for other designated areas for which camping and utility fees are required:

Camping--per camping unit (April 1 through September 30):

Annual camping permit.....	\$200.00 250.00
Overnight camping permit	\$ 8.00 9.00
14-night camping permit.....	\$99.00 110.00

Camping--per camping unit (October 1 through March 31):

Annual camping permit.....	\$ 150.00 200.00
Overnight camping permit	\$ 7.00 9.00
14-night camping permit.....	\$85.00 110.00

2017 Reference Document Proposed Changes for Special Length and Creel Limits:

Changes in italics pending approval of the walleye initiative.

- *Kanopolis Reservoir -- change to an 18-inch minimum length limit on saugeye and walleye.*
- *Milford Reservoir -- change to a 21-inch minimum length limit and a 2/day creel limit on walleye.*
- *McPherson State Fishing Lake -- change to a 21-inch minimum length limit and a 2/day creel limit on saugeye.*
- *Graham County - Antelope Lake -- change to a 5/day creel limit on saugeye.*
- *Sabetha - Pony Creek Lake -- change to a 21-inch minimum length limit on walleye.*
- *Washington State Fishing Lake -- change to a 21-inch minimum length limit and a 2/day creel limit on saugeye.*
- *Shawnee County - Lake Shawnee -- change to an 18-inch minimum length limit on walleye.*
- *Lyon State Fishing Lake -- change to an 18-inch minimum length limit on saugeye.*
- *Mined Land Wildlife Area -- change to a 2/day creel limit on walleye.*
- *Shawnee State Fishing Lake -- change to an 18-inch minimum length limit and a 2/day creel limit on walleye.*
- *Howard - Polk Daniels Lake -- change to an 18-inch minimum length limit on saugeye.*
- *Madison City Lake -- change to an 18-inch minimum length limit on saugeye.*
- *Moline New City Lake -- change to an 18-inch minimum length limit on saugeye.*
- *Olpe City Lake -- change to an 18-inch minimum length limit on saugeye.*
- *Douglas State Fishing Lake -- change to an 18-inch minimum length limit on saugeye.*
- *Atchison State Fishing Lake -- remove the 18-inch minimum length limit and 2/day creel limit on walleye.*
- *Brown State Fishing Lake -- remove the 18-inch minimum length limit and 2/day creel limit on walleye.*
- *Leavenworth State Fishing Lake -- remove the 2/day creel limit on walleye.*
- *Wilson Reservoir -- change to a 5/day creel limit on striped bass.*
- *Big Hill Reservoir -- change to a 15-21-inch slot on largemouth bass.*
- *Fort Scott - Gunn Park Lake West -- change to a 21-inch minimum length limit on largemouth bass.*
- *Salina - Lakewood Lake -- change to a 2/day creel limit on channel catfish.*
- *Carbondale East Lake -- remove the 5/day creel limit on channel catfish.*
- *Lawrence - Oregon Trail Park Pond -- change to a 2/day creel limit on channel catfish.*
- *Harvey County West Lake -- add an 18-inch minimum length limit on wipers.*
- *Newton - Spring Lake Ponds -- add a 2/day creel limit on channel catfish and largemouth bass.*
- *North Newton - Sunfield Pond -- add a 2/day creel limit on channel catfish and largemouth bass.*
- *Wichita - Cruiser Lake -- change name to Wichita - K-96 Lake.*
- *Olathe - Settler's Park Pond -- change to a 2/day creel limit on channel catfish.*
- *Overbrook - Kids' Pond -- change to a 2/day creel limit on channel catfish and largemouth bass.*

Garden City Kids' Fishing Pond

This new fishing location is being proposed with the following regulations:

Fishing Hours shall be from 6 a.m. to 10 p.m. Children ten (10) years of age or less shall be accompanied by a person sixteen (16) years of age or older. The following creel limits on the Garden City Kids' Fishing Pond: Two fish of a single species or a combination of species per day.

Other Proposed 2017 Fishing Regulation Changes.

Change 115-25-14. Fishing; size limits.

Remove the statewide 15-inch minimum length limit on walleye, saugeye and sauger for all streams, rivers and tailwaters.

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

Glen Elder Reservoir Outlet will be added to the list of Type 1 Waters, which requires a trout permit for all anglers 16 and older who want to fish at this location from November 1 through April 15.

Change 115-25-14. Fishing; open season.

Currently the open season for floatline fishing shall be from sunrise to sunset, July 15 through September 15, on designated federal waters.

We propose changing 115-25-14 by removing the restriction of daylight hours only to allowing floatline fishing at night as well. We also propose removing the open season from July 15 through September 15 by allowing floating fishing through-out the year.

Change 115-18-20. Tournament black bass pass.

Currently an individual holding a tournament black bass pass can keep up to two (2) black bass in a daily creel limit that meet the minimum statewide length limit **but** that do not meet the special length limit for the specific body of water of a tournament weigh-in.

We propose changing 115-18-20 so an individual holding a tournament black bass pass can keep up to five (5) black bass in a daily creel limit that meet the minimum statewide length limit **but** that do not meet the special length limit for the specific body of water of a tournament weigh-in.

Change 115-17-2. Commercial sale of fish bait.

Currently each sale of fish bait shall be accompanied by a receipt that indicates the date of sale, the number and type of fish sold, and the name, address, phone number and bait permit number of the vendor.

We propose removing the receipt requirement. It is a difficult provision to enforce since the actual source of the fish can be called into question, particularly when the dated receipt is several days or even weeks old. Some live bait that is purchased is kept alive for quite some time after the actual purchase.

K.A.R 115-15-3: Threatened and endangered wildlife, special permits, and enforcement actions.

K.A.R 115-15-4: Recovery plan procedures.

Background

Provisions of SB 384, which deal with threatened and endangered species, were amended into HB 2547 then included in HB 2156, which was passed and signed by the Governor on May 17, 2016.

The new law, which takes effect July 1, 2016, makes general changes to the Nongame and Endangered Species Act, requiring changes to KAR 115-15-3 and KAR 115-15-4.

Summary of Current Law Changes:

Special Permit Exceptions:

- Normal farming and ranching practices, including government cost-shared agriculture land treatment measures, unless a permit is required by another state or federal agency
- Development of residential and commercial property on privately-owned property financed with private, non-public funds, unless a permit is required by another state or federal agency
- Activities for which a person has obtained a scientific, educational, or exhibition permit
- Declares that a permit required by another state or federal agency shall not include a certification or registration

Recovery Plans

- Requires that on and after July 1, 2016 for all new species listed as threatened or endangered by KDWPT, recovery plans will be completed within four years of the species being listed
- KDWPT is required to submit an annual report to both Senate and House Committees on Ag and Natural Resources
- KDWPT must publish and maintain each developed and implemented recovery plan on KDWPT website

Final language for the changes in current regulations is still being developed. Proposed changes being discussed at this time include the following:

KAR 115-15-3: Threatened and Endangered Wildlife, special permits and enforcement actions

- Changes to the definitions of terms that only apply to this regulation: actions, critical habitat, and permit from another state or federal agency
- Includes the addition of certain portions of the new law that pertain to this regulation as listed in the summary provided above

KAR 115-15-4: Recovery Plans; procedures

- Includes the addition of certain portions of the new law that pertain to this regulation as listed in the summary above

Public

Hearing

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

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

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

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - April 21, 2016

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

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

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, June 23, 2016 at the Danny & Willis Ellis Family Fine Arts Center, Fort Scott Community College, 2108 S. Horton, Fort Scott, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:00 p.m., June 23 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. June 24 at the location listed above.

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

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

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

The regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

K.A.R. 115-25-9a. This exempt regulation establishes additional considerations for deer open season, bag limit, and permits. The proposed version of the regulation merely updates the season dates for Fort Riley.

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

K.A.R. 115-8-24. This permanent regulation establishes requirements for commercial guiding on department lands and waters. The regulation is proposed for revocation.

Economic Impact Summary: 29 applicants were provided commercial guide permits statewide in 2015. There may be some fiscal impact on those permit holders. Otherwise, the revocation of the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

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

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

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December 23, 2015

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1020 S. Kansas Ave., Suite 200
Topeka, KS 66612-1327

RE: K.A.R. 115-8-1; K.A.R. 115-25-8; K.A.R. 115-25-9; K.A.R. 115-25-9a

Dear Chris:

Pursuant to K.S.A. 2015 Supp. 77-420(b), we have reviewed the above-referenced regulations and have approved them for legality. The stamped regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

A handwritten signature in black ink, appearing to read "Sarah Fertig".

Sarah Fertig
Assistant Attorney General

Enclosure

Cc: Rep. Sharon Schwartz, Chair, Joint Committee on Rules and Regulations
Sen. Vicki Schmidt, Vice Chair, Joint Committee on Rules and Regulations
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on
Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E



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February 4, 2016

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

RE: K.A.R. 115-8-24 (revocation); K.A.R. 115-25-7

Dear Chris:

Pursuant to K.S.A. 2015 Supp. 77-420(b), we have reviewed the above-referenced regulations and have approved them for legality. The stamped regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Sarah Fertig
Assistant Attorney General

Enclosures

Cc: Sen. Vicki Schmidt, Chair, Joint Committee on Rules and Regulations
Rep. Sharon Schwartz, Vice Chair, Joint Committee on Rules and Regulations
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on
Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E

115-8-24. This regulation shall be revoked on and after August 1, 2016. (Authorized by and implementing K.S.A. 32-807; effective July 20, 2012; revoked P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-8-24. Commercial guiding on department lands.

DESCRIPTION: This permanent regulation establishes a requirement that commercial guides obtain a no cost permit before guiding commercially on public ground. The purpose of the regulation was to allow the department to gather information to determine if there was a conflict with user groups on very limited public hunting property. Based on public input, the department has proposed revoking the regulation and therefore, commercial guiding on department lands and waters would be prohibited.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: 29 applicants were provided commercial guiding permits on a statewide basis. There may be fiscal impact on those applicants. Otherwise, the proposed revocation is not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley.

(a) In addition to the archery seasons specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall also be September 1, 2016 through September 11, 2016 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

(b) In addition to the season for designated persons specified in K.A.R. 115-25-9, in the Fort Riley subunit the season for designated persons shall also be October 7, 2016 through October 10, 2016.

(c) In the Fort Riley subunit, the open firearm season for the taking of deer shall be November 25, 2016 through November 27, 2016, December 17, 2016 through December 23, 2016, and December 26, 2016 through December 27, 2016.

(d) In addition to the archery season specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall be January 9, 2017 through January 31, 2017 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

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

(f) This regulation shall be effective on and after July 1, 2016, and shall have no force and effect on and after March 1, 2017. (Authorized by and implementing K.S.A. 2015 Supp. 32-807 and K.S.A. 2015 Supp. 32-937.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This exempt regulation establishes additional considerations for the 2016-2017 firearm, muzzleloader and archery deer seasons. The main items in the regulation set the deer seasons on Fort Riley only in order to better accommodate the changing training mission at Fort Riley.

FEDERAL MANDATES: None

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

ALTERNATIVES CONSIDERED: None.

Secretary's Resolution

2016 KANSAS FREE PARK ENTRANCE DAYS Additional Day

Under authorities contained in K.S.A. 32-901(f), the following dates:

October

1 – Blue Cross Blue Shield of Kansas
Healthy Trails Day

is added to established “2016 Free Park Entrance Days.” All persons may enter Kansas state parks free-of-charge on date specified. All residents and visitors to the State of Kansas are encouraged to use this opportunity to enjoy our outdoor recreational resources.

Date

Robin Jennison, Secretary
Kansas Department of Wildlife, Parks & Tourism