

**REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, August 11, 2016
Life's Finer Moments
1285 16th Rd, Clay Center, KS**

- I. CALL TO ORDER AT 1:00 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE June 23, 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. Big Game Regulations (Lloyd Fox)**
 - 2. Tourism Update (Linda Craghead)**
 - 3. Flint Hills Trail Project (Trent McCown and/or Jeff Bender)**
 - 4. DU Wetland Projects (Stuart Schrag)**
- 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**
 - C. Workshop Session**
 - 1. 2017 Turkey Regulations (Kent Fricke)**
 - 2. Park Regulations (Linda Lanterman)**
 - 3. Fishing Regulations (Doug Nygren)**
 - 4. Threatened and Endangered Species Regulations (Chris Berens)**

D. Public Hearing

None

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on August 11, 2016, to reconvene August 12, 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, October 20, 2016 at Seward County Event Center, 810 Stadium Rd, Liberal, KS.

Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, June 23, 2016
Danny & Willa Ellis Family Arts Center, Fort Scott Community College
2108 S. Horton, Ft. Scott, Kansas

Subject to
Commission
Approval

The June 23, 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 Danny and Willa Ellis Family Arts Center, Fort Scott Community College, Fort Scott. Chairman Lauber and Commissioners Gary Hayzlett, 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 – New revised agenda on table – added program update from Erie USD 101 on their “WILD” get outside program, item 3, under general discussion; renumbered presentations after that.

IV. APPROVAL OF THE April 21, 2016 MEETING MINUTES

Commissioner Harrison Williams moved to approve the minutes as presented, Commissioner Aaron Rider second. *Approved.* (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

William Partridge, Bourbon County – I have a house along creek, 150 yards from road. It was peaceful until June 4, 11:00 p.m. at night, when I heard dogs barking and people talking. Coon hunters had something up a tree and I confronted them and they thought they had right to come in and get their dogs. I was going to call the sheriff to come get them but didn't. A week later, June 11, baling hay in northern part of county, came home at 10:30 p.m. and same thing again, coon hunters with no permission. Both parties said they were with MOKAN Coon Hunters out of Girard, had tournament and turned dogs loose, no guns carried, just running dogs. We did not give any permission. I called sheriff on last bunch and he made out a report. My request is that KDWPT send a representative to their next meeting, location on website. One other thing: looked on internet and seasons for running is March 1 to November 8, mama coons have babies right now; sure does disrupt the mother running from those coon dogs, could take break for a couple of months to let baby coons grow up. Chairman Lauber – We don't condone or authorize any type of trespass. I don't know if it was sanctioned event, but you did right thing contacting the sheriff. Chris Tymeson – Request was to send officer to Association meeting. Keith Sexson – Kevin can comment on running versus trapping season. Kevin Jones – Can pursue during regular season and running season, predates me, but desire by houndsmen to train dogs to tree coons and keep dogs in shape when coons couldn't be harvested. Individuals complied with running season

by not having weapons with them. Law is clear on landholding and desires of a landowner must have permission of the landowner prior to being on their land. Dog is implement of the hunt and responsibility of the hunter, would need permission from landowner to go on and retrieve their dog; but landowner could file charges of trespass and up to county attorney to pursue charges. Field trial should have been registered with our agency, but I would have to check on that and make contact with that Association. Chairman Lauber – We would like you to do that.

Ed Salmon – I live in Linn County and am a lifetime Kansas resident. I've been growing vegetables for 60 years and farming for 50 years and the deer in my area are out of control. Have vegetables growing in Johnson and Miami counties. In first 30 years, no deer or ticks, but progressively getting worse since then. Had friend die from tick bites in the last year. Nothing in spring to get five to six deer ticks on you per day and when hunting deer, they are covered with them. Have sericea lespedeza and Johnson grass growing wild, being spread by the deer. Losing more vegetables than property taxes are. Deer herd needs to be thinned out. How would you like to get \$3,000 to \$4,000 out of your paycheck each year? If you raise non-GMO corn and soybeans you can lose whole fields. Talked to people at vegetable markets and everyone is losing their vegetables. Have young people trying to grow things and what is the future of that; always for the state and the hunters. Chairman Lauber – Not sure what you want us to do. We offer means for depredation permits, and could have people to help reduce them. Not excess everywhere. I don't know what we can do or what our responsibility is. Salmon – What is my responsibility to making a living in Kansas? Chairman Lauber – See your point and respect your opinion. Land is permitted and several people don't allow hunting so we can't thin them in those cases. Salmon – Thin them out, once they start on something and they will not leave it alone. If I could get permit in the winter I could clear some of them out. Chairman Lauber – If killed in winter, some would come back in. Keith Sexson – In this particular case, have someone come and visit with you, and try to get something going as far as depredation permits. Hard to find immediate solution when we don't know your specific situation.

T.Whitehead – Is there any way to get night shooting allowed on armadillos. Down in our area they are tearing up the country. Primarily out at night, I am not hurting population, get night vision or light hunting? K-State says you can trap them, but my budget won't allow that. Talked to Elk City, Chanute, Pratt and Topeka. Can you do something? Chairman Lauber – Problem is opening up night shooting, opens other problems. Whitehead – If someone was going to poach a deer they are going to do it anytime. Chairman Lauber – I have armadillos on my property. Jennison – When is best time to shoot them? Whitehead – This spring worst I have seen and they come out after cold spell; some coming out now after having young. Chairman Lauber – Don't hibernate, but if rough winter they die off, but haven't had bad weather. Whitehead – I have neighbors asking for help. Get someone to figure out way to reduce numbers in depredation permit possibly. Keith Sexson – Have not heard this concern before. Whitehead – Don't uproot crops but do dig up holes and break off corn; digging holes everywhere. See what you can do.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. (Exhibit C). Like to thank Lindsay for tour today and hospitality, a lot of fun. May was down in park fee fund (PFF) and little different timing of Memorial Day, if similar to last year feel it would have been different, but Memorial Day was good weekend. Hope to get PFF up to \$5 million to start out with, but don't think we are going to make it; end year where

we peaked at last year, about \$4.8 million, mostly by increased revenues. Wildlife fee fund (WFF) report, supportive of agency on license increases last year and see what impact that is having, similar to what we projected, not gotten kick back from increased fees. Keith and Mike Miller prepared document for WAFWA and MAFWA, stole from that; spring turkey nonresident and nonresident deer, not much reaction to that and notice nonresident and resident turkey as well. History lesson (Exhibit D) – Report later on squirrels, but tied to significant date in department history; considered going to legislature to do more regulations on squirrels and in 1943 the legislature gave our Commission the authority to set hunting seasons and bag limits.

2. 2016 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission. (Exhibit E). Before I start, did talk to Mr. Whitehead on the phone and asked him to come here today. Just ended two-year cycle; those that did not pass are dead; started special session today, expect them to go 3-5 days, school finance bills and generating roughly \$38 million are high on their list. Senate will vote on bills tomorrow. 2015 bills passed: SB46 – domesticated cervids, marked in different way, have official identification, which allowed Dept of Ag to set by regulation; SB120 - relating to land purchases by KDWPT, to exempt lands purchased with Natural Resource Damage (NRD) Restoration Funds from required legislative approval, amended to restrict the number of acres the department could purchase from 320 to 160 and to limit the NRD lands to 640 acres. Four other bills passed in 2016: SB278 – Named Cowley County as the stone bridge capital of Kansas; SB280 broad tax bill, one of provisions was classification of B&Bs, vetoed by Governor and Legislature overrode him; HB2156 - threatened and endangered provisions and Chris Berens will talk about that later, ended up in shell bill and only passed Senate, but signed by Governor on May 17; HB2437 – boating issues, came up last year, five or six bills introduced on this topic, sailing class and not having to have boating safety, signed by Governor on May 5; House Concurrent Resolution No. 5008 - would amend the state constitution to guarantee Kansas residents the right to hunt, fish and trap wildlife, goes on ballot in November and needs to pass by simple majority. Chairman Lauber – Have two year cycle and what is significance of that? Tymeson – On first year of two-year cycle bills introduced can be worked in second year as well, then dead if it doesn't go anywhere. House and Senate both up for reelection this year. Tim Nettle (*did not sign in*) – My family owns land in Osage County where poacher shot deer. Where are antlers now? Kevin Jones – Have in our possession. Nettle – What are your plans to do with them? Jennison – Don't know yet. Nettle – Just curious. If they will be destroyed can I be present when you do destroy them? Jennison – Debated on whether to sell them or not, saw people who poached animals come up and buy them because money was not an issue to them. Not sure what to do with them. Nettle – If a person poached an animal, paid fine, etc. haven't they paid their debt to society? Chairman Lauber – Why do you want them destroyed? Nettle – If they are destroyed I would like to be present, it is the trust factor, I want to see that they are destroyed, not hear about it. Chairman Lauber – Staff decision. Michael Pearce – On a similar subject, how accurate of records do you have when you take possession of antlers? Kevin Jones – To fully document, if seized as evidence of a crime, have to keep complete record and receipts are given to individual and chain of custody applies and we keep records until case is settled. Antlers are then reverted back and tracked on inventory, where they are located and when disposed of. Pearce – What happens when no case? Jones – Held as evidence until determine if case, if no charges filed, have been cases where antlers have been turned back to individuals or destroyed. Pearce – Can person contact you to find out where they are? Jones – Don't give them a key to evidence room, but we can verify whether in custody or not. Can end up with evidentiary issues. Pearce – Can you tell someone where they are? Jones – Yes. Chairman Lauber – To have non-personnel involved should be discouraged. Commissioner Williams – As a landowner, what would you like to see happen to those antlers? Nettle – Would like to have them back; he admitted to poaching them on our land

in Osage County, had contacted KDWP officer for three years in a row about road hunting; he did not assist me in any way. Second largest deer in the world poached on our property. Chairman Lauber – More sides than just your side and conflicting evidence and difficult for us to try and rehash this here. Nettle – No conflicting statement, when man plead guilty. Chairman Lauber – In North American model of conservation, landowner doesn't own the animal and it has been going on long enough. If up to me I would ground them up. Nettle - On June 8 in Hays, you were adamant about donating them to somebody so a self-anointed individual couldn't benefit from them. Chairman Lauber – Not sure whether I said anointed or appointed, but one of the two; I don't think they should be your antlers. Nettle – North American conservation is a model not a law, it is a guideline, for public and government agencies; no point in debating, miles apart on our beliefs. I don't own the wildlife, not talking about wildlife but animal that was killed, and it was not killed by me; it is not longer wildlife, it is wildlife parts. Ed Salmon – If there is a set of deer antlers worth money, should be auctioned off, not destroyed and money put back in Kansas budget. Chairman – We tried to do that and Mr. Nettle and his group prevented us from doing that. Nettle – At auction in September 2015 over 400 sets of antlers were sold. I contacted my state representative and one state senator and those antlers were pulled. At June 8 meeting, Mr. Tymeson said any bill that had not passed was still open for this year that means it was illegal for you to even sell that set of antlers because they were under control of legislative bill. You tried to give them away and then tried to sell them; my group didn't do anything. Chairman Lauber – Scheduled for sale and sale was stopped. Tymeson – Getting off topic of legislative process.

B. General Discussion

1. Fort Scott Presentation – Lindsay Madison, CVB executive director and Bill Michaud, Chairman of Chamber Tourism Division, presented this update to the Commission. Lindsay Madison – Want people to have a good time and have fun here in Fort Scott and Bourbon County. Welcome to historic Fort Scott, established in 1842. We consider ourselves the middle of everywhere; anything you could want within an hour or two; centrally located between Kansas City, Wichita, Tulsa, Springfield and Joplin. Proud and passionate about our community and promoting and selling it to others. I have been director for about 5½ years in this job; our work is selling Fort Scott to individuals, families and group travelers. Promoting unique interests of those groups, whether history, hunting, fishing, sporting events and more; if it is not something readily available and we have a group in town, we try hard to put together creative itineraries for a lot of different people. Excited to have a lot of new attractions – we saw construction as we were touring this morning, and our community has a lot of new projects going on, such as the new Lowell Milken Center for Unsung Heroes; a new winery, Vinedo Del Alamo has a wine outlet downtown; and a new hunting-related businesses, Velocity Tactics manufacturing ammunition and sells ammunition and firearms; and The Bunker is putting in a shooting range. Just purchased new trolley. We had two but they are worn out and needed to be retired. We're working hard to raise money for that. Appreciate our partnership with you and all you do for local communities with cooperative advertising you provide to CVBs and assistance on feeding us leads on tours and hunts.

Bill Michaud, Board member/chairman of Fort Scott tourism division and owner of Sleep-Inn and Empress Event Center downtown – Thanks for coming, recognize great partnerships and things we have accomplished with the assistance of KDWP: Riverfront Authority would not have done what they have without your help, received grants to install new sidewalk, a loop road new pavilion, and overlook over Mill Creek and Marmaton River; Riverfront Authority is to create river as an asset in our community. This morning, another piece of evidence of our

partnership, the ribbon cutting at Gunn Park west pond - great to see that asset grow. Every year we have a mountain bike race. We have 7 miles of best mountain biking trails in the area. We have hosted five and dime color run; mountain trail runs; have kayacathon, which blends running and kayaking; and that growth in our community would not have happened without partnerships and the department. When I moved here three years ago, I had no idea of the impact the hunting industry has in southeast Kansas, but I learned about the significant tourism impact whitetail deer and turkey hunting has on this area. Hunting is getting better and more people are coming; as a result of that, a friend of ours, Joe Bazon, two years ago started the first ever, three-species hunt. Secretary Jennison got involved in helping us plan and organize that and last year was a trial run. We had six hunters come to town, by invitation and in three days had opportunity to hunt whitetail deer, turkey and ducks. Planning similar event this year and hoping to grow that. Tremendous introductions to southeast Kansas and Fort Scott planned for our hunters: E3 Ranch is going to host a dinner, Crawford County is going to sponsor a dinner at Chicken Mary's, go to Velocity Tactics and Ammunition and do range shooting; great things in addition to the hunting to grow the event to equivalent of Governor's One Shot or Pheasant Hunt in western Kansas. Proceeds will go to a community charity and we are excited about that. Fort Scott has been a football town for a long time, until Adam LaRoche hit the big leagues and decided he wanted to contribute to our community. We opened Dave Regan stadium at Laroche Baseball complex and last year we had seven tournament weekends and this year nine tournament weekends, which range from 15-27 teams. We are probably not typical for hunting opportunities or outdoor activities, but a lot of positive things going on in SE Kansas. Appreciate you came today and hope you can come back a stay a little longer.

2. Recognition of Fort Scott's involvement in Community Fisheries program - Don George, fisheries biologist, presented this update to the Commission. Thank you for opportunity to present this. I'd like to call up Dave Martin, Fort Scott city manager; Todd Farrell, public works manager; Alisha Johnston with Fort Scott Community College; Dick Hedges, past president; Barbara Albright, Bourbon County commission; and JoLynne Mitchell, mayor of Fort Scott. I would like to recognize them for all of the work they have done for KDWPT's Community Fisheries Assistance Program (CFAP). CFAP is a program that the department administers with other entities to improve and enhance fishing opportunities for the public. These representatives have been very active in this program since it was initiated in 1980s. Since then KDWPT has been able to produce and stock over 700,000 fish, mostly channel catfish and some walleye and largemouth bass into the waters in this area. Through participation and cost share projects to enhance public angling, the department has provided \$200,000 to achieve these goals. I also want to acknowledge our most recent enhancement the West Pond in Gunn Park with Todd Farrell and his crew of city employees, who were pulled from other jobs to get this done. These people need some acknowledgement. I have certificates for Public Works Department; Bourbon County (Cedar Creek and Elm Creek lakes); City of Fort Scott (Lake Fort Scott, Gunn Park, Rock Creek) and the junior college. We want to acknowledge all of your work in helping KDWPT to improve public fishing in Kansas. Look out window at East Pond here on campus. It is a prime example of what this cooperative effort can produce. It is widely used by the community and we are very proud of it. Barbara Albright - When I was a new commissioner, I was approached and taken on nice tour by Mr. George who explained everything involved with KDWPT in our community. Alisha Johnston - On behalf of Fort Scott Community College, we are thrilled to accept this award. I personally had nothing to do with it, but I want to thank Mr. Hedges, our former president, who really worked tirelessly with Don George to make sure this happened and it is a huge asset to the college and community. We are thankful and happy to do anything we can do in the future to help KDWPT. Dave Martin, City Manager - We are a small community and overcoming a lot of obstacles we could not do if not for partnerships. KDWPT

was great to work with us. Fishing is big here as well as hunting. I too went on a tour with Don and had a vision of what was going to happen. Today, people were waiting to fish as soon as we cut the ribbon and were already catching catfish when we walked off. Thanks again, we wouldn't be able to do without partnerships. Chairman Lauber – Thank you, CFAP is a good program and we need partners like you.

Chairman Lauber – I would like to go back and make one comment to guy who discussed armadillos; we are not insensitive to armadillo issue, just not sure what to do and appreciate you bringing it up.

3. “WILD” Conservation and Environmental Education - Steve Woolf, superintendent of Erie School District (Exhibit F) – I come to share with you, not just a USD 101 program. We had a gathering across the state with Department of Education and Kansas Association for Conservation and Environmental Education (KACEE). We knew we had a problem - kids were good at using their thumbs and not getting outside and wanted to do something about it. We were engaged in the wild as kids, but kids now are not. We knew there had to be an answer. As a principal I started hunter education in classrooms, one of the guys on the video talking about the curriculum. We can make a difference, in 1928, a bunch of guys were sitting around in Virginia and started program to build Ag in schools and FFA was started. What if we started organization like FFA, to get kids outdoors and engaged in our environment (hunting, camping, fishing, hiking)? Why not us and why not now? Our program kicked off in January. You'll miss every shot you don't take, so we took off and started the WILD program, which is not an acronym. First partner was KACEE, but our first true partner was KDWPT, and you didn't know it. If you go to Erie Middle School, you can take Archery Education, Hunter Education, Furharvesting Education, gardening, and raise animals and that is just the middle school. We wanted to get high school engaged as well and started our own trap shooting team and the bass fishing team starts next year. We also we do a ton of camping and hiking, and other schools are doing the same thing. If you look at our emblem you might notice we got ahead of ourselves, it lists KDWPT as our partner, but we wanted to let you know how wonderful you are to us; you partner with us through the Eco-Meet and all of the free material you provide and provide the greatest classrooms and we are going out to your lakes. We want to make it so our kids are so engaged outdoors that it becomes natural because most of these kids don't have anyone to show them how to hunt, fish, where to go to camp or hunt, how to start a fire, etc. We have first state conference at Rock Springs on July 23 and 24, and are going to talk at Math and Science conference later this year. More and more schools are joining in and people from outside the state are interested. We are well on our way to being the FFA of the outdoors. It isn't just our thing and you are making a difference that is going to last long after you are gone. Two things: thank you for all you do for Kansas and our kids; and we want to "friend" you, in Facebook terms, and continue to put you on the logo. We can get people engaged outdoors - create more hunters, anglers, campers, hikers and create a problem that we need more parks because kids are engaged. The best time was 30 years ago, but next best time is today. We are off and rolling, building this plane in the air and it is working. Thought we should come share with you. Mike Rader sits on KACEE board with me and he said I should let KDWPT know we were using your stuff and emblem so here I am today. We are excited about what we are doing. Linda Craghead – Do you have a written curriculum you use that other schools could utilize? Woolf – We have one you built. We use Hunter Education in schools program in PE curriculum; use hunting, camping and fishing through science, building barns and gardens and got a grant to put in a vineyard and apiary. We are writing a curriculum into the curriculum we have. The standards are there, but we find different avenues to meet those standards. Most of these kids will be done playing football at age 18, and we don't want them to be done hunting, fishing, camping and hiking. Fitting into

existing curriculum as we go and you are providing tools to us already for the middle school programs. Linda Lanterman – I can get you a curriculum that other states are using in their school districts that you could model after. KDWPT does want to help you, kids are using 5-7 hours a day on screen time; we want to reduce that and when it is in your building that helps. Woolf – Will leave materials, also on Facebook. Our first campout was in March this year at one of your state parks and we had 20 kids out there camping and we thought we would have to make rules about technology, we didn't need them; that was just the beginning. Our trap shooting program is huge and we spent time with other school districts on that. You are doing an awesome job. Chairman Lauber – Appreciate what you are doing, keep up the good work.

Break

4. 2017 Turkey Regulations – Kent Fricke, wildlife biologist, presented this update to the Commission (Exhibit G). Combines spring and fall turkey seasons. Open from April 1 to 31, and contained three seasons; youth/disabled, archery and regular. The fall 2015 season ran from October 1 – January 31 and closed during regular firearm deer season (December 3-14). For spring season, individuals purchased 71,313 tags and for fall 12,134 tags. In spring, nonresidents accounted for 35.5 percent of hunters and 21.7 percent in the fall. Harvest averaged around 33,000 turkeys for spring and 13,000 in fall. In recent years populations have generally increased, but there have been decreases some units and populations are far below peak levels observed in mid-2000s. Vegetation conditions improved or maintained in 2016, however recent precipitation events, especially in eastern part of state, have coincided with peak hatching period for turkeys and is generally detrimental to production. We will see when brood counts are done in July. The department uses an adaptive harvest management strategy to guide staff recommendation on turkey bag limits for spring and fall seasons. Strategy aims for a high level of hunter success in every hunt unit and provides consistent method of developing staff recommendations. This strategy includes a hierarchy of bag limit combinations, packages, and uses established thresholds to determine when each package will be recommended. Due to timing of spring season, we are currently collecting data, bag limit recommendations will be submitted in August. In addition, we will have four units with potential bag limit changes, Unit 2 currently sitting at two spring and four fall permits. If hunter success reduction continues for this year, it would reduce to two spring and one fall; and then three units that would go from two spring and one fall down to one spring and no fall or one spring and one fall, in Units 3, 5 and 6. Chairman Lauber – Curious about fall bird in Unit 6, the SE unit; is the number that low that reducing a fall harvest would make a significant difference? Fricke – Everything is based on hunter success and that is some indication of where the population is. We hope there is, don't know number of tags purchased in that unit, but assuming still have a good number of hunters purchasing fall tags and as we reduce the number of game tags we are trying to get at that in order to increase the hunter success for spring. Chairman Lauber – Understand concept of changing from four to three because so few people hunt third and fourth bird in the fall; just a certain amount of sport and tradition in fall turkey hunting and don't want to see it reduced to none, rather see reducing spring than none in fall. Fricke – We do have that option, if it does drop, either two spring and no fall, or one spring and one fall. Commissioner Williams – All determined on success rate? Fricke – In the spring only. Resident hunter success as well as the percentage of jakes that get in the bag; assume if you can't shoot a mature tom you will take a jake so the more jakes in the population the lower hunter satisfaction. Commissioner Williams – A couple of years ago, successful on first tom in spring and unable to get out again; if you are going to determine bag limit because I wasn't successful on two toms, I don't think that should determine bag limits for next year. Fricke – I should predicate that the number of jakes is a move up in the package level, not a move down. When moving down in number of permits available,

hierarchy of packages available, the discussion here is of moving down from four and one to two and zero or one and one and as we move down it is only based on less than 55 percent success of resident hunters to try and increase that number; and when we move up that is when the jake numbers comes in, so looking at hunter success rate over 60 percent and less and 25 percent jakes in the harvest. Assuming level of satisfaction, that they are getting a large number of adult birds and smaller percentage of jakes. Pearce – Commissioner Rider, several years ago your area was way down on turkey population, how has it been last few springs compared to five years ago? Commissioner Rider – Better, but not like it was 10 years ago. Pearce – Gerald, what about you? Chairman Lauber – Not as good as 10 years ago, but definitely better hatch last year and seeing more numbers of birds wintering in bigger groups. Pearce – When was last time we had a limit of one turkey in the spring and none in the fall season in some of these units? Fricke – Don't have those figures? Pearce – I think it would be close to 25-30 years at least. You are saying there is a chance you make those changes for 2017 seasons? Fricke – Yes. Pearce - Robin, how do you think that will go over at Governor's Turkey Hunt and tourism on bringing people in? Jennison – I haven't really thought about it. I think it is important that we make these types of decisions based on biology. Pearce – I think anybody can successfully argue that we have more turkeys now than the last time we had a limit of one in the spring and zero in the fall; a long time ago, at least for eastern half of the state. Could you send me email on those dates of when we had that trend? Chairman Lauber – I tend to agree, it has been a long time and we have more birds now than before; not sure why confusion on measuring hunter satisfaction when it comes to spring turkeys, maybe because I give more credence to fall birds as well. Not saying you are not right, but don't see need to make that drastic of reduction. Jennison – If you go back 25 years, you need to also look at how many turkey hunters we had. Pearce – If you can't kill your two birds in Kansas you are not hunting. I miss four-bird limit in the fall, rather hunt them in January, but my personal preference; biased on fall season. Commissioner Hayzlett – Reading where you talked about population increase in most of the state, but not in western third, you said increases in nesting brood rearing due to dry weather, are predators part of that? Fricke – Amount and quality of habitat, predators have some effect, but mainly habitat. Chairman Lauber – Moisture is a double-edged sword, need moisture to produce the bugs, but during brief period, when they can't control their body temperature, that is when you get chick mortality; if you could figure out how to get rain right up until nesting, a dry break for a month and rain again, you would have skyrocketing number of birds. With more rain in June and less in April and May it has caused this exacerbated problem. When you introduce a new species, it comes up and then goes down a bit; more birds than last five or six years; look at statistics and make recommendation and go from there. Pearce – What are four units; Unit 2 and what? Fricke – Units 3, 5 and 6 could go from two to one or to one and one or one and zero. Commissioner Rider – When is hatching time again, late May? Fricke – Yes, give or take a week depending on weather.

4. Squirrel Season Briefing – Kent Fricke, wildlife biologist, presented this update to the Commission (PP - Exhibit H, briefing – Exhibit I). During last commission meeting in Wichita, I was asked to explore increasing daily bag for squirrels. Looked for information on squirrel numbers and squirrel hunters; appreciate Secretary Jennison's brief introduction on squirrels earlier. Have red fox squirrels in most of the state and eastern gray in eastern part of state. We are on western boundary of both of those ranges. They live generally about one year, have one to two litters a year (early and late spring) with two to three young per litter. In terms of squirrel management; in 1957 started with daily bag of eight switched in 1963 to daily bag of five and has stayed there. In 1992, we also went to a 20 squirrel possession limit. In terms of nearby states, Kansas has longest season (272 days) and smallest daily bag limit; seven in Nebraska, Missouri just went up to 10, from 8 in 2010 and Oklahoma is at 10. In terms of population, only one index in terms of statewide population, since 1965 seen a general increase from slightly

lower than one squirrel per every 100 miles of rural mail carriers route to around two. Better numbers in hunter numbers and hunter harvest; decrease in number of days hunters are spending hunting squirrels which coincides with decrease in squirrel harvest in same time period. Increase of both hunter days and hunter harvest, estimated total number of days, as low as 40,000 in 2011 to 69,000 a few years ago. Even with fluctuations in total number of days, the average squirrels per day has stayed consistent, 1.2 to 1.3. In last year and a half collecting iSportsman data from public lands and from October 2014 until June 2016, almost 6 percent of hunters actually harvested during a trip. I don't have number that did not harvest, if they say they hunted small game, an increase of five to six percent; one or two per hunt. Most of the areas that have iSportsman are getting squirrel hunters and some of the areas are getting pretty good pressure on number of squirrels harvested and number of days hunted, generally near urban centers in eastern portion of the state. Average per hunt is relatively low, a little better than information off of small game survey. We are on the edge of both species range and impacts as we move farther west potential increase in limit may be detrimental, but is not necessarily clear, average number may stay the same. Also, in terms of urban areas, if seeing increased harvest may see impacts of that. In terms of hunter satisfaction, we could go both ways; if you reach a limit of five squirrels you leave the woods happy hunter, but if you leave with a limit of eight you might be just as happy, but number of hunters that reach that limit may be reduced. Chairman Lauber – First of all nothing screams out that says we need to liberalize bag limits; I am satisfied with five squirrels; we have 272 days. Is it probably true, based on mail carrier miles, do we double the amount of sightings? Fricke – Since 1960s. Chairman Lauber – If we had iSportsman back then we would have been more activity. When we talk about small game harvest that is basically rabbits and squirrels? Fricke – In terms of iSportsman, break down small game when you are leaving to list squirrels, rabbits or whatever. Chairman Lauber – When you survey not using iSportsman, small game can be rabbits or squirrels? Fricke – No, break it down by squirrels, those were specific numbers. Chairman Lauber – With 272 days, would we have population impact if we shut season off January 31, because giving birth in February; and start earlier in May? Harder for kids to get out and shoot and small game and squirrels are a challenging hunt. Don't see real reason to change bag or possession limits, just wondering if changing season dates would help, don't expect an answer. Gary Cook, Ft Scott – Conflict with turkey season if you move it very far forward, have conflicts with rifles and shotguns. Pearce – What is your job title? Fricke – Small game coordinator. Chairman Lauber – Good point, maybe we should just leave it alone. You have fulfilled my obligation to constituent.

5. Law Enforcement Program Update – Kevin Jones, law enforcement division director, presented this update to the Commission (PP - Exhibit J). Take time to give presentation, an overview of LE division, what programs are and better background, where we came from and where we hope to go to. A little history, on badge, number at the bottom, 1877 is the year conservation laws first enacted in the state of Kansas, 139 years ago. In context, Kansas was a new state; buffalo killed off and bone collectors were out picking them up to ship east; cattle drives were coming up out of Texas to trailheads in Abilene, Ellsworth, Hays, Wichita and Dodge City. In the previous year, 1876, General Custer and 7th Calvary ran into Sioux and Cheyenne up at the Little Big Horn in Montana; or in 1878, was the last time there was an Indian battle skirmish in the state. It was a wide open free ranging country, but legislature had forethought to enact first conservation laws. Focus was to look at fisheries resources and establishment of first state fish commissioner. Laws evolved with changes to the Act and up to 1895, saw first game wardens, actually fish wardens because under Fish Commissioner at that time. KDWPT can take pride in knowing that they are the longest serving group of law enforcement agents in the state, we predate KHP and KBI. In 1905, given general authority to game wardens to enforce laws across the state; up to that time jurisdiction was the county and

county sheriffs and constables and town marshals; run up to 1905, 12 years ago we celebrated centennial in 2005. In 1905 Kansas Forestry Fish and Game was created, land dedicate in Pratt County for a hatchery. An newspaper article that dealt with terrestrial game as well as fisheries came in; as you read down through article it says, residents will have to pay \$1.15 for a license to hunt game in the state; non-residents \$15, and landowners were exempted while hunting on their own property, just as they are today. Further down it says, "The penalty for hunting without a license is \$25 to \$100. Persons must apply in person for licenses. All sheriffs, deputy sheriffs, marshals, constables, and other peace officers are declared to be ex-officio game and fish wardens." In 1905, a dollar went a long ways, and if convicted \$25 stung a lot, so there was significance to our game. Picture of young Eagle Scout had opportunity to be the scout of the week in Manhattan and was able to ride with Game Warden, Roy McKenzie, so officer were an important part of the community. Game warden picture of 1920s, Joe Concannon in center, state fish and game warden; set standards by how we would hire game wardens: Twelve criteria set and some are still used today must meet some of those and require college degree and thorough background check. In 1950s, starting seeing reservoirs and majority built then, game warden new dress uniform and vehicle they toured state in (picture); boat registration act came into place and saddled with enforcing boating laws, new to game wardens. Picture of game wardens from mid-1950s, older gentlemen and a lot of them veterans of WWII and were able to find jobs and were good at their jobs; in middle row, fifth person from left, Wallace Ferrill, remember pleasant contact with my dad, first heard term then and over the years grew to appreciate game wardens; he influenced my decision to become one. More recent picture shows younger force today, but still engage and serve the people of Kansas. First had five regions when I came here, changed to two regions, now three regions. Had to address LE issues, how we hire officers and training, so we have a Captain that covers that area of training and recruitment. We felt we needed an investigations unit to deal with serious poaching problems so started an investigations section. And now we're engaged in emergency management and records keeping so have better idea of what is going on out there. We have 81 commissioned officers including myself; western region, Hays, is large geographically, but all regions have unique challenges, but western region has vast size, but number of officers is small, on map, counties colored in show where we have officers present, white is none, gray is those we are in process of filling vacancy. In Topeka area, Region 2, densely populated region and many have resources available as far as water and hunting. Region three is blend of the two. Challenging in all three regions and doing the best we can with number of people we have. Looking at plans to increase officer numbers and decide where to place them to be most effective. It has been eight years since we have added any officers; it takes about \$110,000 to put a new officer on the ground, with equipment and salary. In order to be an officer, start off with written test, physical assessment, background check, truth verification testing, a number of interviews we offer jobs to individuals to become game wardens; first day sworn in as provisional officers, fully empowered law enforcement officers of the state, then 14-week training at KLETC, 2-week orientation prior to KLETC, then 12- to 14-week field tour where they ride with our officers, then into probationary status for 1 year from date of hire, and then become permanent game wardens. Training is a big issue: firearms, defensive tactics, water LE agency (navy for KS) – train on water, train in the water, swift water rescue team (new to us) with designation of river trails and important to us to have officers trained in that. We have the best office in the world, in the wide open spaces. They work with hunters and anglers, boaters and anglers, and share information on where fish are biting, etc. Work with fisheries to be sure sustainable populations in the state; conduct check stations around the state in most years; talk with hunters and anglers; deal with injured wildlife, bald eagle with injured wing to fox kit brought in because someone thought it was abandoned by its mother, when it actually wasn't; run into interesting situations like two buck deer locked together and deer that fell in empty pool, challenges to deal with. Have six K9 teams across the state, mostly Labradors but some mixed

breeds; friendly dogs used to detect wildlife, do article searches to recover evidence and use them for tracking (violators, escapees, and lost individuals). Do a lot of interviewing to get right officer to be K9 officer, requires a lot of time and training, finding dogs with successful characteristics. We send them to a 14-16 week training in Indiana, but have trained and certified in Kansas on a couple of occasions, but prefer Indiana training, because what dog does is court evidence. Dogs are dedicated and love to do their jobs, are great ambassadors and give us time and opportunity to engage with the public. One K9 team found rifle left by poacher. Also, have incident reconstruction team, officers reconstruct scene where something happened (tree stand fall, shooting, etc.), called in by sheriff's offices and one of things we look at, with an open mind, to treat as crime scenes, officers go through intensive training to figure that out. Get involved with community affairs, such as tornados, like Greensburg, there within the hour to search for individuals and got compliment from incident commander who appreciated our officers and he made two points: they showed up and did their job, no problems; and stationed on night duty because we are used to working in the dark. Have an Honor Guard for official openings and events, like department employee funeral services; participate in Fallen Officers Memorial; Kevin DeFisher requested establishment of the Color Guard before he passed away with cancer. Work activity: over 50 percent LE, Administrative routine paperwork, and professional development; then information and education, throughout enforcement is human contact. Violations that occur for hunting-related, then boating and fishing, and public lands violations and decreases from that. Have operation gamethief number for people to call in to report game violations; can't be everywhere all the time. Took five years of data and gave pie chart, 23 percent of violations is licensing and permitting violations, and boating registration; both important to us as compliance issues; then equipment type of violations. Poaching, case on Cimarron where a large number of deer were taken; doves over the limit; fresh water mussels illegally taken. Type of violations: license and permit violations is biggest, trespass is big issue, tagging violations, illegal equipment are some of the bit issues. In furharvesting world, licensing and permitting, tagging of traps, taking furbearers during closed season, etc. Back to 1905, licensing violations still a big issue. Run into other law enforcement issues, like a gas pump taken from an individual stealing from a farmer; medicated brownies and things like that. Boating is popular in state and trying to increase number of airboats because of national river trail systems; patrol boats on reservoirs, check licenses, compliance checks on capacity and safety equipment; on pie chart largest violation is PDF violations, then lighting, fire extinguisher violations; grouped together safety violation is biggest issue. We have zero tolerance policy on PFDs. Accident trends from 2004 to 2015, overall a decline in number of accidents, when compare to fatalities, two is two too many. BUI is also a big issue, safety is key; addressed in 2000 to 2008 more aggressive and increased arrests, dramatic decrease in 2015, which we can't explain, maybe because not at many officers in the field, but not sure why, hopefully we are suppressing BUIs in state. Compliance from positive side, going up for boating violations, greater presence on the water; boating education programs and I&E section getting the word out on safe boating and seeing greater compliance. Deal with drownings as well; in 2015, mostly in 18-30 year age range, and mostly male. On a lighter note, part of Blue Ribbon Panel dealing with sustaining fish and wildlife resources throughout the country, part of brochure talks about addressing exposure of children to outdoors and nature based activities. We take this on as a serious mission: talk about boating safety; have PWC simulators gives some desire to go forward and experience this; hunter education and getting kids outside and keeping them coming outdoors; fishing programs; and youth hunting. Statement by Theodore Roosevelt is fitting, (The nation behaves well if it treats the natural resources as assets, which it must turn over to the next generation increased, and not impaired in value), know how to treat natural resources and each other and the world will be a better place. Commissioner Williams – Mentioned eight-year period, about hiring of officers, how many officers did you lose through attrition? Jones – For

last two years, on annual basis, hold about five vacancies throughout the year. Have to go back and look at data, in some of summertime months we probably were about 10 officers light.

C. Workshop Session

1. Park Regulations – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibits K, L). David Goble, manager at Crawford State Park is here, he has a small team and great following, thank you David. Country Stampede is taking place at Tuttle Creek State Park, this evening at 8:00 is Sam Hunt, Dirks Bentley, tomorrow starting at 2:00, in the evening is Tim McGraw and Saturday it starts at 2:00 and the final show is Jake Owen. Presenting possibility of adding another permit to state parks on unconventional vehicle (UV). We already allow them if they meet standard of a vehicle, if they can get registered are already allowed. We are recommending golf carts that don't have that from sunup to sundown. We can revoke this permit if they do not follow our rules; on our roads, on roads that are 30 mph or less and it will be a \$50 permit and application process. Commissioner Rider – When do we vote on it? Lanterman – October, so you will see another time. It has been awhile since we looked at fees for camping, at least a decade. Enhancing our reservation system next year and before we do that we wanted to look at annual camp, overnight camp and 14-day camp. Today we have prime and off season permits; our annual camp we don't sell a lot of, but it is significant to track those permits so we want to increase it to \$200 and \$250, currently \$150 and \$200, off season is October through March, prime season is April through September, last year we sold 3,194 of those permits, could increase about \$200,000 with that. Next is 14-day permit, sold 600 last year and have sold as many as 1,200 and have off and prime season and plan to take that away and leave at \$110 even, which equals out to about 12 days, it is a significant permit to track. Our reservation system doesn't track that yet, we are working on that. Our daily camp is also prime and off-season, it is \$7 and \$8 and we propose to go to \$9. I am anticipating about a half million dollars increase in revenue for that. The Corps of Engineers just increased their permits to \$10 and \$12. I understand state park permits are always a touchy subject, mindful of customers and constituents that visit our state parks, but we have not increased this for a long time and it would be a half-million dollar increase for us. Pearce – Could lead to a half million, is that if we do all three? Lanterman – Yes, that is correct. Pearce – Does the commission vote on this? Lanterman – Yes. Pearce When would they vote and when would it take effect? Lanterman – October, take effect first part of year; that is when new enhanced reservation system will start.

2. Fishing Regulations – Doug Nygren, Fisheries Division director, presented this update to the Commission (Exhibit M). Discussion for fishing changes to take place next year. Reference document with the ones in italics being the ones that tie to the walleye initiative to provide unique opportunities within a geographic region that would help us provide some places where you could harvest fish at 15 inches and others where we are protecting the walleye for larger sizes. The two changes that will be most controversial include Kanopolis Reservoir change 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. On down the list, at Wilson Reservoir we have had a problem with poor forage conditions for stripers and want to promote harvest by going to 5/day creel limit. The next one, Big Hill Reservoir, to promote overall size, reduce slot to 15-21-inch on largemouth bass, seeing slow growth rate and hope to see better quality. The rest are relatively small changes on small impoundments that I don't believe will be controversial. Chairman Lauber – Not doing anything on Glen Elder? Nygren – No changes at Glen Elder, on hold and gathering more information. Chairman Lauber – We have walleye initiative that hope goes into place, in a different procedure? Nygren – No, these regulation changes would be like any other in reference document; the walleye initiative is already underway and we have made changes on the way we are rearing fish at the hatcheries and getting ready to do some additional improvements at the

Milford Hatchery to raise larger walleye to overcome problems of survival at lakes; hatchery side underway and these changes are needed to regulation now. Chairman Lauber – What are benefits we have had already, with early steps of walleye initiative, more people are asking questions and causing more education; misperception in public on how walleye work and have their own theories; people don't realize how aggressively walleye are fished. It is a very limited resource, great zeal for catching them and no zeal for catch and release. Nygren – No, they like to eat them. Garden City wants to develop a kids fishing pond, in high water mark of river close to sewage treatment plant, it is about 7 acres in size; it is in the channel of the navigable river and we are working with the locals to try and get that open; in preparation we want to establish a regulation and hours of operation and for children accompanied by adults, patterned after Kids Fishing Pond at Pratt which is already in the reference document – creel limit of two fish of a single species or two fish of combination of species per day. We are waiting on KDHE because of issue of water coming out of sewage treatment plant. We have to make sure fish will be safe to eat and if we get their blessing we are prepared to move forward and have a nice kids fishing pond. Last week we detected zebra mussels at Hillsdale so will be adding them to list of designated waters, the only new water we know of. Additional changes: 115-25-14, as part of walleye initiative we were going to remove length limits from walleye caught in flowing water, so will be changing fish length limits on flowing rivers, streams and tailwaters: no longer any length limit on walleye, sauger and saugeye caught in those waters. This is a way we can help shoreline anglers be more successful. Adding a new trout water, Glen Elder Reservoir Outlet, adding to type I water, which means if fishing there during trout season you are required to have a trout permit. Also, on open season, have had floatline fishing season for awhile during daylight hours only and we are proposing to remove daylight hours restriction and make the season year-round instead of July 15 through September 15. In 115-18-20, tournament black bass pass, we have been approached by some tournament organizations wanting to fill more than just two short bass and we have been talking to them about trying to get additional information to determine if that would meet their goal of making tournaments more successful and would base tournament more on skill than just luck. We are collecting that information, but since then research was done to look into mortality of tournament largemouth bass. Results of study are showing that the process of having a fish held in a livewell all day and then going to weigh-in was not a major source of additional mortality. The two biggest factors causing mortality was how the fish was hooked and temperature. The warmer the temperature the harder it is on the fish, but that is of no concern as bass pass is not available in heat of the summer. Leaning towards increasing the ability for people using the bass pass to go up to five short fish as opposed to two. Commercial sale of fish bait, when concerned about people spreading invasive species with use of live bait, we asked for requirement for receipt showing bait coming from certified bait dealer. Talked with Kevin about enforcement of that and no tickets have been written on that and hard to enforce because no way to say, even if they have a receipt that the fish in the bucket really came from that dealer; recommending doing away with red tape and eliminate requirement for receipt.

3. Threatened and Endangered Species Regulations – Chris Berens, Ecological Services section chief, presented this report to the Commission (Exhibit N). Met a couple different times to update you on T&E bill, Chris mentioned earlier seeing different forms of that throughout the legislature; I ended up in HB 2056 which passed and was signed by the Governor on May 17, and will take effect July 1. It does change the Nongame and Endangered Species Act of Kansas. A summary of the law changes deals with special permits for environmental review actions; we have normal farming and ranching practices including cost-share, development of residential and commercial property, scientific collection permits that was in our regulations before, in statute now. Also, included a requirement for a permit for certification or registration, which basically deals with concentrated animal feeding programs. Recovery Plan changes: on list of new species,

anything after July 1 will be required to have a complete recovery plan within four years of species being listed and submit reports to both House and Senate committees and publish and maintain those recovery plans on the website, which they currently are. Though the changes in the law will require changing in 115-15-3, definition changes, addition of word “critical” to definition of actions and a permit from another state or federal agency includes certifications and registrations. In 115-15-4, for recovery plans, the new language and requirement for every four years will then be inserted. With that if we don’t have a recovery plan within four years, we can no longer permit that action and it may impact critical habitat and we won’t be able to regulate that project until that recovery plan is completed. Working on wording and will have at next meeting. Chairman Lauber – Who will these changes affect? Tymeson – In practical sense, very few mitigation permits issued in a year’s time so not much impact, more philosophical viewpoint. Chairman Lauber – If you view normal farming and ranching practices that eliminates discord. Didn’t know if affected anybody or a good policy and trying to keep up if something does occur. Tymeson – Always in our regulations, now in statute to memorialize it in case some future Secretary or Commission wanted to make a change to that. Berens – We review 2,500 projects a year and only about four percent of those require any kind of permit; very few have any impact to the developer as far as additional mitigation; a lot of those are spawning date restrictions so staying out of streams and rivers while fish are spawning.

VII. RECESS AT 4:23 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Doug Whitehead, Fort Scott, Kansas rep for Bowfishing of America – Several years ago I worked with Doug to get catfish bowfishing in the state. Opportunities are low, but still there. Over the last few years the state has been pushing getting the blue catfish population up and setting length limits and we support that 100 percent. We would like to see bowfishing, typically shoot a flathead. Catfish are skittish to lights and flatheads are not. With length limits opportunities are getting slimmer to be able to harvest those blues, so would like to change wording from catfish to flatheads and eliminate blues and channel catfish from the target. Doug Nygren – First, there are only a handful of catfish being taken by bow in any given year, so impact is not a concern to us. If an angler can feel confident they can distinguish flathead from some other species before they let the arrow fly, then we would consider it. Most folks can tell difference in clearer water by shape of the body and head. Chairman Lauber – Know people in this sport and they take it seriously, would like to see your people take a look at it to see if it could provide some opportunity, while having no affect on the resource. Nygren – We will do that and look at other states to see what is going on elsewhere.

Michael Pearce – Reader wanted me to ask if having a LPC season? Sexson – No. Pearce – Robin, can you talk about possible raises for employees yet? Jennison – No, we have where we think we are going to be and think we have figured out fiscally where we can handle it. The next think we want to do is meet with some of the employee groups to let them see what we are doing before the public sees it. Pearce – Fair enough, can you give me idea of ballpark of when I can call and ask? Jennison – Call after first of July, get through end of year, get approval and talk to employee groups and explain rationale of what we have done. We will have to phase it in mainly because of the amount of work for HR will be a lot, outside it will take three months to phase it

in. Pearce – Considering how long some of these people have waited for a pay increase, three months isn't that bad. The last time we talked on the phone, you were concerned with 3,000 multiple tags that got sent out by your vendor to nonresidents; I talked to Todd before hand, are you comfortable with the direction you are taking? Jennison – My concern, when we talked, was they didn't know what had happened and at that point couldn't guarantee that everybody got a tag. Historically, people watch that closely enough that if they had not gotten their tag we would be hearing from them by now. I think Todd and the folks in licensing have had several conversations and we are fairly confident that is not the case, but we did have duplicate tags and we are going to figure out how we are going to deal with that and it is a smaller number now.

D. Public Hearing

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

1. KAR 115-8-24 - Stuart Schrag, Public Lands Division director, presented this report to the Commission (Exhibit P). To address numerous constituent complaints, guiding on public lands has been allowed and we want to repeal KAR 115-8-24, which allowed guiding on public lands. Through permitting and reporting process and prohibit guiding on public lands forcing commercial guiding activity under existing regulation KAR 115-8-19, subsection (a)(1), which states that "no person shall advertise, engage in or solicit any business or make any charge for any event or service except as authorized by the department." The surrounding states of Nebraska, Oklahoma, Missouri and Colorado prohibit guiding on public lands. Prohibiting commercial guiding through this regulation, since it is a public lands regulation, would encompass both hunting and fishing guides on all state and federal wildlife areas, state parks, walk-in hunting areas, fish access areas and state fishing lakes under the management and control of the department. This would not encompass the waters of federal properties such as U.S. Army Corps of Engineer or Bureau of Reclamation reservoirs or Kansas navigable rivers. Commissioner Rider – Talked to other states about enforcing this? Schrag – Had Midwest meeting in Missouri last month and discussed briefly; from enforcement standpoint it will take more time, manpower and effort on our part as an agency. From other states it sounds like it has been a positive endeavor for them, nothing negative comment-wise. Chairman Lauber – Some of the abuses that brought this on will be easy to detect and sportsman will know if someone's out there for profit. Marvin Whitehead, Kansas Bowhunters Association – Personally I don't get to hunt public ground that often, but would like to relay comments from some of our members. On a couple of different occasions, from a year ago, having heck of time with one particular outfitter in Melvern and John Redmond areas, putting hunters out and patrolling trying to keep other people out of area. With exception of baiting on upper end of Milford, similar thing going on strip of timber at high watermark, about 70 to 80 acres, every weekend guy during bow season he was dumping bowhunters out and sitting at the road to bar any other people from going in there. A great idea to put a stop to it. Chairman Lauber – Universally the elimination of guiding on public lands has been accepted and embraced as the thing to do.

Commissioner Gary Hayzlett moved to revoke KAR 115-8-24 as brought before the Commission. Commissioner Harrison Williams second.

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

Commissioner Williams
Commissioner Rider
Commissioner Marshall

Yes
Yes
Absent

Commissioner Hayzlett	Yes
Commissioner Dill	Absent
Commissioner Cross	Absent
Commissioner Lauber	Yes

The motion as presented passed 4-0.

Pearce – Clarification, where this will all be in effect? I understand state wildlife area, walk-in hunting area, FISH properties, state fishing lakes and what did you say about navigable streams? Schrag – Not be in effect on navigable streams. Pearce – What about the water on a federal property and someone wanted to set up to hunt ducks? Schrag – They can because of our lease with the Corps. We are in the process of working with Corps and BOR on this and once they get onboard with where we are going it will be easier to address and enforce on the water. If set up on the water it would not be encompassed by this regulation. Pearce – That may change? Schrag – Possibly, we are having those conversations and they would like to get onboard with us on this issue, baiting and tree stands, to be universal.

2. 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 R). On Fort Riley, this allows the archery season we have in 25-9 and additional days for archery hunting for September 1-11 and also January 9-31. They have asked not to have the pre-rut whitetail antlerless season and instead would like four days for youth and people with disabilities from October 7-10. Also, twelve days of firearm season broken into three segments: November 25-27, December 17-23 and December 26-27. Chairman Lauber - I think we have a good relationship with the Fort and happy to give them their own seasons.

Commissioner Harrison Williams moved to accept staff recommendations on KAR 115-25-9a and bring before the Commission. Commissioner Hayzlett second.

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

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

The motion as presented passed 4-0.

2. Secretary’s Orders – adding Blue Cross and Blue Shield of Kansas Healthy Trails Day to fee free day at Kansas State Parks – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit T). According to KSA 32-901, Kansas state parks would like to add an additional day for free parks day for the Blue Cross Blue Shield of Kansas healthy trails day. We did this last year and it was very successful and would like to do it again. It is the weekend after our Lets Camp America weekend.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

August 11, 2016 – Clay Center, Life’s Finer Moments, 1285 16th Rd

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 6:50 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 will 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 KDWPT-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 KDWPT 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

VI. DEPARTMENT REPORT

B. General Discussion

1. Big Game Permanent Regulations.

All permanent regulations dealing with big game will be discussed together at this meeting. In recent years these regulations have been brought forward in the General Discussion portion of the Commission Meeting in August to allow public comments and to determine if further review was needed.

a) K.A.R. 115-4-2. Big game; general provisions.

Background

This regulation contains the following items:

- Information that must be included on the carcass tag
- Registration (including photo check) needed to transport certain animals
- Procedures for transferring meat to another person
- Procedures for possessing a salvaged big game carcass
- Who may assist a big game permittee and how they may assist, including the provisions for designated individuals to assist disabled big game permittees.

Discussion

Carcass tagging has been a tradition in big game management for decades. A concern behind that tagging has been to establish ownership of the meat from big game animals. The carcass tag was attached to the leg of the animal and followed that carcass through the process from the field to the home or point where processing of the meat occurred. Often the head and antlers were separated from the carcass at a locker plant or other location resulting in no tag being attached to that part of the animal which was frequently transported to other locations. In recent years the emphasis of enforcement in big game hunting has placed a greater importance on identification of the owner of the antlers or horns of big game animals.

Satisfactory solutions on antler tagging have not been achieved. Continued review of this regulation is anticipated in conjunction with improvements in KOALS (license/permit sales and data system).

Recommendation

This regulation will be brought forward for further review this year.

b) K.A.R. 115-4-4. Big game; legal equipment and taking methods.

Background

This regulation contains the following items:

- Specific equipment differences for hunting various big game species.
- Specifications for bright orange colored clothing, which must be worn when hunting during certain big game seasons.
- Accessory equipment such as calls, decoys, and blinds.
- Shooting hours
- Special restrictions on the use of horses or mules to herd or drive elk.

Discussion

Extensive modifications of this regulation were done in 2013. Major changes included changes to allowing any caliber center-fire rifle or handgun, and adding crossbows to legal archery equipment. Additional accessory equipment was allowed.

New hunting equipment continues to be created and people request changes in the regulation to allow novel equipment. Some of the recent requests have been to allow powerful air rifles to be used for big game hunting, to use atlatl spears and to allow draw locks for bows, as is currently authorized for people with disabilities.

A device called the “Airbow” has been developed, which propels an arrow using air pressure. It is currently receiving Internet notoriety and some people have contacted the department to request changes to allow it for use in Kansas. The Archery Trade Association has reviewed this equipment and they have issued a statement that the device lacks critical characteristics to be considered as archery equipment.

Historically changes in this regulation have attempted to balance a potential benefit of allowing new equipment to benefit a few people against the added complexity caused by changing the regulation, which may confuse other hunters. Typically the department has changed this regulation after a review for a period of years rather than annually.

Recommendation

No change is proposed for this regulation.

c) K.A.R. 115-4-6. Deer; firearm management units.

Background

This regulation established the boundaries for the 19 Deer Management Units in Kansas.

Discussion

No changes in deer management unit boundaries are currently being discussed within the department. Changes in the management unit boundaries complicate trend analysis of hunter participation and harvest of deer. Sub-division of units increases the need for larger sample sizes and more expense to obtain adequate information.

Recommendation

No change is proposed for this regulation and it is not scheduled for further review this year.

d) **K.A.R. 115-4-11. Big game and wild turkey permit applications.**

Background

This regulation describes general application procedures, including the establishment of priority drawing procedures when the number of applicants exceeds the availability of authorized permits. The regulation also authorized hunters to purchase a preference point for future applications.

Discussion

No changes in the application process of big game or wild turkey permits are currently being discussed within the department. Requests for changes in allocation of either species, either sex firearm permits for resident youth hunters have been received from the public.

Recommendation

No change is proposed for this regulation and it is not scheduled for further review this year.

e) **K.A.R. 115-4-13. Deer permits; descriptions and restrictions.**

Background

This regulation contains the following items:

- Creates permit types that include:
 - White-tailed deer, either-sex (WTES) permit or white-tailed deer antlerless only (WTAO) permit for residents of Kansas. These permits are valid during all seasons with equipment authorized for that season.
 - White-tailed deer, either-sex permit for nonresidents valid for one equipment type and one unit. Nonresident hunters may designate one adjacent unit where they may hunt.
 - Either-species, either-sex permit, restricted to a season or seasons and units where they may be used by resident and nonresident deer hunters.
 - Hunt-on-your-own-land permits, including resident HOYOL, nonresident HOYOL, and special HOYOL permits for certain direct relatives of the landowner or tenant.
- Each deer permit is valid only for the species and antler category specified on the permit.
- Antlerless deer are defined as a deer without a visible antler plainly protruding from the skull.

Discussion

Three years ago the permit system was modified to create a nonresident deer permit with two tags, one being restricted to an antlerless white-tailed deer. This change was made to encourage nonresident hunters to harvest antlerless deer in the areas they hunt at similar rates of resident hunters. The results of that change are being monitored.

Recommendation

No change is proposed for this regulation and it is not scheduled for further review this year.

VI. DEPARTMENT REPORT

B. General Discussion

1. Deer 25-Series Regulations.

Background

The regulation contains the following items:

- Dates of deer seasons when equipment such as archery, firearms, or muzzleloader may be used.
- Provisions when seasons may occur on military subunits within management units.
- Dates for a special firearm deer season and extended archery seasons in urban units.
- Dates of deer seasons for designated persons.
- Dates and units when extended firearm seasons are authorized and the type of permits and changes in the species and antler categories of those permits.
- Limitations in obtaining multiple permits.

Discussion

Annual adjustments will be made in the deer hunting season dates. This review process initiates the discussion of potential changes in deer hunting seasons for 2017. The recommendations at this time follow the traditional season structure.

The calendar of the 2017-18 seasons presents a couple situations where changes from the traditional seasons might be considered. Typically the first white-tailed deer antlerless-only (WAO) season has been the first January weekend that included the New Year's Holiday. New Year's Day falls on Monday in 2018. A similar situation occurred in 1999-2000 and the Commission approved moving the opening day to December 31. Opposition occurred because the change resulted in the loss of a weekend and holiday day when archery hunting for antlered deer could occur. Three options are being considered for the 2017-18 seasons. They are:

1. A one-day season, January 1, 2018, in DMUs where minor additions in the harvest of antlerless white-tailed deer was allowed. There would still be three lengths of WAO seasons (i.e., 1, 7, and 14 days). The shortest season would not have a weekend day of hunting.
2. Combine the first and second WAO seasons and run them from January 1, 2018– January 7, 2018. This would allow WAO hunting on weekend days in all units where a WAO season occurs; however, the options would be seven or 14 days if a WAO was allowed.
3. Add one day to the pre-rut season (change from October 7, 2017 – October 8, 2017 to October 7, 2017 – October 9, 2017) thus allowing WAO firearms hunting during Columbus Day, which is a holiday for some hunters. This would keep the number of total days of WAO firearms hunting the same as occurred in 2016-17.

Public comment is sought about these options.

Population indices, mortality due to disease and changes in fawn recruitment will be examined and public input will be considered in the development of a list of units where an extended firearms seasons and WAO permits will be authorized. The number of WAO permits that may be used in each unit will also be evaluated after additional data becomes available.

Recommendation

Following traditions (see attached table) the proposed season dates suggested for deer hunting during 2017-18 are as follows:

Youth and Disability	September 2, 2017 – September 10, 2017
Early Muzzleloader	September 11, 2017 – September 24, 2017
Archery	September 11, 2017– December 31, 2017
Pre-Rut WAO	October 7, 2017 – October 8, 2017
Regular Firearm	November 29, 2017 – December 10, 2017
1 st Extended WAO	January 1, 2018
2 nd Extended WAO	January 1, 2018– January 7, 2018
3rd Extended WAO	January 1, 2018 – January 14, 2018
Extended Archery (DMU 19)	January 15, 2018– January 31, 2018

Workshop sessions on this regulation will be held at the Commission meetings in October and January and finalized at the Public Hearing in March.

The proposed dates for the firearm season at the Smoky Hill Air National Guard subunit, Fort Riley subunit and at the Fort Leavenworth subunit will be presented at a later date after input from staff at those areas has been reviewed. Season dates for deer hunting at Fort Riley will be established in K.A.R. 115-25-9a, which is traditionally completed at the Public Hearing in June.

			31								
1985	Dec. 7 - 15	9	Oct. 1 - Dec. 6, Dec. 16 - Dec. 31	79	0	0	0	0	0	0	1985
1986	Dec. 6 - 14	9	Oct. 1 - Dec. 5, Dec. 15 - Dec. 31	79	Dec. 6 - 14	9	0	0	0	0	1986
1987	Dec. 5 - 13	9	Oct. 1 - Dec. 4, Dec. 14 - Dec. 31	79	Dec. 5 - 13	9	0	0	Jan. 2 - 10, 1988	9	1987
1988	Nov. 30 - Dec. 11	12	Oct. 1 - Nov. 29, Dec. 12 - Dec. 31	79	Nov 30 - Dec 11	12	0	0	Jan. 2 - 10, 1989	9	1988
1989	Nov. 29 - Dec. 10	12	Oct. 1 - Nov. 28, Dec. 11 - Dec. 31	79	Sept. 22 - 30	9	0	0	0	0	1989
1990	Nov. 28 - Dec. 9	12	Oct. 1 - Nov. 27, Dec. 10 - Dec. 31	79	Sept. 22 - 30	9	0	0	1st seg Jan. 1 - 14, 2nd seg Jan.22 - Feb 4	28	1990
1991	Dec. 4 - 15	12	Oct. 1 - Dec. 3, Dec. 16 - Dec. 31	79	Sept. 21 - 29	9	0	0	1st seg Jan. 1 - 13, 2nd seg Jan.21 - Feb 3	28	1991
1992	Dec. 2 - 13	12	Oct. 1 - Dec. 1, Dec. 14 - Dec. 31	79	Sept. 19 - 27	9	0	0	Jan. 13 - 26	14	1992
1993	Dec. 1 - 12	12	Oct. 1 - Nov. 30, Dec. 13 - Dec. 31	79	Sept. 18 - 26	9	0	0	Jan.11 - 24	14	1993
1994	Nov. 30 -Dec. 11	12	Oct. 1 - Nov. 29, Dec. 12 - Dec. 31	79	Sept. 17 - 25	9	0	0	0	0	1994
1995	Dec. 1 - 10	12	Oct. 1 - Nov. 28, Dec. 11 - Dec. 31	79	Sept. 16 - 24	9	0	0	0	0	1995
1996	Dec. 4 - 15	12	Oct. 1 - Dec. 3, Dec. 16 - Dec. 31	79	Sept. 21 - 29	9	0	0	0	0	1996
1997	Dec. 3 - 14	12	Oct. 1 - Dec. 2, Dec. 15 - Dec. 31	79	Sept. 20 - 28	9	0	0	0	0	1997
1998	Dec. 2 - 13	12	Oct. 1 - Dec. 1, Dec. 14 - Dec. 31	79	Sept. 19 - 27	9	0	0	Jan. 9 - 10, 1999	2	1998
1999	Dec. 1 - 12	12	Oct. 1 - Nov. 30, Dec. 13 - Dec. 30	78	Sept. 18 - 30	13	0	0	Dec. 31 - Jan. 9, 2000	10	1999
2000	Nov. 29 - Dec. 10	12	Oct. 1 - Nov. 28, Dec. 11 - 31	79	Sept. 16 - 29	14	Sept. 30 - Oct. 1	2	Jan. 1 - 14, 2001	14	2000
2001	Nov. 28 - Dec. 9	12	Oct. 1 - Nov. 27, Dec. 10 - 31	79	Sept. 15 - 28	14	Sept. 29 - 30	2	Jan. 1 - 13, 2002	13	2001
2002	Dec. 4 - 15	12	Oct. 1 - Dec. 3, Dec. 16 - 31	79	Sept. 14 - 27	14	Sept. 28 - 29	2	Jan. 1 - 12, 2003	12	2002
2003	Dec. 3 - 14	12	Oct. 1 - Dec. 2, Dec. 15 -31	79	Sept. 13 - 26	14	Sept. 27 -28	2	Jan.1 - 4, 2004	4	2003
DMU 19 *	Oct. 18 - 26	9	Jan. 5 - 31	26							
2004 DMU 19 *	Dec. 1 -12	12	Oct. 1 - Nov. 30, Dec. 13 - 31	79	Sept. 11 - 24	14	Sept. 25 - 26	2	Jan. 1 -2, 2005	2	2004
2005 DMU 19 *	Oct. 16 -- 24	9	Jan. 3 - 31	28							
2005 DMU 19 *	Nov. 30 - Dec. 11	12	Oct. 1 - Dec. 31	91	Sept. 10 - 23	14	Sept. 24 - 25	2	Jan. 1 - 8, 2006	8	2005
2006 DMU 19 *	Oct. 15 - 23	9	Jan. 9 - 31	23							
2006 DMU 19 *	Nov. 29 - Dec. 10	12	Oct. 1 - Dec. 31	91	Sept. 9 - 22	14	Sept. 23 - 24	2	Jan. 1 - 7, 2007	7	2006
2007 DMU 19	Oct. 14 - 22	9	Jan. 8 - 31	23							
2007 DMU 19	Nov. 28 - Dec. 9	12	Oct. 1 - Dec. 31	91	Sept. 15 - 28	14	Sept. 29 - 30	2	Jan. 1 - 6, 2008	6	2007
2007 DMU 19	Oct. 13 - 21	9	Jan. 7 - 31	24							

2008 DMU1 9	Dec. 3 - 14	12	Sept. 22 - Dec. 31	100	Sept. 22 - Oct. 5	14	Sept. 13 - 21	9	Jan. 1 - 4, 2009	4	2008
	Oct. 11 - 19	9	Jan. 5 - 31	26							
2009 DMU 19	Dec. 2 - 13	12	Sept. 21 - Dec. 31	101	Sept. 21 - Oct. 4	14	Sept. 12 - 20	9	Jan. 1 - 10, 2010	10	2009
	Oct. 10 - 18	9	Jan. 11 - 31	21					Jan. 1 - 17, 2010 (DMU 7, 8, &15)	17	
2010 DMU 19	Dec. 1 - 12	12	Sept. 20 - Dec. 31	100	Sept. 20 - Oct. 3	14	Sept. 11 - 19	9	Jan. 1 - 9, 2011	9	2010
	Oct. 9 - 17	9	Jan. 10 - 31	22					Jan. 1 - 16, 2011 (DMU 7, 8, &15)	16	
	Nov. 30 - Dec. 11	12	Sept. 19 - Dec. 31	101	Sept. 19 - Oct. 2	14	Sept. 10 - 18	9	Jan. 1 - 8, 2012	8	2011
2011 DMU 19	Oct. 8 - 16	9	Jan. 9 - 31	23					Jan. 1 - 15, 2011 (DMU 7, 8, &15)	15	
2012 DMU 19	Nov. 28 - Dec. 9	12	Sept. 17 - Dec. 31	103	Sept. 17 - 30	14	Sept. 8 - 16	9	Jan. 1 - 13, 2013	13	2012
	Oct. 13 - 21	9	Jan. 14 - 31	18					Jan. 1 - 20, 2011 (DMU 7, 8, &15)	20	
2013 Pre- Rut	Dec 4 - 15	12	Sept 16 - Dec 31	104	Sept 16 - 29	14	Sept 7 - 15	9	Jan 1 -12	12	2013
	Oct 12 -13	2	DMU 19 Jan 20 - 31	13					Jan 1 - 19 (DMU 7, 8, 10A, 15, & 19)	19	
2014 Pre- Rut	Dec 3 - 14	12	Sept 15 - Dec 31	105	Sept 15 - 28	14	Sept 6 - 14	9	Jan 1 -4 (DMUs 6, 9, 10, 17)	4	2014
	Oct 11 -12	2	DMU 19 Jan 19 - 31	14					Jan. 1 - 11 (DMUs 1,2,3,4,5,7,8,11,12,14, &16)	11	
									Jan 1 - 18 (DMU 10A, 15, & 19)	18	
2015 Pre- Rut	Dec 2 - 13	12	Sept 14 - Dec 31	106	Sept 14 - 27	14	Sept 5 - 13	9	Jan 1 -3 (DMUs 6, 8, 9, 10, 16, 17)	3	2015
	Oct 10 -11	2	DMU 19 Jan 18 - 31	15					Jan. 1 - 10 (DMUs 1, 2, 3, 4, 5, 7, 11, 12, & 14)	10	
									Jan 1 - 17 (DMU 10A, 15, & 19)	17	
2016 Pre- Rut	Nov. 30 - Dec. 11	12	Sept 12 - Dec 31	108	Sept 12 - 25	14	Sept 3 - 11	9	Jan 1 -2 (DMUs 6, 8, 9, 10, 16, 17)	2	2016
	Oct 8-9	2	DMU 19 Jan 16 - 31	17					Jan. 1 - 8 (DMUs 1, 2, 3, 4, 5, 7, 11, 12, & 14)	8	
									Jan 1 - 15 (DMU 10A, 15, & 19)	15	

* Additional days of hunting opportunity in DMU 19

Tourism Update

No briefing book items – possible handout at meeting

Flint Hills Trail Project
No briefing book items – possible handout at meeting

Ducks Unlimited Wetland Projects
No briefing book items – possible handout at meeting

Workshop Session

VI. DEPARTMENT REPORT

C. Workshop

1. KAR 15-25-(5-6) Turkey; seasons, bag limits, permits, & game tags

Background

The 2016 spring turkey season was open April 1 – May 31 and included three different seasons (youth/disabled, archery, and regular). The fall 2016 season will open on October 1 and run through the end of January (closed during the regular firearm deer season, November 30 – December 11). Hunting regulations are set within six management units for both spring and fall seasons (Figure 1).

For the Spring 2016 season, 44,940 hunters bought 71,320 carcass tags. Nonresidents accounted for 38.1 percent of Kansas' spring hunters and 26.0 percent of the fall hunters in the most recent seasons. Harvest has averaged around 33,000 and 3,500 over the last several spring and fall seasons, respectively (Table 1).

Population Status and Productivity

Statewide turkey production was generally poor in 2015. Heavy rainfall in the east and southwest during May and in the northeast in June may have greatly decreased nest success and poult survival. As a result, 2015 statewide poult production was 30 percent below the previous 10-year average. Production was below the 10-year average in all regions except the southeast (only 5.2 percent increase), which led to variable population responses across regions in spring 2016 (Figure 2). Statewide hunter success continues to decline (Table 1), likely reflecting declining rates of recruitment. Conditions for 2016 production may again have been influenced by areas of heavy rainfall, especially in the eastern portion of the state. The 2016 brood survey is currently being conducted, so production for 2016 has not been estimated.

Recommendation

The Department utilizes an adaptive harvest strategy to help guide staff recommendations on wild turkey permit allotments during both the spring and fall seasons. The intent of the strategy is to maintain high hunter success in each hunt unit and provide a consistent and transparent method of developing staff recommendations. The strategy includes a hierarchy of regulation packages for both the spring and fall seasons and established triggers for when and how changes to bag limits will be recommended. An analysis of the spring 2016 harvest data revealed that four of the six units have experienced reduced resident hunter success for the last 2 spring seasons, which activated a management trigger to reduce bag limits and / or season availability in those units.

The recommended 2017 Spring and Fall Turkey season dates are as follows:

Spring

- Youth / Disabled April 1 - 11
- Archery April 3 - 11
- Regular Firearm April 12 - May 31

Fall

- All Legal Methods October 1 - November 29, December 12 - January 31

The recommended bag limits for Spring and Fall Turkey Seasons are as follows:

2016 Season Permits

2017 Recommendations

Hunting Unit	Management Unit	Spring	Fall	Spring	Fall
1	Northwest	2	1	2	1
2	Northcentral	2	4	2	<i>1</i>
3	Northeast	2	1	2	<i>0</i>
4	Southwest	1*	0	1*	0
5	Southcentral	2	1	2	<i>0</i>
6	Southeast	2	1	2	<i>0</i>

*limited draw, changes are in bold italics

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

Year	Spring			Fall		
	Permits & Game Tags	Total Harvest	Success ^a (%)	Permits & Game Tags	Total Harvest ^b	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	36,511	55	12,134	2,093 (36%)	26
2016	71,320	30,298	47	--	--	--

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

^b Percentage of harvest composed of females.

^c NA = not available

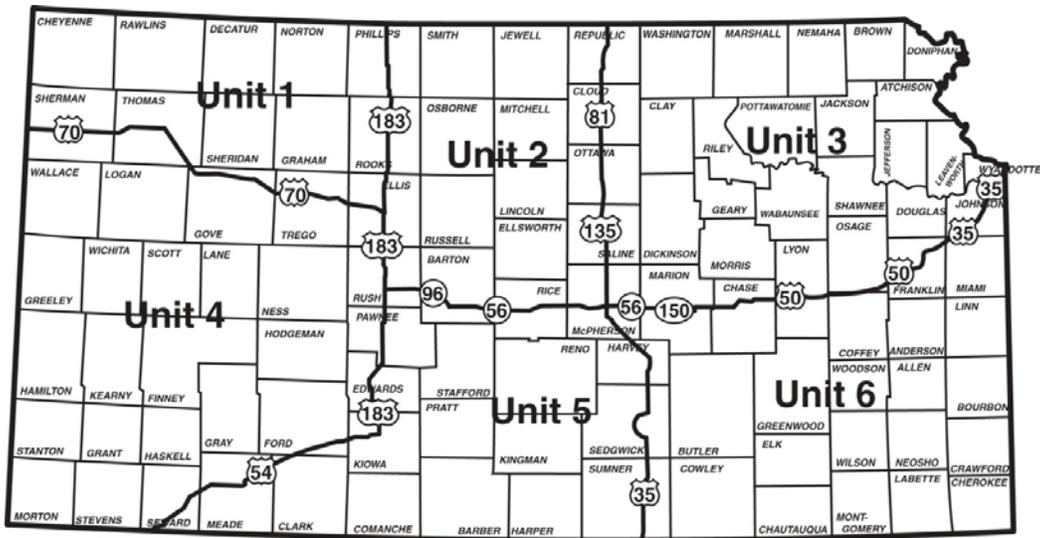


Figure 1. Hunting units for Kansas' 2016 turkey seasons. A 2016 spring turkey permit (and additional game tag) could be purchased over-the-counter for Units 1, 2, 3, 5, and 6. Five hundred spring permits were issued for Unit 4 through a pre-season drawing, and were also valid in adjacent units. A 2016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

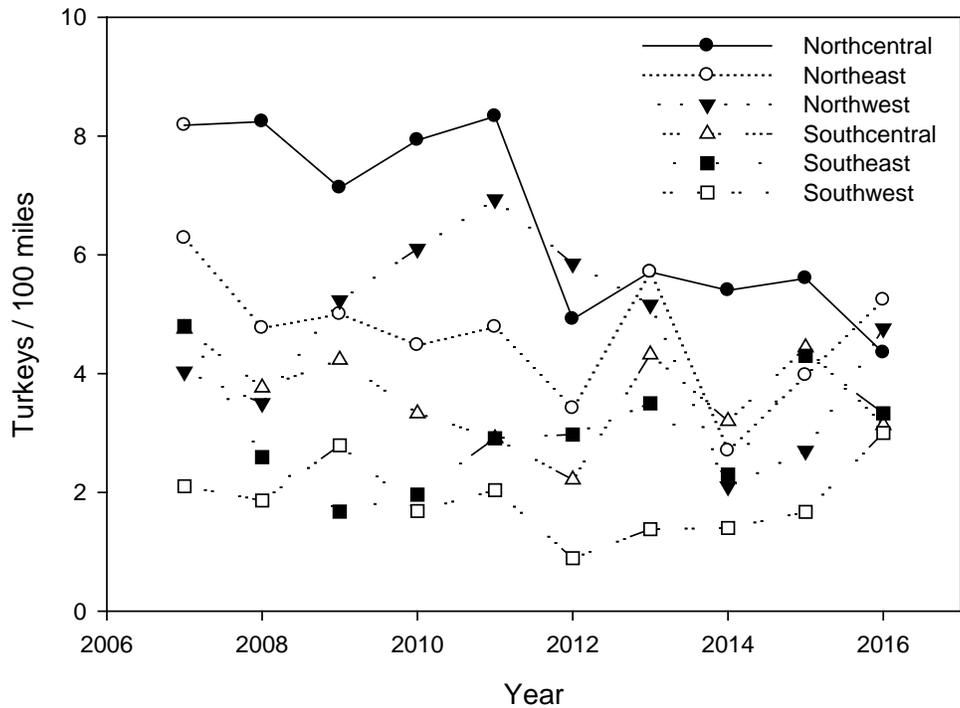


Figure 2. The spring rural mail carrier index (turkeys / 100 miles traveled) to wild turkey populations in the 6 Kansas management regions, 2007-2016.

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

All-Terrain Vehicle (ATV)	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...Page 24</u>	
<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:

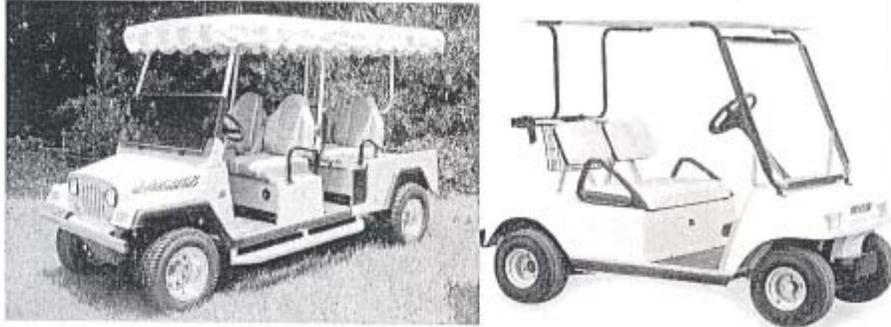
- Unlawful to operate a WSUV on interstate, federal or state highways.
- WSUVs may be operated on county and township roads.
- Cities can authorize operation of work-site utility vehicle upon the public highways, streets, roads and alleys within the corporate limits of the city.

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 Meeting

Desired Date of Publication - July 7, 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 Meeting

A public meeting will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, August 11, 2016 at Life's Finer Moments, 1285 16th Rd, Clay Center, Kansas, to consider future regulatory action 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., August 11 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 future regulatory action and other 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. August 12 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 30-day notice period prior to the meeting constitutes a public comment period for the purpose of receiving written public comments on future regulatory business of the Commission.

All interested parties may submit written comments prior to the meeting 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 meeting to express their views orally in regard to future regulatory business of the Commission. During the meeting, 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 any future proposed regulation.

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

Gerald Lauber, Chairman

No public hearing items