

REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, April 20 2017
Kansas Dept of Wildlife, Parks & Tourism
Basement Conf Room, Pratt, Kansas

- 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 March 23, 2017 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**

Welcome to Pratt Comments

A. Secretary's Remarks

- 1. Agency and State Fiscal Status (Robin Jennison)**
- 2. 2017 Legislature (Chris Tymeson)**

B. General Discussion

- 1. Tourism Update (Linda Craghead)**
- 2. Park Regulations (Linda Lanterman)**
- 3. Fishing Regulations (Doug Nygren)**
- 4. Statewide Action Plan Update (Daren Riedle)**
- 5. Fees and Licenses (Mike Miller)**
- 6. Magazine Update (Nadia Reimer)**
- 7. Falconry Regulations (Jake George)**

C. Workshop Session

- 1. Webless Migratory Bird Regulations (Richard Schultheis)**
- 2. Threatened and Endangered Species Regulations (Chris Berens)**
- 3. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (Matt Peek)**

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

- 1. KAR 115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms. (Stuart Schrag)**
- 2. Waterfowl Regulations (Tom Bidrowski)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on April 20, 2017, to reconvene April 21, 2017, 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, June 22, 2017 at George Meyn Center, 126th & State Ave, Kansas City, KS.

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, March 23 2017
Capitol Plaza Hotel, Emerald I & II Rooms
1717 SW Topeka Blvd, Topeka, Kansas**

Subject to
Commission
Approval

The March 23, 2017 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at the Capitol Plaza Hotel, Topeka. Chairman Lauber and Commissioners Ward Cassidy, Emerick Cross, Tom Dill, 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

Chairman Lauber – Kyle Jackson will be the presenter on New Consolidating Licensing Reservation System.

Sheila – Moving General Discussion Items 1 and 2 to the evening session.

IV. APPROVAL OF THE January 5, 2017 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Tim Nedeau – Since 2005 attended five meetings as this is a public meeting. I asked questions because live questions are televised. Kansas has constitution and bill of rights, 2 and 3 give rights. Placed decals on side of vehicle and made signs. I've been ridiculed and scolded. Also, made pamphlets and brochures. In these documents I have printed the truth. Not discussed by this department. When I tell the truth people say that is not what they understood. To get the truth out is my goal. Since I brought up and challenged department, record deer killed on my property. Man who poached deer on my property was charged with eight crimes, I was charged with 11 crimes. I don't feel I am in violation. I bought two more landowner/tenant/manager turkey tags at a wildlife and parks office. I feel I qualify for those tags, you did not, but Osage county prosecutor did not prosecute me. Chairman Lauber – What does free speech decal say? Tim – Has picture of a deer skull with antlers, "stolen by KDWPT, Kansas state record 198 7/8". The reason I used that term is because the state gives away 10,000 salvage tags a year. I was told in first communication with the agency that it was illegal to give me a set of antlers and the only legal was to possess a set of antlers was to have hunted it through legal means. That is not the truth. I did not kill this deer. I had law enforcement on our property in 2009 begging them to help with road hunting; also in 2010 and 2011. The advice I got was to put my land in walk-in

hunting. Chairman Lauber – Are you landowner tenant? Tim – Mother's name is on the deed, I am manager. Chairman Lauber – People call me all the time, no way to prove that and told to take your word for it. We have a set of rules, not uncommon that district attorney chooses not to prosecute. All people in law enforcement realize they have a thankless job. Hard to tell who is milking the system. Tim – I have two documents from the department that make me feel I am qualified for this purchase. Chairman Lauber – Don't feel any way your malcontent will be satisfied, but you are entitled to your free speech. Tim – I want truth out there and that is why I come to these meetings - spoken at five since 2012.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. I have three handouts (Exhibit C, D). We have some staff folks here that you do not see on regular occasion, and I'd like to introduce them. Eric Blankenship, engineering, Debbie Rosacker, HR director. Terry Bruce replaced Amy Thornton as legal counsel. Legislative Research department report was also shared, seen in newspaper reports, came out first of March. Park Fee Fund (PFF) revenue is good, ahead of last year by 7 percent, typical – it spiked then goes back down. To sustain continued growth is good. We had a big year in 2014; 2015 similar to this year, last year at this time we had about \$4.5 million. Include year to dates from past years for comparison. I also added cash balances to see how Wildlife Fee Fund (WFF) is performing. Last page is graph, sharp dive in PFF balance, two reasons, took recession plan from Governor, \$500,000 from EDIF funding, so had to switch to PFF earlier. When started fiscal year did not convert back to PFF as quick as we wanted to. Beginning of July, we have to switch over to EDIF funds manually, and it wasn't done as early as we needed this year. Graph is a little off, but showing what is actually happening. Don't expect to make it to \$5 million balance unless we have a really good spring.

Audience – Cut funding by \$500,000, what is funding now? Jennison – Instead of EDIF received \$500,000 additional appropriation.

2. 2017 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission. We are in the first year of a two-year cycle. This is a different legislature – 65 new members, so education is ongoing. Tracking 112 bills, 18 on website. All bills should be across the floor and be in conference by next Friday. End of regular session rapidly approaching. Education and budget issues still have to be resolved. SB 24 – Establishing the channel catfish as the state fish of Kansas; just want state fish, one of just four states without one, important to teach kids. SB 25 – Cabin fees, dynamic pricing, started with giving department ability to price with going through the commission, Senate amended to add camp sites. Passed Senate 26-14, then referred. Committee was going to work bill last Thursday, but we ended up with no bill, tabled yesterday afternoon. SB 26 – raised vessel registration cap from \$30 to \$60 – would allow us to raise fee in order to match federal funds for boating projects. Passed out of Senate 35-4 vote, passed House general orders today, 86-34, anticipate similar bill tomorrow. SB 77 – would rename bison herd at Mined Land wildlife Area, the Bob Grant Bison Herd, but it's languishing on consent calendar. SB162 – dangerous regulated animals, Senate, no hearing, HB 2226 in

House; heard proponent testimony. Jennison – Possibly will address some concerns of Tanganyika. Tymeson – HB 2068 – nonpayment of support orders, Dept. of Children and Family send us a list, no skin in that game. Did not go anywhere after hearing in February. HB 2098 – Also Bob Grant bison bill, not gone anywhere, not sure will move this year. HB 2191 – licenses, permits, stamps and clarifies as we move towards electronic licensing that only physical license is suspended or surrendered, notice to appear for person to be charged. Recently a person was taken to county attorney, but judge dismissed because no citation issued, trying to fix that in this bill. On Senate general orders below the line. Did pass both houses unanimously a few years ago and died. HB2192 – rename Lake Scott state park to Historic Lake Scott State Park, passed, on way to Governor. HB 2193 – required completion of boater education, to phase in over period of time, did not go anywhere, fourth or fifth time introduced. HB 2199 – conservation easement bill, three proponents and 25 opponents, did not go anywhere. HB 2207 – started out as hunting on own land by written permission only bill, substitute bill made to House floor and referred to committee; could not trail game on private property, couldn't retrieve pheasant over the fence. HB 2208 – transferability of deer permits proposed by Kansas Livestock Association, a way to have unlimited whitetail permits, after all permits sold allow landowners to get transferrable permit; however 95 percent of people who put in for draw get permit. HB 2256 – noxious weeds, several attempts in last few years to get this passed. HB 2276 - dangerous animal bill I talked about earlier. HB2363 – sale of surplus property, would have allowed Dept. of Administration to sell some of our land, even talked about selling Cheyenne Bottoms. Monies would have gone into state general fund and then our department would have been in diversion as in many cases federal money paid for our property; didn't go anywhere. One bill came out on today's calendar: donations of lands to state have to be reviewed by Dept. of Revenue. This is an onerous bill - state can mess up probate plans (HB2407). House Concurrent Resolution 5008 - would have made sales tax amendment to constitutional amendment dedicated to the water plan fund, had a hearing in February and didn't go anywhere. Chairman Lauber – Bill on transferrable deer permits, where is it at? Tymeson – In House Ag. and Natural Resources, HB 2208, attempt this week to put in cabin bill in Commerce and Labor and some members of committee decided they would rather have no bill than allow that to get out. Tim Nedeau – What was the right-of-way bill? Tymeson – HB 2199, conservation easements. Nedeau – On HB 2207, bill where you have to have permission to go on someone's land? Tymeson – Written permission, on posted or unposted land, would have required to go on any property to have written permission to retrieve wounded game; original bill would have required written permission to go on anyone's land. Kansas has law to get permission to hunt, except not to trail game. Substitute bill would have required written permission, if posted, to trail wounded game. Nedeau – Written permission if posted with purple paint or signs, but didn't it say permission, even verbal, if not posted? Tymeson – Bill was unclear on that. Nedeau – Opposed to that? Tymeson – No, neutral. Nedeau – I was a proponent of that bill. Spent 30 years developing our land to where it is good hunting for my family and my guests, not for a neighbor who claims they are pursuing a wounded animal and are really driving deer off of our property onto theirs. Glad you were not opposed to it. Aaron Popelka, Kansas Livestock Association - We have different take on bill Chris mentioned on transferrable deer permits (Exhibit E – letter). Like opportunity to work with department and commission. Proposed a bill for transferrable tags. Low to negative revenues and farmers and ranchers are starting to struggle. Deer are destructive, this was a way for them to recoup that. Met with staff to come up with solution. Don't characterize it as unlimited permits. Make sure you received money from the draw permits. On transferrable tags farmer/rancher would receive

half of the value or face value for antlered permit. I have written letter on extended deer season, but can't be here tonight. Limited to one day for does in some units. Like to see changes in regulations to move that to one week in all units. We will work with the department. Tymeson – Aaron did come to speak with us, did come back with bill that addressed some of our concerns. Chairman Lauber – Aware of transferrable permits we had in the past, understand purpose, but potential for unlimited permits and people gained and schemed unfairly. Jennison – I was architect for that transferrable deer permits when I was in the legislature, fell down because of scheming. Chairman Lauber – Poor way to try and manage the herd. If resident continues to purchase an improper permit, can we decline to sell permit to that person? Tymeson – I don't think so, when purchasing a permit you are stating under law they feel they are qualified for that permit. Do random checks to check documentation to see if warrants a citation or forwarding to county attorney. Chairman Lauber – If I don't pay child support in Missouri, for example, can refuse to sell me a permit, why not on this? Tymeson – We cannot substitute ourselves for the courts. Nedeau – If Wildlife and Parks feels I am in violation they can write me a citation. I will challenge it in court and I am 100 percent confident I will win. Issue me a ticket. I was charged with 11 crimes, I am a hardened criminal. I have been called out on this. This is why I come to these meetings. The treatment from the department to me brings me here.

Break

Public Comment on Nonagenda items (continued) – Ron Kaufman – Correspondence between this lady written to me regarding KSA 32-703 and 115-203 and youth hunting without adult supervision, (read letter - Exhibit F). Chairman Lauber – No request, just questions in the letter. Appreciate you reading into the record. Coffman – Could you read that regulation? Tymeson – state statute says youth can hunt if completed hunter education, previously until 2010, any youth could hunt with completion of hunter education. Made change in legislation away from 7-year-olds coming to hunter education, now have to be 11, that is when they retain information they are given. Vastly different than what it was before. Chairman Lauber – Don't know if reason to read the statute. Not sure we need to spend more time on this. Tymeson – I will summarize the law, if over 16 can hunt unsupervised, but youth between 12-16 can hunt without hunter education if they have completed hunter education. Coffman – Read the statute, you put out those numbers and we need to know what they say. Commissioner Dill – Even if we read it, this commission could not change this, it is a state statute. We can change regulations, but state statute has to be changed by the legislature. Coffman – read statute. Chairman Lauber – We are done. Commissioner Ward – I had a letter from Harlan Hobbs, he has something I was unaware of (read letter) disability assistance permit, how beneficial it is to him. Possibly of three types of disability permits; something nice that people appreciate having. Chairman Lauber – Like correspondence where appreciative of what we do.

B. General Discussion

1. Tuttle Creek State Park Blue Chip Award – Linda Lanterman, parks division chief, presented this update to the Commission (Exhibit). **Moved to evening.**

2. Blue Cross Blue Shield Parks Support Update – Linda Lanterman, parks division director, presented this update to the Commission (Exhibit). **Moved to evening.**

3. New Consolidated Licensing/Reservation System – Kyle Jackson, Licensing Section chief, presented this update to the Commission. Update on new licensing system implemented in February 2017. Have overview of how licensing system works. All customer information was retained. Improved website platform where you can review your customer information (on website); also where customer can reprint license. Point of sale, all agents received new printer and some received touch screen terminals and are all web-based platform that allows our licensing agents to sell licenses as they have in the past. Have marketing features that will allow packaging deals to provide benefits in the future. Improved flexible business rule structure, sometimes new laws require costly product change, with new business rules can avoid product change requests. One difference is carcass tags are only available from licensed agent sales and over the phone, 24/7 phone system. We will mail permits or an individual can go to any licensing location to get carcass tag permits. I see that as benefit to agents, start to see more foot traffic for turkey and deer seasons. Went live February 22, 2017; we actually stopped old system on February 19 to move all of data from one system to the other, heavy lifting process and to test the new system. Up and running 8:00 am on February 22, at least online and phone sales up and running and about 100 agents, problems with some others. Working on getting all license agents selling, trying to figure out issues. As of yesterday, 383 licensed agents have sold a permit on new system. We are in the process of trying to call all agents who sell licenses to find out what kind of issues they are having. With all of the issues we have had, curious how it would affect sales, compared February 22 to March 22 for 2016 and 2017, not a lot of impact, up \$20,000 for 2017, so they are still finding place to purchase. Express gratitude to everybody for patience during the change, hopefully everybody up and running in next couple of weeks. Commissioner Dill – How many agents? Jackson – Not sure exact number, but I think about 600. Commissioner Dill – Did agents have to pay for equipment? Jackson – No, unless their computer couldn't handle system then they would have to. Carcass tags not online, only at agent or phone sale system. Commissioner Dill – Frustration from sellers in my area, time out was an issue and with vendor ID, but corrected that I believe. Three total complaints. Frustrated at leaving phone messages with agency and vendor and had not heard back and I am passing that on. Jackson – In process of making phone calls to every agent, whether up and running or not. Trying to capture all of that information and get them all up and running as soon as possible. Commissioner Dill – Passcode changing for vendors was a problem. Chairman Lauber – I assume Wal-Mart is our largest vendor other than our own? Jackson – Yes, in number of stores. Chairman Lauber – Wal-Mart struggled with computer, slowly moving toward providing licenses now. I have gone through computer conversations and vendors promise too little. Can blame the state when they can't get system to work and call commissioners when they can't reach department. Frustration amplified by not much winter and people wanted to buy licenses early. Can't encourage you enough to hustle and get it taken care of. Ron Kaufman – Kyle is a patient understated gentleman, tremendous effort of Kyle and his crew, Jason Dickson and IT crew and Mike Miller and his crew in answering phones, as well as others in the department. Linda Lanterman - and state parks crew. Jackson – Will be good system when up and running.

4. Early Raccoon Hunting Season – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit G). At the January 2017 KDWPT Commission Meeting, a representative from the Kansas Federation of Houndsmen asked the Commission to consider

establishing a September 1 – October 31 “early” raccoon season. Harvest would be restricted to hunting. Proposal centered around the facts that raccoons are abundant, pelt prices are currently low and the raccoon population needs to be reduced for damage and disease control. Department supported recent proposals to extend running season as early as 2013, but staff do not support this recommendation. The raccoon has typically been our most important furbearer in the state in terms of total harvest and pelt value and provided figure in handout, 50 to 60 percent of pelt value so most valuable, and values fluctuate rapidly season to season. Right now pelt prices are low. When prices come up, controversy around this proposal will escalate. Nebraska has similar season and have large opposition to this and not popular. Fur dealers I have talked to not supportive of this proposal. Only 2 percent to 3 percent of the total harvest occurs during this season. Have 500-1,000 houndsmen and 6,000 to 8,000 furharvesters. For game species, killing an animal without attempting to use it would be considered wanton waste. Furbearers are not covered by the wanton waste regulations because of some of the complications of furharvesting. The department staff support the concepts of the wanton waste regulations that can be applied here and result in our opposition to this proposal. Not worth taking home for 10 cents.

L.J. (Lucy) Coffman - Are raccoons considered exotic? Can all 16-year-olds tell difference between rabbit and raccoon? Describe difference? Chairman Lauber – I don’t think that deserves comment. Coffman – 16-year-olds can hunt when? Chairman Lauber – Year around. Coffman – Can they tell the difference, take firearm without an adult any time? Chairman Lauber – Yes. Coffman – What level is that...

Terry Porter, Federation of Houndsmen – I made this proposal. See coons all over highway and wish I could hunt them with my dog. Not only coon hunters, open season on coyotes and see no effect on population, don’t think abundant raccoon will be affected.

Bruce Anderson – President, Kansas Federation of Houndsmen – Don’t see it as controlling population, as much as point more to disease control and as guy that has been hunting a long time. You could walk down any creek and see raccoons with distemper, Mother Nature will control populations, but not the way we want to. In 1983/1984 you were at 80 percent and coons were at \$80. Would like to see more coon hunters, got dogs in traps before. When price is high more coons harvested. We are not necessarily looking at it as population tool, but more as September hunters and sportsmen, for the sport and getting dogs ready for big hunt to keep him pumped up and going. Keep completion more active. Coyote season year around for as long as I can remember and don’t see it hurting population and don’t see wanton waste.

Dan Barrow, Denison – Grew up as houndsmen and doing trapping, started trapping in Colorado in 1971, and I’ve been a licensed furharvester in Kansas for 45 years. Support what houndsmen want, consider Matt personal friend and love to see this season. You folks will sell more licenses, but main reason, when I was a little boy hunted with grandpa and hunted in October. Killed 68 coons this year and neighbors who killed over 40. We have an over population of coons in my area. Prices are low and we know houndsmen kill a few out to their dogs. One of species of furbearers in Kansas and value of the furbearers I can remember one season when we sold more dollars of possums than total value of all coons caught in Kansas and maybe year before. I can guarantee trappers in this state have killed and threw away thousands of possums. I don’t coon hunt for the money, doing it for a sport. Nice to have season where young kids can go, starting November 15 don’t get to do much until nicer weather after the first of the year. Matt has done good job for you, the public and us in fur dealer business. Don’t think waste would be one tenth of one percent compared to what coon hunters would kill compared to other furbearers. Other situation is, trappers I bought coons from this summer, threw more coons away than would be

hunted in this 30 days. So few coons killed are small percentage of waste.

Ken Hickman - Held former offices in Federation of Houndsmen. Furbearers are legal to sell for consumption and been that way for a long time. If this proposal was put through suggest if we kill one must be brought out of woods and used. Thank you for listening to all of this, as well as everyone else on other issues. Chairman Lauber – My father was a coon hunter and there was no closed season when we hunted. I understand houndsmen not in it for the money, but in it for the dogs. Matt put in one paragraph as aesthetic point of view, important consideration. Believe motives all good. I trap to make a social statement, gave possums away because grandson was watching. Don't know if anxious to ask Matt to reconsider his opinion. Ask him to review in a year or two to find way for running season, which isn't the same. Wish we could have it both ways. Matt should do what he thinks is best.

Barrow – Heard your opinion, like to ask for other comments. Commissioner Rider – Have hunt around season, when did we start restricting seasons? Barrow – Because of price of furbearers, trappers out there for the money. Since prices dropped they weren't important any more. One reason started season issue to look at populations. In 1964, parvo and distemper killed 95 percent of them, killed thousands. Population rebounded in 1970s and fur harvesting started to rebound. Beaver season never opened until 1951. So many changes in fur business. In Missouri, trappers killed and sold 450,000 skunks in 1934. I want to ask other commissioners. We took day off to come here today. Commissioner Rider – What is trapper opinion of this? Barrow – Opposed to it because what they are doing is not a sport; every license in state is to enjoy sport, except furbearers. I trap for sport, for grandkids. I won't set a trap that will kill your dog. Situation is that having a sport that people have to buy a license for. If closed fishing season and only time you could fish was when it is warm. Family tradition for us for years, went coon hunting every Halloween night. Dog wants feathers in his mouth. Commissioner Williams – Is that why you want early because weather is good? Barrow – A lot of people own a dog that will not take that dog during our regular kill season because they don't want him caught in a trap. I grew up trapping. In Nebraska can hunt on county right-of-way right in your driveway if they want. People who have a dog will not take out in kill season because legal to trap. Average coon hunter will not hunt 30 nights during kill season. Benefit to trappers, he can hunt 15, 20 or 30 nights. I think win/win situation. Environmental people and wanton waste and no one will be trapping. Outlawed bobcat trapping in California. This is one step in helping getting two groups working together. Commissioner Rider – Open to looking at this again in the future. You make valuable points but not enough information right now. Commissioner Hayzlett – I went coon hunting one time in my life in Wallace County, appreciate comments, you have a lot of information. Commissioner Dill – Matt did spend a lot of time working on this. Commissioner Cross – Never been coon hunting in my life, but depend on staff and appreciate feedback so I can make informed decision. Commissioner Ward – Best time in my life was coon hunting, been about 10 times. Matt is our expert, love to revisit this and you made me want to go coon hunting again. Barrow – Respect Matt but don't want to give up on this. Chairman Lauber – Still think some sport in trapping, I am not in it for the money. Barrow – Every coon hunter I know in Kansas hunted this winter and even during running season. High percentage of trappers never set a trap, but if they did they were after a bobcat because it was worth something.

C. Workshop Session

1. Webless Migratory Bird Regulations – Rich Schultheis, migratory game bird

biologist, presented this report to the Commission (Exhibit H). No changes to federal frameworks; however, we are recommending change to Eurasian and collared doves that are not governed by those laws. Include Eurasian Collared and Ringed Turtle Doves in KAR 115-20-2, which would allow year-round take with much broader method of take. An additional amendment to KAR 115-20-2 is needed to require a fully feathered wing on all Eurasian Collared or Ringed Turtle doves taken during the migratory dove season if birds possessed exceed the daily bag of migratory doves. Housekeeping changes are also recommended for KAR 115-20-7 to apply only to migratory doves (mourning and white-winged doves) and 115-25-19. Finally, a change to the species table in KAR 115-16-3 is suggested to remove feral pigeons (rock dove), which is included in KAR 115-20-2. Chairman Lauber – Looking at invasive doves all year long and don't have to have feather on them? Schultheis – Have feathered wing if over bag limit in migratory bird season; could complicate issues for take of birds. Commissioner Cross – Is feral pigeon a game species? Schultheis – No, but similar species.

Break

2. Waterfowl Regulations – Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit I). Briefing item included background information and season staff recommendations for the 2017 and 2018 September teal, duck, goose, youth and extended falconry seasons. There was an error in the original briefing item with a closing date on white-fronted goose, should be February 18, not February 12. The only change in federal frameworks from last year is the reduction in daily bag limit for northern pintails, from two to one. Staff recommendations and season dates similar to previous seasons with minor changes to adjust for calendar shift and moving Canada goose split from January to November. Chairman Lauber – Same weekends as last year, and every indication of liberal package? Bidrowski – Yes, federal frameworks are out and we will have liberal package. Commissioner Rider – Do like that we moved goose season back, a positive move. Don't like closed on January 1 which is a holiday, for opportunity, but fighting the calendar. Bidrowski – Correct. Chairman Lauber – People favorable of moving Cedar Bluff? Bidrowski – Yes, favorable comments.

3. Threatened and Endangered Species Regulations – Chris Tymeson, legal counsel, presented this report to the Commission (Exhibit J). Keeping as placeholder until I can get regulations written. Changes to Threatened and Endangered Species Act are due to a bill that took effect in July and required us to put some of our regulations into statute. It generally takes about 90 days; most of them dealing with farming and ranching practices that do not require permits. Hopefully will get done soon and Chris Berens can come back. Chairman Lauber – Not a lot of difference? Tymeson – No.

4. Public Land Regulations – Stuart Schrag, Public Lands Division director, presented this regulation to the Commission (Exhibit K). Recap, two proposed changes to reference document under KAR 115-8-1: section 15 of under daily hunt permits, under Region 3, add Marion Wildlife Area and Region 1 want to take out wording for Glen Elder Wildlife Area that says Granite Creek Area during youth/mentor seasons, remove this wording so entire wildlife area would be included in daily hunt permit. Legislative comments will require all walk-in hunting access to include in reference document, as by posted notice now, so no change.

5. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit L). This regulation covers the deer seasons on military areas. Changes could be made after standard deer regulations are set. They have provided us with their preferences. Smoky Hill has requested to have deer hunting seasons at the same dates as the seasons established in KAR 115-25-9. Fort Riley has requested the same seasons with three exceptions, additional archery dates September 1-10, 2017 and January 2-31, 2018; youth and designated persons season October 6-9, 2017 rather than pre-rut; and firearm season dates of November 24-26, 2017 and December 16-24, 2017. Fort Leavenworth also has a couple of exceptions, several two and three day periods, Firearm season November 18-19, November 23-26, December 2-3, December 9-10 and December 16-17, 2017; extended firearm season for antlerless-only whitetails January 1-14, 2018; and extended archery season for antlerless only whitetails January 15-31, 2018. On Fort Riley and Smoky Hill, allow one antlerless-only whitetail permit, Fort Leavenworth up to five antlerless-only permits.

VII. RECESS AT 3:38 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

XI. DEPARTMENT REPORT

B. General Discussion (continued)

1. Tuttle Creek State Park Blue Chip Award – Linda Lanterman, Parks Division chief, presented this update to the Commission. **Moved from afternoon.** An award was presented to Todd Lovin, Tuttle Creek State Park manager, because of the community events the state park hosts and participates in: OK Kids, races, wounded warriors veterans banquet.

2. Blue Cross Blue Shield Parks Support Update – Linda Lanterman, parks division director, presented this update to the Commission. Blue Cross representative could not come, rescheduling to August meeting.

Chairman Lauber – Asked Kevin Jones to stand up; just two days left on the job, congratulated him on his retirement. (*applause from audience*).

D. Public Hearing

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

1. KAR 115-25-7. Antelope; open season, bag limit, and permits – Matt Peek, furbearer research

biologist, presented this report to the Commission (Exhibit N). – This regulations has been presented a couple of times; season dates are standard. Will go through equipment type and allocations. **Archery** unlimited for residents and nonresidents; **firearm**, limited to residents, Unit 2 – 122 permits, Unit 17 – 44 permits, Unit 18 – 14 permits; **muzzleloader**, limited to residents, Unit 2 – 34 permits, Unit 17 – 10 permits, and Unit 18 – 6 permits. These are down some from last year due to buck ratio, down six percent or 14 permits. Commissioner Williams – Lose antelope in fires in Clark County? Peek – Yes, game warden found 23 dead, mostly along fences where they probably got caught up and unable to get through; estimated 70 percent. Number was small to begin with.

L.J. Coffman – Muzzleloader, what is that? Peek – A weapon you load through the barrel.

Discussion. Coffman – Why use antique firearm? Chairman Lauber – No more comments on this. Peek – On Clark County, not open to hunting right now, so no allocation of permits.

Commissioner Ward – What happened down there as far as dead wildlife? Peek – A lot of mortality on wildlife, at least anything that couldn't fly, I think.

Dan Broxterman – Ask about seasons on muzzleloading deer? Peek – Wait for deer discussion.

Commissioner Tom Dill moved to approve KAR 115-25-7 as presented to the Commission. Commissioner Aaron Rider second.

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

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

The motion as presented passed 7-0.

2. KAR 115-25-8. Elk; open season, bag limit, and permits. Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit P). – Basically unchanged since 2010. Season structure off of Fort Riley is longer, running through March 15, 2018. On Fort Riley archery and muzzleloader season through month of September. On firearm, any weapon may be used on Fort Riley, three month-long segments, October, November and December. Recommending 12 either-species elk permits and 15 antlerless-only permits authorized on Fort Riley, five antlerless permit holders allowed to hunt in each monthly segment. For Units 2 and 3, an unlimited amount of hunt-on-your-own-land antlerless-only permits and either-sex permits. Unlimited over-the-counter antlerless-only and either-sex permits authorized in Unit 3. Commissioner Dill – Include commissioner's elk tag? Peek – No separate on top of that.

Commissioner Gary Hayzlett moved to approve KAR 115-25-8 as presented to the Commission. Commissioner Tom Dill second.

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

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

The motion as presented passed 7-0.

3. KAR 115-4-2. Big game and wild turkey; general provisions. – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit R). Changes in section 2, replacing “deer” with “big game animal”; this allows elk and antelope to be electronically registered. Don’t have any gender specific permits with pronghorn, but could be for antlerless elk.

Commissioner Gerald Lauber moved to approve KAR 115-4-2 as presented to the Commission. Commissioner Harrison Williams second.

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

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

The motion as presented passed 7-0.

4. KAR 115-4-11. Big game and wild turkey permit applications. – Matt Peek, research biologist, presented this report to the Commission (Exhibit T). Clean up in this regulation, middle of page 2, references to 115-25-9 and application period. Changed from another regulation into this regulation.

Commissioner Gary Hayzlett moved to approve KAR 115-4-11 as presented to the Commission. Commissioner Harrison Williams second.

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

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

The motion as presented passed 7-0.

5. KAR 115-25-9. Deer; open season, bag limit, and permits. – Matt Peek, research biologist, presented this report to the Commission (Exhibit V). Hit each of season types and stipulations, may be discussion on these. Archery season: September 11 to December 31, 2017 and archery permits are valid in extended seasons that begin January 1 and revert to any legal equipment at that time for whitetail deer only. In urban units antlerless-only white-tailed season January 18-31, 2018 in DMU 19. Regular firearm season is November 29 to December 10, 2017; also, pre-rut season in all deer management units, October 7-9, 2017, includes Columbus Day so extra day for this early season. During these seasons whitetail either-sex permits valid in unit adjacent to an urban unit, DMU 19, is valid in both specified unit and urban unit. The muzzleloader-only season September 11-24, 2017, permits are also valid during firearm season using muzzleloader equipment, except during extended firearm season beginning January 1 where any legal equipment can be used on whitetail antlerless deer. Designated persons, commonly referred to youth/disabled season, September 2-10, 2017 where any person 16 or under while under the immediate supervision of an adult 18 or older may hunt or any person with a permit to hunt from a vehicle or a disability assistance permit; all resident and nonresident permits are valid in that season and all persons hunting must wear blaze orange because this season overlaps with the archery season. The extended firearm begins January 1, typically each unfilled deer permit valid in Units 6, 8, 9, 10, 16 or 17 shall be valid in extended antlerless-only firearm season on January 1, 2018; a one day season this year. This season has ran through the first weekend and been less than a week long, but since the first is on a Monday, rather than run for an entire week proposal is for a one day season. In Units 1, 2, 3, 4, 5, 7, 11, 12, 13 or 14, the extended antlerless-only firearm season is January 1-7, 2018; those units are where up to four additional antlerless-only deer permits will be allowed. Each unfilled deer permit in 10, 15 or 19 will be extended antlerless-only firearm January 1-14, 2018; third tier of extended season. During this extended season it is whitetail antlerless-only deer that may be taken and permits are restricted to specific unit on permit and any equipment legal in firearm season may be used. Unlimited hunt-own-land and special hunt-own-land and nonresident hunt-own-land permits shall be authorized for all units. Any individual may apply for and obtain one deer permit that allows the taking of an antlered deer except when unsuccessful in a limited draw and alternative permits are available at time of application. Any individual may obtain no more than five antlerless whitetail deer permits and this includes one antlerless whitetail deer permit that is valid statewide except in Unit 18, including on lands managed by the department; four additional permits valid in select units on lands not managed by the department; there are some exceptions to that including Glen Elder, Kanopolis, Lovewell, Norton, Webster, and Wilson Wildlife Areas as well as Kirwin National Wildlife Refuge. Cedar Bluff is mentioned in the regulation, but we have an amendment to strike them out of this regulation. So the four additional permits will not be valid on Cedar Bluff. Both residents and nonresidents may obtain the antlerless-only whitetail deer permits, but they must first have a permit that allows them to take an antlered deer unless the antlerless-only permit is purchased after December 30. Chairman Lauber - Letter from KLA, complaint from earlier, only one day for special doe permit, however set to controlling populations still getting extra day in pre-rut that may offset that to some extent for those that feel it is important? Peek – Talked to that individual, the pre-rut season is during harvest is not satisfactory to them. Commissioner Rider – Can still shoot does in regular firearm season. Peek –

Correct. Commissioner Williams – Doesn't 115-4-4 (b) address that? In Units 1, 2, 3, 4, 5, 7, 11, 12, 13 or 14, January 1-7, 2018? Peek – In some units it is a full week. His concern was around Unit 8 which is a one-day January season. Commissioner Rider – It used to be three days? Peek – It usually would cover the first weekend so it could be anywhere from two days up to six days. In this case it was a full seven days and we typically don't go that long. The last time this situation arose when January 1 fell on a Monday the Commission voted to give them December 31 to give them a weekend day, a two-day opportunity to hunt. Discussed at last meeting and decided to give extra day as Columbus Day for the early season. Chairman Lauber – The purpose of the extended season is to reduce population, and in some places don't need population reduced to appease political factions. Now KLA said this is only time farmers can hunt. I recommend we follow the department's recommendation. Don't think we need to reduce population in some areas.

Dan Broxterman – Muzzleloading deer, what is purpose of setting season so early? If you try to hunt in early September it is really hot. October 2 or 3 really helped. Hunt in western Kansas and it is too hot. Don't understand why can't have last week of September and early October, so much easier to take care of deer. It was in mid-90s last year. All of us have been bowhunters for 30 plus years and tried muzzleloading a few years ago. Some bowhunters may complain getting into October. Why so early? Chairman Lauber – Came up several years ago too. Feeling from bowhunters that they were being infringed upon. Every hunter prefers first weekend in November and can't give it to everybody. A matter of compromise and strong effort by bowhunters. Broxterman – Bowhunters have plenty of days to hunt, a few days in October will not hurt any bowhunters. I have print out of average temperatures in September. Chairman Lauber – Continue to reflect and consider this. Bowhunters are organized group, lost weekend for pre-rut, blaze orange questions and a million others. Encourage Matt to continue to work on it. Commissioner Williams – I am bowhunter, warm everywhere and affects all of us. Across the whole state, blame it on global warming or whatever, but affecting everybody. If make changes trying to predict the weather, too hard. Broxterman – Muzzleloader season is very short, but bowhunting season is long. Chronic wasting disease is bad where we go. Commissioner Williams – Not just western Kansas, the whole state. Tymeson – Exacerbated by the calendar too, pushed forward in last couple of years.

Garran Allison – Suggestion, bowhunter who hunts mule deer, those unsuccessful turn in tag and get whitetail permit.

Bob Griffin, Lebo (Kansas Bowhunters Association) – Talked to bowhunters about first week of October, we all choose our weapon/season and that is part of it.

Nate Vockner (*did not sign roster*) – Muzzleloader hunter and I hunt with Dan. Bowhunters hunt while we hunt and they get a few more weeks, and it doesn't bother us, so why can't we hunt in October. Bowhunted for years, harder for muzzleloaders in hot season.

**Commissioner Harrison Williams to bring KAR 115-25-9 before the Commission.
Commissioner Gary Hayzlett second.**

Commissioner Tom Dill moved to amend KAR 115-25-9. Commissioner Harrison Williams second.

Chairman Lauber – What is the benefit of the amendment? Peek – The area manager asked that Cedar Bluff be stricken from part of regulation that allowed four extra whitetail antlerless-only permits; he indicated deer population in his area had declined quite a bit.

The roll call vote to amend KAR 115-25-9 as recommended was as follows (Exhibit W):

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

The motion to amend KAR 115-25-9 as presented passed 7-0.

The roll call vote on regulation KAR 115-25-9 as amended was as follows (Exhibit W):

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

The motion as amended on KAR 115-25-9 passed 7-0.

6. Secretary's Orders for Deer – Matt Peek, research biologist, presented this report to the Commission (Exhibit X). Secretary's Orders are where deer permit allocations are provided. I received various calls from around the state, some with too many deer and some with not enough deer. Collect population-type information to base recommendations off of. We look at harvest information from prior season; in 2016, harvest down by 7,300 animals, mostly whitetail antlerless deer as a result of us selling fewer permits than years past. People calling to say deer numbers were down responded by not buying the permits and killing the antlerless deer; to some degree they help resolve their own concerns about lack of deer. One of the big things we look at, relevant to harvest survey, is permit success of primary permits; whitetail either-sex and any-deer permits for residents and nonresidents; success rates are almost identical, killed deer at same rate as year before. Also, look at deer/vehicle accidents, just got preliminary data from KDOT for 2016, up slightly to back over 10,000; not obtained mileage rates to create an index out of this. Public may look at that number, but we try to also apply deer/vehicle accidents per million miles, a less biased way for to represent the population. We look at spotlight deer surveys that the department conducts; stability over last five or six years at statewide level, we have not detected declines in deer herd. Also bowhunter index; bow hunters keep track of all of the deer they see during the year and they also indicate stability in recent years. Our four completely independent measures we use to monitor the deer herd indicate relative stability. In deer management unit (DMU) 16, 80 percent of Clark County burned and a local warden indicated that he and others he knew put down about 150 to 200 deer, 25- to 30-percent of deer herd population in area that

burned. A large fire with devastating consequences, you don't see many fires that kill deer and coyotes and stuff like that. When we look at unit as a whole, DMU 16, less than 20 percent of total unit burned; five percent of deer in the unit loss. The question is, should we have made or recommended changes to affect 80 percent of that unit based on the 20 percent; a fair question, however, we decreased Unit 16 in 2015 from five whitetail antlerless permits and moved into shorter season, so only has one-day season this year. Spotlight deer surveys showed an increase in trend over last several years in unit as a whole; situation was good to improving based on our data. Looking at percentages, made a decision not to change recommendation as a result. May gain more information later to prove us wrong or right, but had to make a decision. Landowners and hunters have the right and ability to harvest deer as they see fit, if populations are down as they perceive they may chose not to harvest deer in that area.

For resident permits, an antlered deer permit type, for statewide archery and any weapon hunt-on-own-land are open with unlimited availability over-the-counter. In western mule deer unit proposing 1,425; and in eastern mule deer unit 500; same numbers allocated last season.

Throughout all recommendations, the same as last season, no changes at this time.

Antlerless deer permits; in Unit 18, no permits authorized and no extended seasons. In Units 6, 8, 9, 10, 16 or 17, one permit is authorized to be used on private land or any KDWPT managed land. All other remaining units, 1-5, 7, 11-15 and 19, one permit valid anywhere as well as four additional permits for whitetail antlerless deer. Nonresident permit quotas; allowed to purchase same antlerless permits available to residents or as what I just read. Permit recommendations from last year are the same as this year, about five years of stability; down 1,700 nonresident permits from five years ago. Recommendation same as last year. Commissioner Dill – For several years we've been asking Lloyd about the possibility of instead of paper surveys for archery hunters that identify different wildlife seen throughout, to have an app or application on Smartphone and still have ID number and enter daily or weekly submit to department. Lloyd said someone younger than him would have to do that. Any consideration for that? Peek – Wrote it down; sounds like good suggestion and may improve participation in our survey, will see what we can do in that regard.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

April 20, 2017 – Pratt, Headquarters Downstairs Conference Room

June 22, 2017 – Kansas City, George Meyn Community Center

August 10, 2017 – Cheney State Park, Ninnescah Valley Yacht Club (will need special event permit for park entrance)

October 19, 2017 – Scott City, Bryan Conference Center

XIV. ADJOURNMENT

The meeting adjourned at 7:25 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

2017 Legislature

No briefing book items – possible handout at meeting

General Discussion

Tourism Update

No briefing book items – possible handout at meeting

Park Regulations

No briefing book items – possible handout at meeting

2018 Reference Document Changes Under Consideration for Special Length and Creel Limits:

- Milford Reservoir -- add a 25- to 40-inch slot length limit and no more than 1/day 40 inches or larger creel limit on blue catfish.
- Glen Elder Reservoir -- change to a 21-inch minimum length limit on smallmouth bass.
- Jewell State Fishing Lake -- change to an 18-inch minimum length limit on largemouth bass.
- LaCygne Reservoir -- remove the 10-inch minimum length limit on crappie.
- Cedar Bluff Reservoir -- change to a 21-inch minimum length limit on walleye and change to a 10-inch minimum length limit on crappie.
- Crawford State Fishing Lake -- add an 18-inch minimum length limit on wiper.
- Linn County Critzer Reservoir -- change to an 18-inch minimum length limit on largemouth bass.
- Lyon State Fishing Lake -- add an 18-inch minimum length limit on walleye.
- Marion Reservoir -- change to a 20/day creel limit on crappie.
- Meade State Fishing Lake -- add an 18-inch minimum length limit and a 2/day creel limit on saugeye.
- El Dorado Reservoir -- change to a 20/day creel limit on crappie.
- Centralia City Lake -- remove the 15-inch minimum length limit on channel catfish.
- Marion County Lake -- change to a 13- to 18-inch slot length limit on largemouth bass and change to a 20/day creel limit on crappie.
- Overbrook City Lake -- remove the 10/day creel limit and 10-inch minimum length limit on crappie.
- Milford Reservoir -- change to a 5/day creel limit on wiper.
- Tuttle Creek Reservoir -- add a 35-inch minimum length limit on blue catfish.
- Jeffery Energy Center -- add a 5/day creel limit on blue catfish.
- Floatline fishing at Perry Reservoir: The Commission, in response to public inquiry, recently asked the Department to consider allowing floatline fishing at Perry Reservoir. Local agency personnel were allowed to respond to this request. It is the recommendation, at this time, to not allow floatline fishing at Perry. Local staff is concerned that there is a potential for conflict between recreational boaters and anglers at this high use recreational boating impoundment.

Other 2018 Fishing Regulation Changes Under Consideration.

Change 115-7-4. Fish; processing and possession.

It is difficult for law enforcement to enforce over-harvest of fish when all an angler has to do is state that someone else gave them the fish. There is no wording in our current fishing regulations that allows for the transfer of fish from one person to another. In contrast, hunting regulations allow for the transfer of small and big game.

We propose changing 115-7-4 by adding a requirement that legally taken fish may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and license number.

Change 115-25-14 to include new trout water designations.

Currently the Cedar Bluff Stilling Basin and the Sandsage Bison Range and Wildlife Area Sandpits are designated Type 1 waters, which requires a trout permit for all anglers 16 and older who want to fish at these locations from November 1 through April 15.

We propose changing both these trout stocking locations to Type 2 waters, which require a trout permit only for anglers fishing for or possessing trout. Both these locations are currently not being stocked with trout due to poor conditions and we want anglers to be able to fish these locations during the trout season (Nov. 1 through April 15) without requiring them to buy a trout permit.

In addition, the Scott State Park Pond is currently a designated Type 2 water, which requires a trout permit only for anglers fishing for or possessing trout.

We propose changing the Scott State Park Pond trout stocking location to a Type 1 water, 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 115-17-2. Commercial sale of fish bait.

Currently gizzard shad (*Dorosoma cepedianum*) are not on the list of fish species that may be commercially sold in Kansas for fishing bait. However, many sporting goods stores across the state have dead gizzard shad in commercially processed bags for sale as fish bait. It is illegal to collect/harvest fish species from any public water for commercial sale.

There is always concern that gizzard shad are similar in appearance to invasive Asian carp. Currently, commercially sold live fish bait must be certified free of pathogens and aquatic nuisance species. And of course, commercially packaged dead gizzard shad is not a risk for the spread of pathogens or aquatic nuisance species.

We propose changing 115-17-2 to allow gizzard shad to be commercially sold in Kansas for fish bait.

Change 115-25-14. Fishing; creel limit, size limit, possession limit, and open season.

Currently, the statewide regulation states "Channel and blue catfish (single species or in combination - 10/day)". We propose separating channel catfish and blue catfish into their own categories. These fish are managed separately. Recent popularity of blue catfish and concerns of overharvest are leading to more restrictive regulations. The majority of reservoirs with blue catfish populations already have a 5/day creel limit on these fish. Therefore, we feel the current statewide regulation is no longer relevant. We propose the following changes to the Statewide fishing regulations:

- 1) Remove the channel and blue catfish combination regulation.

- 2) Add "Channel Catfish - 10/day".
- 3) Add "Blue Catfish - 5/day".

This will still allow for harvest of 10 channel catfish per day and we foresee no issues with that. *Ictalurid* catfish with more than 30 rays in the anal fin will be considered blue catfish and those with less a channel. This gives anglers and law enforcement a quantitative way to identify exactly what they have for regulation purposes.

Review 115-7-1. Fishing; legal equipment, methods of take, and other provisions.

The catfish committee and the fishing regulation committee have discussed the public request to the Commission to allow bowfishing at water bodies that have length limits for at least one of the three catfish species (channel catfish, blue catfish and flathead catfish).

It could be difficult to correctly identify the different species of catfish at night, under water, several feet away, while being illuminated with boat mounted lights. Releasing a misidentified fish after being hit with a "good shot" won't be an option. Furthermore, both committees have recognized that the majority of our public water bodies do not currently have length limits on any of the three catfish species and would therefore allow bowfishing for said species. Federal reservoirs where this activity would be legal are Big Hill, Cedar Bluff, Council Grove, Fall River, Tuttle Creek, Pomona, John Redmond, Kanopolis, Kirwin, Hillsdale, Norton, Webster, Toronto, LaCygne, and Marion. There is opportunity in every part of the state.

The time and costs associated with building up our trophy blue catfish reservoirs is significant. Some reservoirs take 5 - 7 years to produce mature adults and 12 - 16+ years to produce trophy fish. We feel that without adequate harvest information by bowfishers, we must err on the side of caution and avoid any possible action that could lead to incidental take of these fish prior to realizing their size potential.

It is currently a violation of our regulations to bowfish for catfish at any water body with a length limit on any of the three catfish species and both committees recommend that this regulation remain unchanged.

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

Change the statewide 2/day creel limits on striped bass and wiper (striped bass hybrid) to 5/day.

In keeping with the theme of removing barriers impacting Kansas anglers (like we did when we removed the STWD minimum length limit on percids in streams, tailwaters and rivers), allowing increased harvest of the wiper and striper in the tailwaters, rivers, and streams may be the best use of the resource. Many times, the only opportunity for anglers to harvest these fish is in the stilling basin after being flushed. Wiper and striper are some of the most protected species in Kansas with a statewide 2/day creel. We are recommending changing the STWD daily creel limit for stripers and wipers to 5/day. This would allow our management biologists to have Special Creel Limits of 2/day on the impoundments that need more restriction.

Youth/Mentor Fishing Pond Regulation and Management Strategy Under Consideration

Small impoundments can be designated as “youth fishing ponds” with “special regulations” to control angler use and harvest. These waters are identified by the district fisheries biologist, other agency division or personnel, or an outside party with ownership in the property to give young anglers fishing opportunities without actively competing with adults. The most common regulations associated with these impoundments are “youth fishing only”, “catch and release only”, and/or limited harvest of certain species.

Proposal:

1. Create a “Youth/Mentor” fishing pond designation
 - a. Define youth as anyone 15 years of age and younger.
 - b. Allow adults (18 years of age and older) to fish per these conditions:
 - i. Must have a valid Kansas fishing license unless exempt by law
 - ii. Must be accompanied by at least one actively fishing youth
2. Harvest Regulations
 - a. Option 1: Length and harvest limits set by district fisheries biologist
 - b. Option 2: Statewide regulation for designated Youth/Mentor Ponds
 - i. Allow harvest of fish by youth only

Presentation of the Kansas State Wildlife Action Plan (SWAP)

Background

State wildlife grants (SWG) are funds that can be used for all wildlife, and enables KDWPT to fund necessary studies and projects, to keep rare species from becoming endangered, and to keep common species from declining. As a requirement to be eligible for SWG funds, Congress charged each state and territory with developing an approved Wildlife Plan. Kansas' State Wildlife Action Plan (SWAP), previously known as the Comprehensive Wildlife Conservation Plan, provides a comprehensive vision for managing Kansas' fish, wildlife, and wildlife habitats.

The wildlife plans were developed by the states to be dynamic, adaptive documents that would guide agency and partner conservation planning for years to come. Each state committed to reviewing or, if necessary, revising their plan within 10 years as per Element 6 of the original legislation. The plan's revision considered many of the changes that Kansas and its wildlife have experienced since the original plan was created. It is important to note that the SWAP is not just a conservation plan for KDWPT, but a wildlife conservation plan for the state of Kansas. Collaboration with other agencies, organization, stakeholders, experts, and interested parties was requested throughout the revision process. Public participation played an important role in reviewing the plan and will be valuable in the implementation process.

Discussion

The 2016 SWAP plan for Kansas has been approved by the United States Fish and Wildlife Service and is available on the KDWPT website. We will be presenting the commission with hardcopies of the plan as a guide to fish and wildlife conservation for the next decade.

Fees and Licenses

115-9-5. Hunting, fishing and furharvester licenses; state park permits; effective dates. 115-2-1 Amount of Fees

While discussing implementation of an auto-renewal option for annual licenses that will be available beginning Jan. 1, 2018, the Auto-renewal Committee supported establishing 365-day annual licenses, rather than the calendar licenses that are currently offered. This may require a change to 115-9-5, which lists expiration dates. It may also require amending 115-2-1 because the early-buy resident combination license would become obsolete. There has also been discussion of providing a discount for those who renew their 365-day license before it expires. Another marketing aspect discussed by the committee to address churn was providing value-added license packages or a promo-code, which would give a discount to hunters and anglers who bought a number of licenses and permits in one transaction. The more issuances purchased, the bigger the discount.

Annual permits and licenses being considered for the 365-day expiration include hunting, fishing, or furharvester licenses, annual trail pass, trout permit, three-pole permit, handfishing permit, greater prairie chicken permit, sandhill crane permit, controlled shooting area permit, commercial dog training, and field trail.

Magazine Update

No briefing book items – possible handout at meeting

Kansas Department of Wildlife, Parks & Tourism
Falconry Regulations General Discussion
April 20, 2017

Background

The peregrine falcon was removed from the federal T&E species listing in 1999. In 2004, USFWS allowed the take of peregrine falcons specifically for falconry for the first time in over thirty years. In December of 2008, USFWS completed an Environmental Assessment on the take of peregrine falcons for use in falconry. The result was limited authorized take of up to 36 first year migrant peregrines east of 100 degrees W longitude within the period of 20 September through 20 October. Within the Central Flyway, 12 permits were allocated, two in Oklahoma, and 10 in Texas. No permits were allocated for take in Kansas, and we have not previously permitted for the take of peregrine falcons.

Discussion

Based on recent population level estimates, it has been recommended that authorized take east of 100 degrees W longitude be increased from 36 to 144 birds annually. The Central Flyway could potentially see an increase from 12 allocated permits to 48. Based on requests received from falconers and other state's desires to share the permits to a larger area within the flyway, Kansas will likely be receiving some of the additional permits. See attached recommendation letter from the Central Flyway Council.

Recommendation

This is a proactive attempt to get out ahead of this, so that we are prepared to offer these permits if and when we receive them. The topic will be addressed at the Service Regulations Committee meeting in June of 2017, and at this time a decision will be made on whether to adopt the recommendations based upon the recent population estimate or hold off, pending further review up to and potentially including a new environmental assessment.

Our ability to offer these permits may not require any modifications to our current falconry regulations (still under review). We may be able to simply modify our permitting process to handle it and still be in compliance with current state and federal regulations. This is being introduced to allow for discussion, should regulation changes be required, so that such changes could be made prior to the potential permit allocations.

Central Flyway Council

Alberta Kansas Nebraska North Dakota Oklahoma South Dakota Wyoming
Colorado Montana New Mexico Northwest Territories Saskatchewan Texas



www.flyways.us/central

Recommendation No. 6

Pertaining to:

Allocation of permits for the passage take of first-year Peregrine Falcons for falconry in the United States east of 100° W longitude and south of 31° N latitude.

Recommendation:

The Central Flyway Council requests the U.S. Fish and Wildlife Service increase the maximum allowable take from 36 to 144 passage Peregrine Falcons, with an equal allocation of 48 permits to the Central, Mississippi, and Atlantic Flyways, beginning in 2017.


Justification:

In 2008, the U.S. Fish and Wildlife Service completed a Final Environmental Assessment and Management Plan (EA) for the take of passage Peregrine Falcons for falconry purposes. The EA evaluated the entire North American Peregrine Falcon population and divided it into three management populations: Northern (Greenland, northern Canada and Alaska), Eastern (eastern Canada and the northeastern United States), and Western (western Canada and the western United States). At the time that the EA was prepared, the *anatum* subspecies of the Peregrine Falcon, which comprises most of the birds in the Eastern Management Population (EMP), was listed as threatened by the Canadian Wildlife Service and was state-listed as threatened or endangered by several northeastern and Great Lakes-region states. Due to concerns regarding the take of birds from the recovering EMP, the preferred alternative in the EA allowed for a maximum harvest rate of 5% of annual production of birds originating from the Northern Management Population (NMP) but a 1% maximum harvest rate of annual production of birds originating from the EMP. When calculating allowable take in the EA, the most conservative approach was taken and the annual fledgling production was estimated only on the basis of known falcon pairs in each management population. This estimate, which has been used to allow the issuance of 36 passage take permits for each of the past five years, is based upon minimum population calculations and the NMP calculation excluded large areas within the Arctic that were known to harbor falcons but had not been surveyed.

The actual Peregrine Falcon population size in the NMP is certainly larger than the one that was evaluated in the EA, and other sources of data (e.g., long-term surveys at Padre Island, Cape May, and the Florida Keys) continue to suggest positive population growth. Franke (2016) used a Lincoln-Petersen mark-recapture model to estimate the number of hatch-year Peregrine Falcons in the NMP, using data from 1970-2010. He estimated $16,035 \pm 2,040$ falcons for the western portion of NMP (falcons migrating primarily through the Central Flyway) and $5,245 \pm 500$ falcons for the eastern portion of the NMP (Atlantic and Mississippi flyways). Marked and unmarked falcons did not have an equal probability of capture in Franke's analysis due to an absence of banding stations along portions of the Gulf Coast, leading to a potential positive bias in the population estimate. Because of this potential bias, we recommend using the 10th quantile of Franke's population estimate as a conservative population estimate for making management decisions. There is a 90% probability that the true population size is equal to or larger than the 10th quantile estimate and only a 10% probability that it is smaller. We recognize that estimating the size of the NMP is difficult given the size of the area involved, but Franke (2016) represents the best available data at the present time.

We request the Service adopt the recent population estimate for the NMP that was published by Franke (2016) and to adjust the number of passage take permits in accordance with the 10th quantile of that population estimate, while maintaining the same percentage of take for the NMP and EMP. Based upon calculations recently prepared by staff in the Division of Migratory Birds, this would increase the number of permits from 36 to 144 for the Atlantic, Mississippi, and Central flyways combined. Recent stable isotope analyses conclude that most (approximately 75%) of the hatch-year Peregrine Falcons captured by U.S. falconers originate from the NMP, and only a small percentage come from the EMP. The recovery of the Peregrine Falcon is a conservation success story and the falconry community has played a substantial role in this through the captive propagation and perpetuation of the *anatum* subspecies. Falconers across the U.S. have expressed a strong interest in seeing an increase in permitted take of Peregrine Falcons, and the current opportunity for falconers is limited. An adjusted allowable take would increase opportunity for falconers in the flyways, while maintaining a conservative level of take from the EMP. An adaptive management approach to setting the population estimate is recommended, including periodic assessment and adjustment as necessary to ensure continued recovery of Peregrine Falcons across North America.

Adopted by:



Central Flyway Council
Spokane, Washington
March 7, 2017

Workshop Session

Kansas Department of Wildlife, Parks & Tourism
Webless Migratory Game Bird Briefing Item
April 20, 2017

Background

Eurasian collared and ringed turtle doves are not native to Kansas. They were first classified as legal game in Kansas with the creation of KAR 115-25-19 in 2003. Initially included in the regular dove season with an aggregate bag of 15, seasons and bag limits have expanded as populations continued to increase. Currently, Eurasian collared and ringed turtle doves may be taken with no bag limit for six months of the year, during the migratory dove season from September 1 - November 29 and the extended exotic dove season from November 30 - February 28. Those taken during the migratory dove season in excess of the daily bag limit of migratory doves must retain a fully-feathered wing while being transported. Current regulations limit method of take to shotguns no larger than 10 gauge with shot ammunition that are incapable of holding no more than three shells in total capacity, pellet and BB guns, archery equipment and crossbows, or by falconry (KAR 115-20-7).

Harvest regulations in other states of the Central Management Unit (CMU) have continued to liberalize as populations of Eurasian collared doves increase. Currently, take of Eurasian collared doves is open year-round in seven of the 13 states in the CMU (Figure 1).

Discussion

Although there is no specific survey directed at monitoring the abundance of Eurasian collared and ringed turtle doves in Kansas, anecdotal information and other surveys (Christmas Bird Count, Breeding Bird Survey) suggests the population continues to increase at a high rate. As numbers have increased, so have nuisance complaints and disease concerns. The majority of complaints have been for concentrations of birds associated with cattle feeding operations and grain elevators. Paramyxovirus related mortality events have become relatively frequent in states south of Kansas, and in 2015 Kansas experienced the first significant disease event in Eurasian collared doves in southwest Kansas.

Current seasons and regulations have resulted in minimal harvest, with only 35,000 of the more than 500,000 doves harvested annually since 2014 being Eurasian collared doves. With a significant portion of the population associated with urban areas where harvest opportunity may be limited, there is a need to expand method of take for the management of exotic dove populations.

Recommendation

Staff recommends regulation changes to allow year-round take of Eurasian collared and ringed turtle doves with no daily bag or possession limit. Recommended changes include eliminating the second segment of dove season open to the taking of exotic doves only in KAR 115-25-19, and instead including Eurasian collared and ringed turtle doves in KAR 115-20-2, which would allow year-round take with much broader method of take. An additional amendment to KAR 115-20-2 is needed to require a fully feathered wing on all Eurasian collared or ringed turtle doves taken during the migratory dove season if birds possessed exceed the daily bag of migratory doves. Changes are also recommended for KAR 115-20-7 to apply only to migratory doves (mourning and white-winged doves). Finally, a change to the species table in KAR 115-16-3 is suggested to remove feral pigeons (rock dove), which is included in KAR 115-20-2.

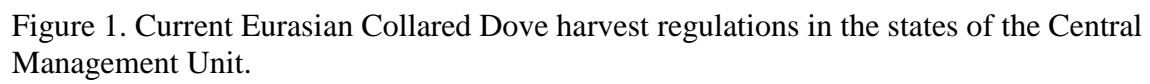


Figure 1. Current Eurasian Collared Dove harvest regulations in the states of the Central Management Unit.

Proposed 2017-18 Webless Migratory Game Bird Bag Limits and Season Dates

Species	Bag/Possession Limits	Season Dates
Crow	none	November 10, 2017 - March 10, 2018
Migratory Dove	15/45	September 1, 2017 - November 29, 2017
Exotic Dove	none	Open to year-round take
Sandhill Crane	3/9	November 8, 2017 - January 4, 2018
Snipe	8/24	September 1, 2017 - December 16, 2017
Rail	25/75	September 1, 2017 - November 9, 2017
Woodcock	3/9	October 14, 2017 - November 27, 2017

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

K.A.R. 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Smoky Hill ANG, Fort Riley, and Fort Leavenworth

Background

This regulation has typically been brought to a Public Hearing in June. Personnel at Fort Riley requested this later period to finalize the seasons because the schedule for military training activities were occasionally unknown at the time KAR 115-25-9 was approved. The regulation has also been used to address legislative actions pertaining to deer hunting that were made after KAR 115-25-9 was approved.

Discussion

This year we will address all deer seasons on military subunits under one regulation. Personnel at Smoky Hill ANG, Fort Riley and Fort Leavenworth have provided their preliminary preferences for season dates.

Smoky Hill ANG has requested the same season dates as those established in KAR 115-25-9.

Fort Riley has requested the same seasons as those established in KAR 115-25-9 with the following exceptions:

- Additional archery days from September 1-10, 2017, and January 2-31, 2018.
- Additional designated persons (i.e. youth/disabled) days from October 6-9, 2017.
 - No pre-rut firearm season for antlerless white-tailed deer.
- Firearm season dates of November 24, 2017 through November 26, 2017, and December 16, 2017 through December 24, 2017.

Fort Leavenworth has requested the same deer hunting seasons described in KAR 115-25-9 with the following exceptions:

- Firearm season dates of November 18-19, 2017, November 23-26, 2017, December 2-3, 2017, December 9-10, 2017, and December 16-17, 2017.
- An extended firearm season for the taking of antlerless-only, white-tailed deer shall be from January 1-14, 2018.
- An extended archery season for the taking of antlerless-only, white-tailed deer shall be from January 15-31, 2018.

A deer hunter may use one antlerless-only white-tailed deer permit in Fort Riley, subunit 8A or Smoky Hill ANG, subunit 4A. A deer hunter may use up to five antlerless-only white-tailed deer permits in Fort Leavenworth, subunit 10A.

Recommendation

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 reviewed again at the Workshop Session in April. Final action on these seasons shall be completed at the Public Hearing in June.

Public Hearing

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

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

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

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - February 16, 2017

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

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

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife, Parks, and Tourism Commission
Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, April 20, 2017 at the KDWPT Operations Office, 512 SE 25th, Pratt, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:00 p.m., April 20 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. April 21 at the location listed above.

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

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

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

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

K.A.R. 115-8-1. This permanent regulation establishes general provisions for hunting, fishing and furharvesting on Department lands and waters. The proposed changes would update the reference document.

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

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

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

February 3, 2017

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

RE: K.A.R. 115-8-1; K.A.R. 115-25-7; K.A.R. 115-25-8; K.A.R. 115-25-9; K.A.R. 115-25-9a

Dear Chris:

Pursuant to K.S.A. 2016 Supp. 77-420(b), we have reviewed the above-referenced regulations and have approved them for legality. The stamped regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

A handwritten signature in black ink, appearing to read "Sarah Fertig", is written over the typed name.

Sarah Fertig
Assistant Attorney General

Enclosures

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

STATE OF KANSAS

RANEY L. GILLILAND
Director
MELISSA S. RENICK
Assistant Director for Research
J. G. SCOTT
Assistant Director for Fiscal Affairs
AMY DECKARD
Assistant Director for Information Management



STAFF
LEGISLATIVE COORDINATING COUNCIL
INTERIM COMMITTEES
STANDING COMMITTEES
LEGISLATIVE INQUIRIES

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 68-West — State Capitol Building — 300 SW Tenth Avenue — Topeka, Kansas 66612-1504
PHONE (785) 296-3181 ♦ FAX (785) 296-3824 ♦ TTY (785) 296-3677
INTERNET: <http://www.kslegislature.org/kldr> E-MAIL: kslegres@kldr.ks.gov

March 9, 2017

Robin Jennison, Secretary
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Avenue, Room 200
Topeka, KS 66612

Dear Secretary Jennison:

At its meeting on March 6, 2017, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning KAR 115-8-1, department lands and waters: hunting, fur harvesting, and discharge of firearms. After discussion, the Committee had no comments.

Prior to filing with the Secretary of State, review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Please indicate your agency's website address in the filing notice where proposed regulations can be located. In addition, if your agency accepts written comments by e-mail include this information in the public notice. Further, e-mail requests for public accommodation should be included as a part of the notice. Finally, verify that the adoption by reference of any materials included in the regulations is properly completed as prescribed in the Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations.

Please make this letter a part of the public record on these regulations. The Committee will review the regulations the agency ultimately adopts, and reserves any expression of legislative concern to that review.


To assist in that final review:

Please inform the Joint Committee and me, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes that have been made following the public hearing. Please notify the Joint Committee and me, in writing, when your agency has adopted the regulations as permanent; delayed implementation of the regulations; or decided not to adopt any of the regulations.

Also, please indicate separately to the Joint Committee and me, any changes made to the proposed regulations reviewed by the Committee.

Based upon direction from the Committee, failure to respond to each and every comment contained in this letter may result in the request that a spokesperson from your agency appear before the Committee to explain the agency's failure to reply.

Sincerely,

A handwritten signature in cursive script, appearing to read "Raney L. Gilliland".

Raney L. Gilliland
Director

RLG/dmb

115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms.

(a) Subject to provisions and restrictions as established by posted notice or as specified in the document adopted by reference in subsection (e), the following activities shall be allowed on department lands and waters:

(1) Hunting during open seasons for hunting on lands and waters designated for public hunting;

(2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;

(3) target practice in areas designated as open for target practice; and

(4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a), the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles.

(e) The department's "KDWPT public lands division special use restrictions," dated ~~December 17, 2015~~ February 1, 2017, is hereby adopted by reference. (Authorized by and implementing K.S.A. ~~2015~~ 2016 Supp. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010; amended Nov. 14, 2011; amended Jan. 1, 2013; amended July 26, 2013; amended July 18, 2014; amended April 22, 2016; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-8-1. Department lands and waters; hunting, furharvesting, and discharge of firearms.

DESCRIPTION: This permanent regulation establishes certain requirements for and restrictions on certain activities on department lands and waters, including hunting, furharvesting, and other discharge of firearms. Over a period of many years, posted notice has been used to restrict access to certain properties and enhance recreational opportunities. Many of those posted notice restrictions have become long-term policies and to better inform the public as well as enforce the posted notices, the department has consolidated many of those notices into a reference document for adoption by reference. This is an update to that reference document.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

K.A.R. 115-8-1.
Department lands and waters: hunting, furharvesting, and discharge of firearms.
POSSIBLE AMENDMENT

As a result of internal Department comment on the proposed regulation, the Department suggests that the following amendment be made to the version of the regulation submitted for public comment.

K.A.R. 115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms.

1. Amend proposed subsection (e) on page 1 as follows:

(e) The department's "KDWPT public lands division special use restrictions," dated ~~December 17, 2015~~ February 1, 2017, March 23, 2017, is hereby adopted by reference.

2. Amend the KDWPT public lands division special use restrictions reference document on page 2, section III:

III.) No alcohol

All Walk-In-Hunting Access properties

Kansas Department of Wildlife, Parks and Tourism

KDWPT Public Lands Division Special Use Restrictions

Dated: February 1, 2017

I.) Access Restrictions

The following properties have access restrictions (curfews) during specific times during a 24 hour period.

Region 1

- Hain WA & SFL-no vehicle access during waterfowl seasons
- Greeley WA- Closed to all activities February 1 through August 31
- Sandsage Bison Range & WA-any pasture where Bison are present
- Pratt Backwater Channel-open 6 a.m. through 10 p.m.

Region 2

- Benedictine WA-use of parking lot ½ hour after sunset to ½ hour before sunrise restricted to individuals authorized by permit
- Pillsbury Crossing WA-open 6 a.m. through 10 p.m.

Region 3

- Maxwell Wildlife Refuge-access restricted to main road, area closed to all activities, except during special events
- Grand Osage WA – Access for special hunts at guard entrance only

II.) Age Restrictions

Portions of the following properties restrict hunting to specific age groups

Region 1

- Cedar Bluff WA – North Dam area, youth/mentor area – all species, all seasons, archery & shotgun equipment only
- Cedar Bluff WA – Threshing Machine Canyon (west) area, youth/mentor area – all species, all seasons
- Jamestown WA- Ringneck & Puddler Marshes, mentor area- all species, all seasons
- Glen Elder WA- Granite Creek area, youth/mentor area-all species, October 1 – January 31
- Cheyenne Bottoms WA-Mitigation Marsh, youth/mentor-all species, all seasons

Region 2

- Hillsdale WA-Big Bull wetland area, youth/mentor area-all species, all seasons
- Kansas River WA – Fitzgerald Tract, youth/mentor – all species, all seasons
- Milford WA-West Broughton area, youth/mentor area hunting-all species, all seasons
- Perry WA-designated area, youth/mentor hunting-all species, all seasons
- Melvern WA-designated area, youth/mentor hunting/fishing-all species, all seasons

Region 3

-Neosho WA- Pool 8, mentor waterfowl hunters on weekends and holidays, all other days open to general public

III.) No alcohol

Region 1

-Rooks SFL & WA
-Pratt Backwater Channels

Region 2

-Atchison SFL
-Benedictine WA
-Brown SFL & WA
-Buck Creek WA
-Burr Oak WA
-Dalbey WA
-Douglas SFL & WA
-Elwood WA
-Jeffery Energy Center WA Area 2
-Kansas River WA – K18 River Access
-La Cygne Lake & WA
-Leavenworth SFL
-Lyon SFL & WA
-Middle Creek Lake Area
-Miami SFL
-Pillsbury Crossing WA
-Pottawatomie SFL's 1 & 2
-Rising Sun River Access
-Shawnee SFL & WA
-Osawatometie Dam and Parking Area
-Osage SFL

Region 3

-Black Kettle SFL
-Butler SFL
-Byron Walker Wildlife Area Archery Range
-Cheney Reservoir at shooting range
-Cowley SFL
-Chase SFL & WA
-Kingman SFL
-Maxwell Wildlife Area at shooting range
-McPherson SFL
-Montgomery SFL & WA
-Mined Land WA-Unit 1 only

-Shoal Creek WA

IV.) All Non-Toxic Shot

Region 1

-Jamestown WA
-Talmo Marsh WA
-Cheyenne Bottoms WA
-Gurley Salt Marsh
-Isabel WA
-Playa Lakes (Heron, Stein, Wild Turkey)
-Texas Lake WA

Region 2

-Benedictine WA
-John Redmond Reservoir-Otter Creek WA
-Marais des Cygnes WA

Region 3

-McPherson Wetlands
-Slate Creek Wetlands
-Neosho WA
-Cherokee Lowlands WA

V.) Non Toxic Shot – designated dove fields

Region 1

-Jamestown WA
-Glen Elder WA
-Ottawa SFL

Region 2

-Bolton WA
-Clinton WA
-Dalbey WA
-Elwood WA
-Hillsdale WA
-Kansas River WA
-Melvorn WA
-Milford WA
-Oak Mills WA
-Perry WA
-Tuttle Creek WA

Region 3

-Cheney WA

- El Dorado WA
- Dove Flats WA
- Elk City WA
- Fall River WA
- Mined Land WA
- Spring River WA
- Toronto WA
- Woodson WA
- Grand Osage WA
- Big Hill WA
- Berentz-Dick WA
- Hollister WA

VI.) *Boating Restrictions*

a.) No Motorized Boats

Region 1

- Jamestown WA- Pintail, Puddler, and Buffalo Creek Marshes
- Cheyenne Bottoms WA-motorized watercraft permitted only during the waterfowl season. From 4/15 thorough 8/15, no boats permitted from 10 a.m. through 5 p.m. No out of water propeller driven watercraft permitted at any time.

Region 2

- Milford WA-no motorized boats are allowed in any wetland areas except Mall Creek/Peterson Bottoms

Region 3

- Elk City WA-Widgeon, Simmons, Housemound Marshes
- Marais des Cygnes WA-no motorized boats except in Unit A (boat lane only) and Unit G

b.) No Gasoline Engine Powered Boats

Region 1

- Jamestown WA-Marsh Creek Marsh

Region 2

- Perry WA – all marshes, except East and West pools of Kyle Marsh

c.) No Wake

The following lakes require all motorized vessels to be operated at no wake speeds.

Region 1

- Jewell SFL

- Ottawa SFL
- Rooks SFL
- Sheridan SFL
- Meade SFL
- Scott SFL- in designated area

Region 2

- Marais des Cygnes WA
- Pottawatomie SFL #1
- Pottawatomie SFL #2

Region 3

- Black Kettle SFL
- Butler SFL
- Cowley SFL
- Kingman SFL
- McPherson SFL
- Wilson SFL
- Woodson SFL

VII.) Closed to All Hunting

Properties could be included in the STWD special hunts program.

Region 1

- Saline SFL
- Big Basin Prairie Preserve
- Ford SFL
- Kiowa SFL
- Pratt Backwater

Region 2

- Green WA-(8 mi. West of Topeka)
- Pillsbury Crossing WA
- Pottawatomie SFL # 2
- Rocky Ford Fishing Area

Region 3

- Maxwell Wildlife Refuge
- Montgomery SFL
- Neosho SFL

VIII.) Equipment Restrictions (Hunting)

a.) Archery Only

Region 3

- Cherokee Lowlands WA - deer and turkey only
- McPherson SFL-deer and turkey only
- Mined Land WA Unit 1, Unit 21, Unit 23, a portion of Unit 22 and Unit 47

b.) No Center fire Rifles/Handguns

Region 2

- Kansas River WA - Urish, Macvicar & K-18 tracts
- La Cygne WA

c.) Shotgun & Archery Only

Region 1

- Cedar Bluff WA – North Dam Youth/Mentor area
- Lovewell WA-designated area below the dam
- Ottawa SFL
- Sheridan SFL
- Sandsage Bison Range & WA-north pasture units only

Region 2

- Kansas River WA-no firearms deer hunting, Urish, Macvicar & K-18 tracts
- Osage SFL

Region 3

- Berentz/Dick WA
- Shoal Creek WA
- Wilson SFL

d.) Shotgun, Archery & Rimfire Only

Region 2

- Douglas SFL & WA
- Leavenworth SFL & WA
- Shawnee SFL & WA

e.) Shotgun, Archery & Muzzleloader Only

Region 2

- Elwood WA
- Jeffrey Energy Center WA Area #2 (except for special draw youth hunts)
- Middle Creek Lake Area
- Otter Creek WA at John Redmond Reservoir
- Rutlader WA

IX.) Disabled Accessible Hunting

The following properties have specific areas designated for disabled access hunting. Specific locations are posted at the wildlife area and can be found on the area brochures and web-sites. Special permit is required and available from the Area Manager.

Region 1

- Glen Elder WA
- Lovewell WA
- Norton WA
- Webster WA
- Wilson WA
- Cheyenne Bottoms WA-disabled hunting blind restricted to disabled only use. Assistants allowed to hunt if they accompany disabled hunter.

Region 2

- Clinton WA
- Milford WA
- Perry WA
- Tuttle Creek WA

X.) No Shooting from Dikes or Levees

Region 1

- Cheyenne Bottoms WA

Region 2

- Marais des Cygnes WA

Region 3

- Neosho WA-no shooting from designated dikes & levees

XI.) No Swimming

Waters in addition to the state fishing lakes that are closed to swimming.

Region 1

- Big Basin Prairie Preserve
- Pratt Backwater
- Sandsage Bison Range & WA Sandpit

Region 2

- Melvern WA-Quarry Pond
- Pillsbury Crossing WA

Region 3

- El Dorado WA-jumping bridge located at the Junction of the Walnut River and NE Chelsea Road
- Mined Land WA

XII.) Refuges

The following properties have portions of the area designated as a refuge during specific periods of the year, or year-round. Access and activity restrictions are for refuge management, special hunts, or special permits.

a.) *Refuge Area Closed to All Activities Year Round*

Region 1

Cedar Bluff WA (Operations Area East of Dam)
Cheyenne Bottoms WA-Pool 1

Region 2

Benedictine WA
Jeffrey Energy Center-Area #3
Marais des Cygnes WA
Milford WA-Steve Lloyd refuge area

Region 3

McPherson Wetlands - South Refuge
Fall River WA
Mined Land WA Bison Pen located on Unit 1

b.) *Refuge Area Closed to Hunting Year Round Open to All Other Legal Activities*

Region 1

-Rooks SFL
-Sheridan SFL
-Ottawa SFL

Region 2

-Leavenworth SFL & WA

Region 3

-Kingman WA-waterfowl refuge

c.) *Refuge Area Closed to Hunting, Open to all other legal activities 11/1 to 1/31*

Region 1

-Cedar Bluff WA – Cove 1, designated water area
-Lovewell WA – designated water area

(d.) *Refuge Area Closed to Hunting Year Round, Closed to all activities 9/1 – 3/31*

Region 1

-Lovewell WA – designated land area

Region 3

Elk City WA

Neosho WA

Cheney WA

Marion WA

f.) Refuge Area Closed to All Activities 9/1 to 1/31

Region 1

-Cedar Bluff WA – west refuge

-Smoky Hill WA

-Wilson WA

g.) Refuge Area Closed to All Activities 10/1 through 1/15

Region 2

Clinton WA

Hillsdale WA

Melvern WA

Perry WA

h.) Refuge Area Closed to All Activities 10/1 to 1/31

Region 1

-Jamestown WA

-Brzon WA

-Ottawa SFL

i.) Refuge Area Closed to All Activities 10/1 – 3/31

Region 3

-McPherson Valley Wetlands WA

j.) Refuge Area Closed to All Activities 11/1 to 1/31

Region 1

-Cedar Bluff WA – Church Camp Cove

-Glen Elder WA

-Norton WA

-Webster WA

XIII. Seasonal Closures

a.) Access by Permit Only 10/1 through 3/31

Region 2

-Benedictine WA

b.) Access by Permit Only 4/1 through 5/31 and 9/1 through 1/31

Region 2

-Buck Creek WA

-Noe WA

c.) Open to Hunting Thursday, Saturday and Sunday 9/10 through 3/31

Region 2

-Brown SFL

d.) Open to Hunting Tuesday, Thursday and Saturday

Region 3

-Berentz/Dick WA

e.) Open to Upland Bird Hunting Tuesday, Thursday and Sunday

Region 2

-Burr Oak WA

-Dalbey WA

-Elwood WA

f.) Closed to fishing 9/15 through 4/15

Region 1

-Lovewell WA Inlet canal

Region 2

-Marais des Cygnes WA (marshes only)

XIV. Shooting Area (Ranges)

The following properties have designated firearm or archery ranges. Shooting hours are posted at the facility and available on area brochures and web-sites.

Region 1

Glen Elder WA

Region 2

Shawnee SFL (firearms & archery)

Region 3

Cheney Reservoir & WA (firearms)
Byron Walker WA (archery)
Maxwell Wildlife Refuge (firearms)
Hollister WA (firearms)

XV. Daily Hunt Permits

Daily hunt permits are required on the following properties:

Region 1

-Glen Elder WA
-Jamestown WA - In addition to daily hunt permit, trapping permit is required from the manager to trap
-Lovewell WA - In addition to daily hunt permit, trapping permit is required from the manager to trap
-Cheyenne Bottoms WA-In addition to daily hunt permit, trapping permit is required from the manager to trap
-Isabel WA
-Texas Lake WA

Region 2

-Benedictine Bottoms
-Bolton WA
-Clinton WA
-Dalbey WA
-Douglas SFL
-Elwood WA
-Hillsdale WA
-Jeffrey Energy Center WA Area # 2
-Kansas River WA
-Lyon SFL
-Marais des Cygnes WA
-La Cygne WA
-Melvern WA
-Milford WA
-Oak Mills WA
-Perry WA
-Tuttle Creek WA

Region 3

-McPherson Wetlands
-Slate Creek Wetland
-Berentz/Dick WA
-Marion WA
-Neosho WA-

XVI. Daily Use Permits

Daily use permits are available electronically through I-Sportsman e-permit system for ALL activities.

Region 2

-Buck Creek WA

-Noe WA

KDWPT WATERFOWL BRIEFING ITEM

April 20, 2017

BACKGROUND

The U.S. Fish and Wildlife Service (USFWS) annually develops frameworks within which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state-specific migratory game bird seasons.

SEPTEMBER TEAL SEASON - Blue-winged teal are one of the earliest migrating waterfowl, with most passing through Kansas from late August through October, often prior to the opening of general duck seasons. Green-winged teal are also early migrants but are commonly found in Kansas throughout the fall and winter, depending on weather conditions. Cinnamon teal are occasionally found mixed with flocks of blue-winged teal in Kansas. Special teal seasons were initiated to provide additional harvest opportunities for blue-winged and green-winged teal. As long as the blue-winged teal breeding population index (BPI) is above 3.3 million, a 9-day teal season can be held. If the blue-winged teal BPI exceeds 4.7 million, a 16-day season is permitted. The most recent blue-winged teal BPI was 6.7 million, allowing a 16-day season.

In the High Plains Unit of Kansas (west of Highway 283), the liberal package framework allows for 97 days of general duck season. Coupled with two youth hunting days, the addition of a nine- or 16-day teal season would exceed the Migratory Bird Treaty Act's maximum allowance of 107 annual hunting days for any one migratory species. Thus, when the liberal package for the regular duck season is available and a teal season can be held, it is necessary to reduce the High Plains Unit teal season to eight days, or reduce days in the High Plains Unit general duck season as not to exceed 107 hunting days. For the past seven seasons, a nine-day teal season coupled with a 96-day regular duck season has been selected in the High Plains Unit to satisfy this criterion.

DUCK, MERGANSER, AND COOT SEASONS - Since 1995, Adaptive Harvest Management (AHM) has been adopted for setting duck hunting regulations in the United States. The AHM approach provides the framework for making objective decisions through four regulatory packages listed below. Optimal AHM strategies are calculated using: (1) harvest-management objectives specific to each mallard stock; (2) regulatory alternatives; and (3) current population models and associated weights for midcontinent mallards. The four AHM regulatory packages are:

- **Liberal package**
 - o Season Length: 74-day Low Plains Season, 97-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Moderate package**
 - o Season Length: 60-day Low Plains Season, 83-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Restrictive package**
 - o Season Length: 39-day Low Plains Season, 51-day High Plains Season
 - o Daily bag limit: 3 birds with various species restrictions.
- **Closed**

The USFWS prescribed regulatory choice for the 2017-18 general duck season is the “liberal” alternative. Kansas has been in the liberal alternative since 1997. The only species specific federal regulation change is that the northern pintail limit be reduced to 1 in the daily bag limit and 2 in possession.

GOOSE SEASONS - Harvest prescriptions for the Central Flyway’s goose populations are based on population and harvest objectives as specified in population specific management plans. There are no changes in harvest prescriptions for geese from the 2017-18 season.

YOUTH WATERFOWL HUNTING DAYS - States may select two consecutive days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to their regular duck seasons.

EXTENDED FALCONRY SEASON - In addition to general waterfowl seasons, falconers may take migratory game birds during the special "extended" falconry season. The combined total number of days of take (i.e., teal season, general waterfowl season, and falconry) cannot exceed the Migratory Bird Treaty Act imposed maximum allowable annual hunting days for any one species of 107.

FEDERAL FRAMEWORK

SEPTEMBER TEAL SEASON

Season Dates: Between September 1 and September 30, 2017
Season Length: 16 days
Daily Bag Limit: 6 daily (any combination of teal)
Possession Limit: 18 in possession (any combination of teal)
Shooting Hours: One-half hour before sunrise to sunset
Zones/ Split: No zones or splits options

DUCK, MERGANSER, AND COOT SEASONS

Season Dates: Between the September 23, 2017 and January 28, 2018
Season Length: *High Plains Unit:* 97 days. The last 23 days may start no earlier than December 09, 2017
Low Plains Unit: 74 days
Daily Bag Limit: *Duck:* 6 ducks, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females), 3 scaup, 3 wood ducks, 2 redheads, 2 canvasbacks, and 1 pintail.
Merganser: 5 mergansers of which only 2 may be hooded mergansers. States have the option to include mergansers in the duck daily bag limit, in which case the daily limit of merganser would be the same as the duck bag limit (6), of which two may be hooded mergansers
Coot: 15 coots
Possession Limit: Three times the daily bag limit.
Shooting Hours: One-half hour before sunrise until sunset
Zones/ Split: *High Plains* – no zones and up to two segments

Low Plains – 3 zones with each having up to two segments
or no zones with three segments

GOOSE SEASONS

Season Dates:	<i>Dark Geese</i> (all geese except Ross's and snow geese): between September 23, 2017 and February 18, 2018 <i>Light Geese</i> (Ross's and Snow): between September 23, 2017 and March 10, 2018 <i>Light Goose Conservation Order</i> : between January 1, 2018 and April 30, 2018 (KAR 115-18-16). Must be held outside of all other waterfowl seasons
Season Length:	<i>Dark Geese</i> : Canada geese (or any other dark goose species except white-fronted geese) not to exceed 107 days White-fronted geese - states may select either a season of: Option A: 74 days with a bag limit of 3 Option B: 88-day season with a bag limit of 2 <i>Light Geese</i> : not to exceed 107 days <i>Light Goose Conservation Order</i> : Must be held outside of all other waterfowl seasons
Daily Bag Limit:	<i>Dark Geese</i> : Canada geese (or any other dark goose species except white-fronted geese) 8 geese White-fronted geese - states may select either a season of: Option A: 74 days with a bag limit of 3 Option B: 88-day season with a bag limit of 2 <i>Light Geese</i> : 50 light geese <i>Light Goose Conservation Order</i> : No daily bag limit
Possession Limit:	<i>Dark Geese</i> : Three times the daily bag limit <i>Light Geese</i> : No possession limit <i>Light Goose Conservation Order</i> : No possession limit
Shooting Hours:	<i>General Goose Seasons</i> : One-half hour before sunrise to sunset <i>Light Goose Conservation Season</i> : One-half hour before sunrise to one-half hour after sunset
Zones/ Split:	<i>General Goose Seasons</i> : No zones and up to two segments <i>Light Goose Conservation Season</i> : No zones or splits

YOUTH WATERFOWL HUNTING DAYS

States may select two consecutive days per duck-hunting zone, designated as "Youth Waterfowl Hunting Days," in addition to their regular duck seasons, under the following guidelines:

1. The days must be held outside any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate.
2. The days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.

3. The daily bag limits may include ducks, geese, tundra swans, mergansers, coots, moorhens, and gallinules and would be the same as those allowed in the regular season. Flyway species and area restrictions would remain in effect.
4. Shooting hours would be one-half hour before sunrise to sunset.
5. Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day.

EXTENDED FALCONRY SEASON

Season Dates:	Between September 1 and March 10
Season Length:	For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area.
Daily Bag Limit:	No more than 3 migratory game birds, singly or in the aggregate
Possession Limit:	Three times the daily bag limit
Hawking Hours:	One-half hour before sunrise to sunset
Zones/ Split:	Each extended season may be divided into a maximum of three segments

STAFF RECOMMENDATIONS

SEPTEMBER TEAL SEASON

Staff recommends adopting a 9-day season in the High Plains Unit (west of Hwy 283) and a 16-day season in the Low Plains Zones (east of Hwy 283) (See figure 1 for Kansas's Duck Hunting Zone Map). Adopt Federal Frameworks for daily bag limit, possession limit and shooting hours. Staff recommends the following season dates.

- High Plains Unit Sep. 16 to Sep. 24
- Low Plains Zones Sep. 9 to Sep. 24

DUCK, MERGANSER, AND COOT SEASONS

Staff recommends adopting a 96-day season in the High Plains unit and 74-day season in the Low Plains Zones (See figure 1 for Kansas's Duck Hunting Zone Map). Adopt Federal Frameworks for daily bag limit, possession limit and shooting hours and option A for merganser limit. Staff recommends the following season dates.

- | | |
|-----------------------------|---|
| - High Plains Unit: | Oct. 7 to Jan. 1 and Jan. 20 to Jan. 28 |
| - Low Plains Early Zone | Oct. 7 to Dec. 3 and Dec. 16 to Dec. 31 |
| - Low Plains Late Zone | Oct. 28 to Dec. 31 and Jan. 20 to Jan. 28 |
| - Low Plains Southeast Zone | Nov. 11 to Dec. 31 and Jan. 6 to Jan. 28 |

YOUTH WATERFOWL HUNTING DAYS

Staff recommends adopting two youth waterfowl hunting days. Adopt Federal Frameworks daily bag limit, possession limit and shooting hours. Staff recommends the following season dates.

- | | | |
|---|---------------------------|--|
| - | High Plains Unit: | One week prior to general duck season (Sep. 30 and Oct. 1) |
| - | Low Plains Early Zone | One week prior to general duck season (Sep. 30 and Oct. 1) |
| - | Low Plains Late Zone | One week prior to general duck season (Oct. 21 and 22) |
| - | Low Plains Southeast Zone | One week prior to general duck season (Nov. 4 and 5) |

CANADA, WHITE-FRONTED, BRANT, AND LIGHT GEESE

Staff recommends adopting a 105-day season for dark geese (Canada geese or any other dark goose species except white-fronted geese): and light geese (Snow and Ross's) and Option B (88-day season with a bag limit of 2) for white-fronted geese. Adopt Federal Frameworks for daily bag limit, possession limit for light and whited fronted geese, and daily bag limit of 6 dark geese with 18 in possession and Federal Framework for shooting hours. Staff recommends the following season dates.

- Dark Geese: Oct. 28 to Oct. 29 and Nov. 8 to Feb. 18
- White-fronted geese: Oct. 28 to Dec. 31 and Jan. 27 to Feb. 18
- Light Geese: Oct. 28 to Oct. 29 and Nov. 8 to Feb. 18
- Light Goose Conservation Order: Feb. 19 to Apr. 30

EXTENDED FALCONRY SEASON

Staff recommends adopting a 15-day season in the in the Low Plains Unit (See figure 1 for Kansas's Duck Hunting Zone Map). Adopt Federal Frameworks for daily bag limit, possession limit and hawking hours. Staff recommends the following season dates.

- | | | |
|---|---------------------------|------------------------------------|
| - | High Plains Unit: | Closed to extended falconry season |
| - | Low Plains Early Zone | Feb. 24 to Mar. 10 |
| - | Low Plains Late Zone | Feb. 24 to Mar. 10 |
| - | Low Plains Southeast Zone | Feb. 24 to Mar. 10 |

Table 1. Kansas September Teal Season Dates and September Teal Harvest from 1992 to 2016

Year	Low Plains Dates	Hunting Days	High Plains Dates	Hunting Days	Bag Limit	Green- winged Teal	Blue- winged Teal	Total Harvest
1992*	Sept 12-20	9	Sept 12-20	9	4	4,267	12,902	17,169
1993*	Sept 11-19	9	Sept 11-19	9	4	1,081	5,604	6,685
1994*	Sept 10-18	9	Sept 10-18	9	4	2,217	7,083	9,300
1995*	Sept 16-24	9	Sept 16-24	9	4	1,896	10,227	12,123
1996*	Sept 14-22	9	Sept 14-22	9	4	1,415	17,115	18,530
1997*	Sept 13-21	9	Sept 13-21	9	4	2,367	14,858	17,225
1998*	Sept 12-27	16	Sept 12-20	9	4	8,454	19,727	28,181
1999*	Sept 11-26	16	Sept 11-19	9	4	3,052	28,022	31,074
2000	Sept 9-24	16	Sept 9-16	8	4	4,621	27,724	32,345
2001	Sept 15-30	16	Sept 15-22	8	4	1,790	10,741	12,531
2002	Sept 21-29	9	Sept 21-28	8	4	3,783	8,723	12,506
2003	Sept 13-28	16	Sept 20-27	8	4	9,024	21,393	30,417
2004	Sept 18-26	9	Sept 18-25	8	4	2,901	19,173	22,074
2005	Sept 17-25	9	Sept 17-24	8	4	2,200	10,387	12,587
2006	Sept 9-24	16	Sept 16-23	8	4	4,733	23,664	28,397
2007	Sept 8-23	16	Sept 15-22	8	4	4,534	25,582	30,116
2008	Sept 13-28	16	Sept 13-20	8	4	7,200	15,120	22,320
2009	Sept 12-27	16	Sept 19-26	8	4	2,775	15,165	17,940
2010	Sept 11-26	16	Sept 18-26	9	4	1,812	16,829	18,641
2011	Sept 10-25	16	Sept 17-25	9	4	1,748	22,562	24,310
2012	Sept 8-23	16	Sept 15-23	9	4	4,298	19,420	23,718
2013	Sept 7-22	16	Sept 14-22	9	6	2,323	28,213	30,536
2014	Sept 13-28	16	Sept 20-28	9	6	2,806	36,736	39,542
2015	Sept 12-27	16	Sept 19-27	9	6	3,620	28,504	32,124
2016	Sept 10-25	16	Sept 17-25	9	6	N/A**	N/A**	N/A**

* Harvest estimates from 1999 to current are based on Harvest Information Program (HIP). For years prior to 1999, harvest estimates are based on USFWS Mail Survey Questionnaire.

** Harvest Data is not available.

Figure 1. Kansas Duck Hunting Zones

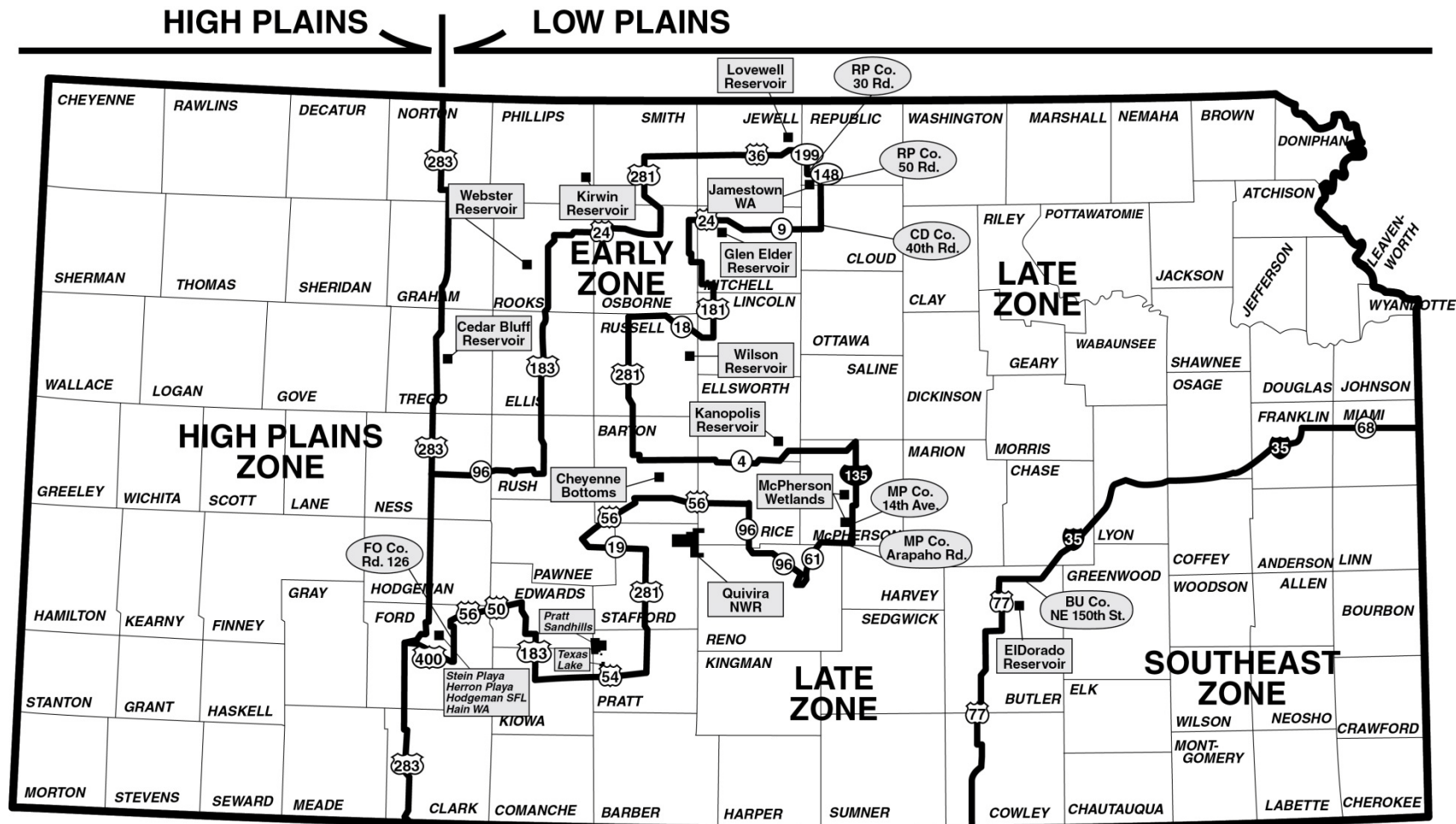


Table 2. Historic season dates by zone in Kansas from 1993 to 2016

Year	Season Days	High Plains (HP)	Low Plains Early	Low Plains Late	Low Plains Southeast
2016	74 +23 HP	Oct 8 – Jan 1 Jan 20 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 – Jan 1 Jan 21 - Jan 29	Nov 12 – Jan 1 Jan 7 - Jan 29
2015	74 +23 HP	Oct 10 – Jan 4 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 – Jan 3 Jan 23 - Jan 31	Nov 14 – Jan 3 Jan 9 - Jan 31
2014	74 +23 HP	Oct 11 - Dec 8 Dec 20 - Jan 25	Oct 11 - Dec 7 Dec 20 - Jan 4	Nov 01 – Jan 04 Jan 17 - Jan 25	Nov 8 – Nov 9 Nov 15 - Jan 25
2013	74 +23 HP	Oct 5 - Dec 2 Dec 21 - Jan 26	Oct 5 - Dec 1 Dec 21 - Jan 5	Oct 26 - Dec 29 Jan 18 - Jan 26	Nov 2 – Nov 3 Nov 16 - Jan 26
2012	74 +23 HP	Oct 6 - Dec 30 Jan 19 - Jan 27	Oct 6 - Dec 2 Dec 15- Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	Nov 15 - Jan 27
2011	74 +23 HP	Oct 8 - Jan 2 Jan 21 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	Nov 5 - Jan 8 Jan 21 - Jan 29
2010	74 +23 HP	Oct 9 - Jan 3 Jan 22 - Jan 30	Oct 9 - Dec 5 Dec 18 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2009	74 +23 HP	Oct 10 - Jan 5 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 - Jan 3 Jan 23 - Jan 31	--
2008	74 +23 HP	Oct 4 - Dec 30 Jan 17 - Jan 25	Oct 11- Dec 7 Dec 20 - Jan 4	Oct 25 - Dec 28 Jan 17 - Jan 25	--
2007	74 +23 HP	Oct 6 - Jan 1 Jan 19 - Jan 27	Oct 13 - Dec 9 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	--
2006	74 +23 HP	Oct 7 - Jan 2 Jan 20 - Jan 28	Oct 14 - Dec 10 Dec 16 - Dec 31	Oct 28 - Dec 31 Jan 20 - Jan 28	--
2005	74 +23 HP	Oct 8 - Jan 3 Jan 21 - Jan 29	Oct 15 - Dec 11 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	--
2004	74 +23 HP	Oct 9 - Jan 4 Jan 22 - Jan 30	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2003	74 +23 HP	Oct 11 - Jan 6 Jan 17 - Jan 25	Oct 11 - Dec 14 Dec 26 - Jan 3	Oct 25 - Nov 2 Nov 8 - Jan 11	--
2002	74 +23 HP	Oct 12 - Jan 7 Jan 18 - Jan 26	Oct 12 - Dec 15 Dec 24 - Jan 1	Oct 26 - Nov 3 Nov 9 - Jan 12	--
2001	74 +23 HP	Oct 6 - Jan 1 Jan 12 - Jan 20	Oct 13 - Dec 16 Dec 24 - Jan 1	Oct 27 - Nov 4 Nov 10 - Jan 13	--
2000	74 +23 HP	Sep 30 - Jan 1 Jan 19 - Jan 21	Oct 7 - Dec 10 Dec 23 - Dec 31	Oct 21 - Oct 29 Nov 4 - Jan 7	--
1999	74 +23 HP	Oct 2 - Jan 2 Jan 20 - Jan 23	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 23 - Oct 31 Nov 6 - Jan 9	--
1998	74 +23 HP	Oct 3 - Jan 3 Jan 14 - Jan 17	Oct 10 - Dec 13 Dec 26 - Jan 3	Oct 24 - Nov 1 Nov 7 - Jan 10	--
1997	74 +23 HP	Oct 4 - Jan 4 Jan 15 - Jan 18	Oct 4 - Dec 7 Dec 20 - Dec 28	Oct 25 - Dec 14 Dec 20 - Jan 11	--
1996	60 +23HP	Oct 12 - Dec 1 Dec 7 - Jan 7	Oct 12 - Dec 1 Dec 21 - Dec 29	Nov 2 - Dec 15 Dec 21 - Jan 5	--
1995	60 +23HP	Sep 30 - Oct 3 Oct 14 - Dec 17 Dec 23 - Jan 5	Oct 21 - Oct 29 Nov 11 - Dec 17 Dec 23 - Jan 5	--	--
1994	49 +12 HP	Oct 15 - Oct 31 Nov 11 - Dec 11 Dec 21 - Jan 2	Oct 22 - Oct 31 Nov 11 - Dec 11 Dec 26 - Jan 2	--	--
1993	39 +12HP	Oct 16 - Oct 31 Nov 13 - Dec 5 Dec 22 - Jan 1	Oct 23 - Oct 31 Nov 13 - Dec 12	--	--

Table 3. The 2016 duck population and pond estimates from the annual Waterfowl Breeding Population and Habitat Survey and comparison to 2015 and long-term average. (Numbers are in millions). The 2017 estimates are not available until late July.

Species	2016	2015	% Change from 2015	% Change for Long-Term Average
Mallard	11.8	11.6	1%	51%
Gadwall	3.7	3.8	-3%	90%
American Wigeon	3.4	3.0	12%	31%
Green-winged Teal	4.3	4.1	5%	104%
Blue-winged Teal	6.7	8.5	-22%	34%
Northern Shoveler	4	4.4	-10%	56%
Northern Pintail	2.6	3.0	-14%	-34%
Redhead	1.3	1.2	8%	82%
Canvasback	0.7	0.8	-3%	26%
Scaup	5	4.4	14%	0%
Total Ducks	48.4	49.5	-2%	38%
May Pond Counts	5.0	6.3	-21%	-4%

Figure 2. Estimates of active duck hunters and duck harvest in Kansas from 1999 to 2015 based upon the Harvest Information Program. 2016 harvest data is not available until late July.

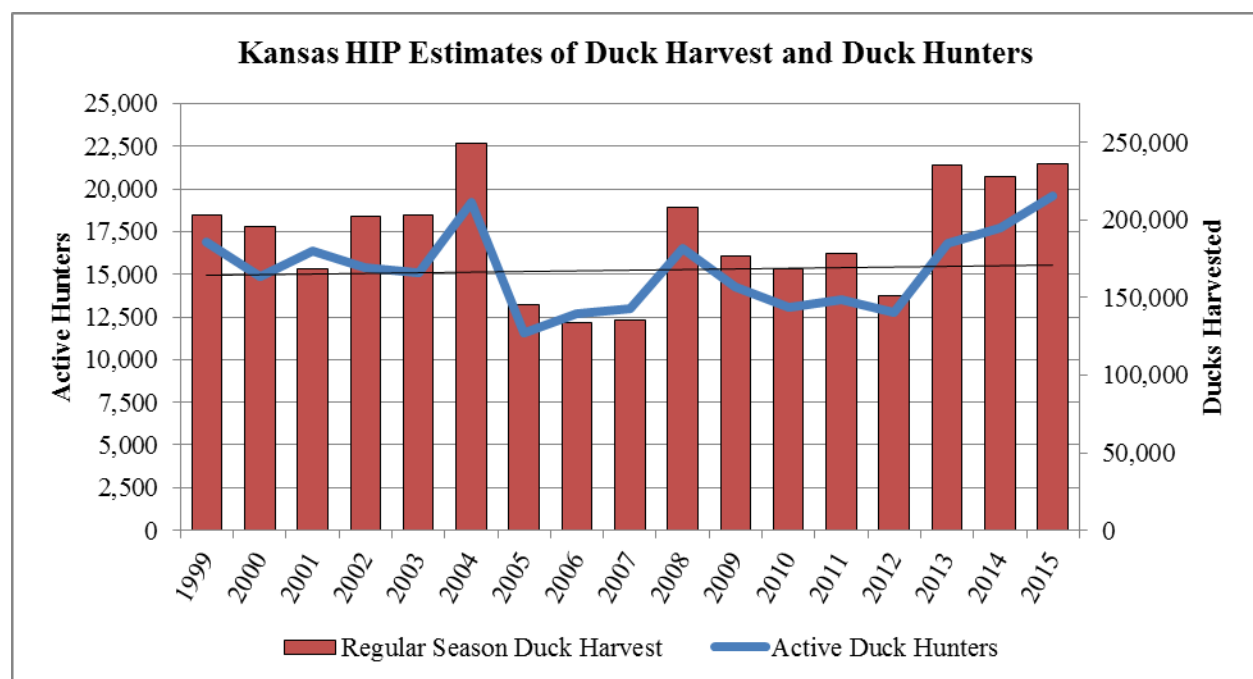


Table 4. Estimates of active duck hunters, regular season duck harvest, and average duck per hunter, average seasonal bag per hunter, and total duck hunter days in Kansas from 1999 to 2015 as estimated by the Harvest Information Program. The 2016 harvest data is not available until late July.

Year	Active Duck Hunters	Regular Season Duck Harvest	Average Duck Hunter Days	Average Seasonal Duck Bag	Duck Hunter Days
1999	16,900	203,226	7.5	13.9	126,800
2000	14,900	195,555	7.2	15.2	107,400
2001	16,344	168,267	6.2	11.1	100,989
2002	15,426	202,093	6.7	13.9	102,744
2003	15,100	203,184	7.1	15.5	107,600
2004	19,200	249,126	6.5	14.2	124,000
2005	11,600	145,413	7.6	13.7	87,700
2006	12,663	133,701	6.7	12.8	85,416
2007	13,021	135,523	6.3	12.7	82,149
2008	16,531	208,056	6.4	13.9	106,154
2009	14,259	176,862	6.5	13.6	92,081
2010	13,053	168,422	6.1	14.3	79,064
2011	13,534	178,112	7.1	15.0	96,138
2012	12,739	150,901	7.1	13.7	90,851
2013	16,847	235,335	6.3	15.8	105,344
2014	17,700	228,300	5.8	15.9	101,802
2015	19,600	236,200	5.0	12.1	98,300
Long-term Average	15,260	189,310	6.7	13.8	99,678
% Change from 2014	10.7%	3.5%	-12.9%	-6.2%	-3.4%
% Change from LTA	28.4%	24.8%	-25.0%	-12.2%	-1.4%

Table 5. Duck species composition in the Kansas regular duck season harvest from 1999 to 2015 and as estimated by the Harvest Information Program. The 2016 harvest data is not available until late July.

Year	Total Duck Harvest	Mallard	Gadwall	Green-winged Teal	Blue-winged Teal	Pintail	American Wigeon	Northern Shoveler	Wood Duck	Diving Ducks*
1999	203,226	114,167	27,189	21,918	6,936	5,410	7,075	4,578	4,439	10,404
2000	195,555	102,846	29,363	27,872	2,385	7,453	12,520	1,789	2,683	7,154
2001	168,267	97,739	19,154	20,049	1,074	7,339	6,265	3,401	3,938	8,055
2002	202,093	93,112	36,572	31,423	3,468	4,624	13,032	3,783	3,153	10,614
2003	203,184	95,711	41,063	24,536	4,258	4,157	15,513	4,258	3,751	8,315
2004	249,126	133,582	41,374	29,012	6,812	3,280	13,371	5,298	3,027	10,595
2005	145,413	84,193	21,629	13,197	1,588	3,666	7,332	4,277	1,589	7,453
2006	133,701	55,780	30,594	11,156	1,183	2,704	7,944	6,254	2,874	14,198
2007	135,523	61,041	27,687	22,182	1,296	2,591	6,638	4,210	1,133	7,125
2008	208,056	98,160	34,080	22,560	3,840	6,872	17,760	2,400	3,600	16,864
2009	176,862	80,574	27,589	23,569	3,654	5,664	11,511	7,674	3,106	11,876
2010	168,422	76,639	30,940	15,276	3,366	5,437	8,415	9,321	3,366	14,369
2011	178,112	85,163	29,553	18,113	4,131	5,243	8,262	8,262	2,224	14,777
2012	150,901	78,157	32,473	9,232	1,910	6,367	7,959	2,706	1,114	9,869
2013	235,335	94,432	34,188	32,861	20,414	12,115	9,460	12,945	2,655	15,435
2014	228,300	114,417	13,648	24,873	47,961	4,847	4,975	4,592	1,531	10,716
2015	236,200	112,358	31,068	20,813	39,816	6,033	9,803	4,524	1,508	8,897
Average	189,310	92,828	29,892	21,685	9,064	5,518	9,873	5,310	2,688	10,983
% Change from 2014	-3.5%	-1.8%	127.6%	-16.3%	-17.0%	24.5%	97.0%	-1.5%	-1.5%	-17.0%
% Change Average	25%	21.0%	3.9%	-4.0%	339.3%	9.3%	-0.7%	-14.8%	-43.9%	-19.0%

* includes redhead, canvasback, ring-necked duck, lesser scaup, greater scaup, goldeneye and ruddy duck

Table 6. Historic general goose seasons in Kansas from 2006 to 2016.

Season	Canada Goose	Light Goose	White-fronted Goose
2016	Oct 29 - Jan 01 Jan 04 - Feb 12	Oct 29 - Jan 01 Jan 04 - Feb 12	Oct 29 - Jan 01 Jan 21 - Feb 12
2015	Oct 31 - Nov 01 Nov 04 - Feb 14	Oct 31 - Nov 01 Nov 04 - Feb 14	Oct 31 - Jan 03 Jan 23 - Feb 14
2014	Nov 01 - Nov 09 Nov 12 - Feb 15	Nov 01 - Nov 09 Nov 12 - Feb 15	Nov 01 - Dec 14 Jan 17 - Feb 15
2013	Oct 26 - Nov 03 Nov 06 - Feb 09	Oct 26 - Nov 03 Nov 06 - Feb 09	Oct 26 - Dec 29 Feb 01 - Feb 09
2012	Oct 27 - Nov 04 Nov 07 - Feb 10	Oct 27 - Nov 04 Nov 07 - Feb 10	Oct 27 - Dec 30 Feb 02 - Feb 10
2011	Oct 29 - Nov 06 Nov 09 - Feb 12	Oct 29 - Nov 06 Nov 09 - Feb 12	Oct 29 - Jan 01 Feb 04 - Feb 12
2010	Oct 30 - Nov 07 Nov 10 - Feb 13	Oct 30 - Nov 07 Nov 10 - Feb 13	Oct 30 - Nov 07 Nov 10 - Jan 02 Feb 05 - Feb 13
2009	Oct 31 - Nov 08 Nov 11 - Feb 14	Oct 31 - Nov 08 Nov 11 - Feb 14	Oct 31 - Nov 08 Nov 11 - Jan 03 Feb 06 - Feb 14
2008	Oct 25 - Oct 26 Nov 05 - Feb 15	Oct 25 - Oct 26 Nov 05 - Feb 15	Oct 25 - Oct 26 Nov 05 - Jan 04 Feb 07 - Feb 15
2007	Oct 27 Oct 28 Nov 07 - Feb 17	Oct 27 Oct 28 Nov 07 - Feb 17	Oct 27 - Oct 28 Nov 07 - Jan 06 Feb 09 - Feb 17
2006	Oct 28 - Oct 29 Nov 08 - Feb 18	Oct 28 - Oct 29 Nov 08 - Feb 18	Oct 28 - Oct 29 Nov 08 - Jan 07 Feb 10 - Feb 18

Figure 3. Estimates of active goose hunters and goose harvest in Kansas from 1999 to 2014 based upon the Harvest Information Program. The 2016 harvest data is not available until late July.

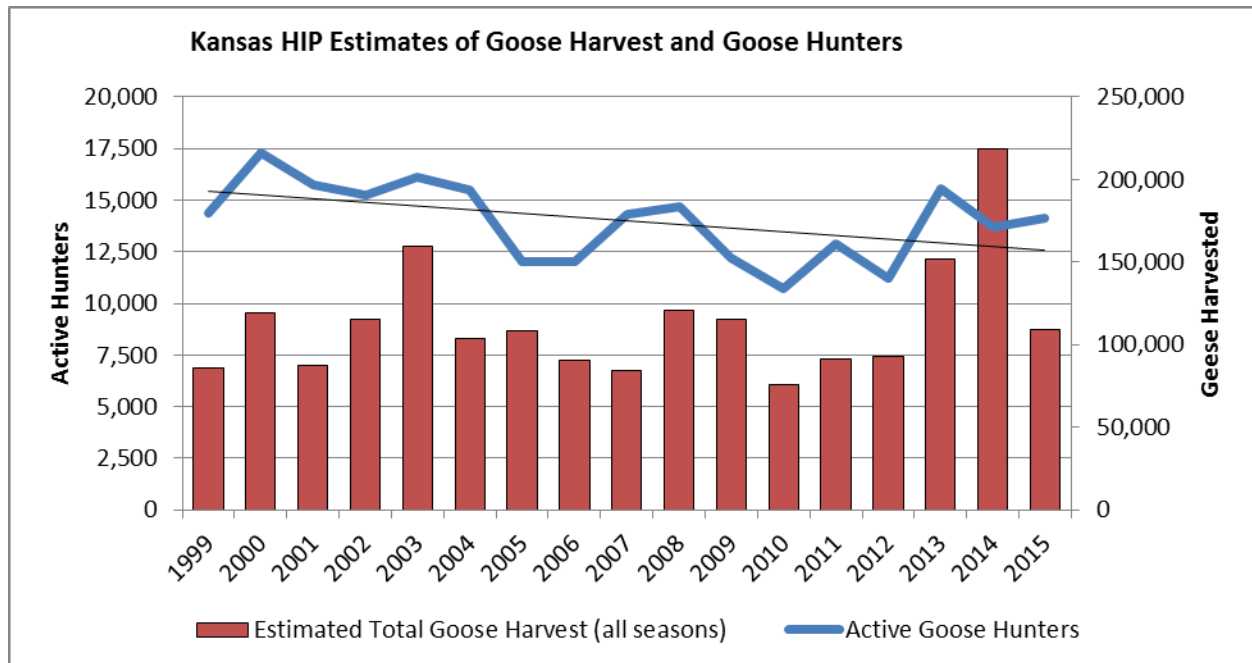


Table 7. Estimates of active goose hunters, total season goose harvest, average goose per hunter, average seasonal bag per hunter, total goose hunter days, and regular season harvest for Canada, light goose and white-fronted geese in Kansas from 1999 to 2015 based upon the by the Harvest Information Program. The 2016 harvest data is not available until late July.

Year	Active Goose Hunters	Total Goose Harvest	Avg. Goose Hunter Days	Avg. Goose Seasonal Bag	Goose Hunter Days	Canada Goose Harvest	Light Goose Harvest	White- fronted Goose Harvest	Light Goose Conservation Season
1999	14,400	85,700	6.5	5.9	93,300	66,255	12,048	5,476	11,165
2000	17,300	119,000	6.5	6.9	112,200	98,005	8,164	11,303	11,937
2001	15,715	87,499	5.7	5.6	89,663	72,707	4,405	4,721	35,138
2002	15,248	115,400	5.2	7.6	79,771	80,982	18,222	8,966	17,087
2003	16,100	159,700	7.2	9.9	116,200	123,866	19,263	9,735	65,608
2004	15,500	103,700	6.3	6.7	98,000	80,118	16,481	5,688	25,272
2005	12,000	108,300	7.1	9.1	84,800	99,178	3,689	970	18,802
2006	12,038	90,400	5.1	7.5	60,994	59,566	12,848	2,336	12,711
2007	14,294	84,699	5.6	5.9	79,723	59,968	10,943	13,788	4,260
2008	14,692	120,900	5.7	8.2	83,525	87,067	12,540	16,325	11,924
2009	12,213	115,201	6.5	9.4	78,955	92,267	4,267	12,267	15,244
2010	10,700	75,800	5.3	7.1	56,936	66,494	4,459	4,847	53,863
2011	12,900	91,653	5.9	7.1	75,795	51,900	19,876	19,877	62,092
2012	11,207	92,367	6.5	8.3	73,084	72,204	13,016	7,127	72,447
2013	15,543	151,837	5.7	9.8	88,386	108,657	27,253	15,927	92,825
2014	13,700	218,300	5.9	15.9	80,287	166,812	32,409	19,064	55,271
2015	14,100	108,900	4.1	7.7	58,200	71,175	21,928	15,817	41,416
Average	13,973	113,815	6.0	8.2	84,476	86,628	13,743	9,901	50,635
% Change from 2014	2.9%	-50.1%	-29.4%	-51.6%	-27.5%	-57.3%	-32.3%	-17.0%	-25.15%
% Change Average	0.9%	-4.1%	-31.6%	-5.6%	-29.8%	-20.5%	29.2%	13.7%	18.2%