

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
Thursday, June 23, 2022
Douglas County Fairgrounds, Flory Meeting Hall
2120 B Harper St, Lawrence, Ks
including a
Virtual ZOOM Meeting Option**

Approved Subject to
8/4/22 Commission
Approval

Pre-meeting discussion with Kansas guides and outfitters 9 a.m.-11 a.m.

The June 23, 2022, meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. Chairman Lauber and Commissioners Aaron Rider, Lauren Queal Sill, Phil Escareno and Emerick Cross were present. Warren Gfeller and Troy Sporer attended via Zoom.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

The Commissioners and department staff introduced themselves (Attendance Roster – Exhibit A).

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – No changes (Agenda – Exhibit B).

IV. APPROVAL OF THE April 21, 2022 and May 27, 2022, MEETING MINUTES

Commissioner Aaron Rider moved to approve the minutes for April and May, Commissioner Lauren Sill second. *Approved* (April 21 Minutes – Exhibit C; May 27 Minutes – Exhibit D).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Tim Nedeau – Visited Osage and Pomona lakes and Pomona primarily is overrun with sericea lespedeza. Is there any plans to spray the noxious weeds? Secretary Loveless – Get with you and find out where you are looking at and get with parks or public lands, depending on where ground is and get specifics on that. It is a priority with us to deal with sericea. Nedeau – Didn't know if I needed to go to the state park office and talk to the guys there. Secretary Loveless – If you are confident it is in the park, go to the office. Nedeau – A year ago this month the Supreme Court made a ruling, 6-3 that a state cannot give a third party permission to trespass on to private lands. I contacted Pratt, had correspondence with Nadia and the reply she said came from legal counsel was this does not affect Kansas. State statute 32-1013, section c says a licensed hunter can pursue wounded wildlife on private property without asking permission. If the Supreme Court ruled this is a violation of a property owner, 5th and 14th amendment rights, because we are not being justly compensated for somebody coming on our land. Legal Counsel said it didn't apply to Kansas. Dan Riley – It wasn't me, so I am not familiar with the answer or the question. Was

that the U.S. Supreme Court? Nedeau – Yes, last summer. Riley – Let me get your contact information because I will have to do some checking because I am not familiar with that opinion.

Frank Cline, Douglas County. Keeping blue catfish from Perry over 35 inches? Last summer we caught 13 blue cats in a few hours, from 13 pounds and up. Is there ever a chance you will let us keep one? John Reinke – Perry is close to coming off the standard 35-inch minimum that we apply once the reservoir has blue cats to protect them until we have enough brood stock and spawning and self-reproducing successfully. Melvern and Clinton are also, close to being opened up too more harvest, did it this year at Tuttle Creek. We monitor those populations every year and biologists are collecting data throughout the year, analyze in the fall and present recommendations for changes here. Looking at that closely, not sure what year it will be, could be next year or down the road. Cline – At Marion a couple of weeks ago and walked up on guy who said he had caught 17 crappie, but there wasn't two over 10 inches. In my opinion they need to be 10 inches. My other concern is how many crappie are being harvested by this new technology? I know two guys who went to Milford and caught 96 crappie. Bryan Sowards – Crappie situation is not new to us. In the last few years new technology has caused some concern from public. Our research and survey office in Emporia is looking into that new technology on harvest rates of crappie and blue catfish. Preliminary information was that it depends on experience with the equipment, but active target or live scope activity and traditional fishing didn't differ that much. Aware some out there really good with that technology but haven't been able to discern population impacts yet.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission – Governor's budget recommendation for our agency passed basically unchanged. Approved budget for FY 2023 is \$97.8 million. In addition, the legislature passed the Governor's request for a 5% salary increase for state employees not part of a defined pay plan. This benefited the majority of agency employees but some law enforcement officers were excluded from that pay increase. Currently we are look at law enforcement as well as some other divisions about comparing their current pay to peers in neighboring states. We believe we are low, want to be competitive and compensate our folks as best we can so, working with the human resources and Department of Administration to evaluate those pay grades. Park Fee Fund (PFF) at end of May, was \$11.139 million, 11% decrease over last year, however higher compared to long-term average. Parks doing well accommodating more people. Cabin revenue \$1.32 million, 16% less than a year ago but higher than long-term average. Wildlife Fee Fund (WFF) that so many of our divisions depend on, declined 28% but is similar to five-year average, \$29.3 million and balance was just over \$30 million. Boating Fee Fund (BFF) is what we use to provide safety, education and access infrastructure to protect and support the boating public. Year-to-date our receipts are \$1.116 million, less than last year but above long-term average. End of fiscal year, wrapping up and beginning of new fiscal year on July 1. Capital improvements plans are being finalized and we will present those in the fall. One concern is impact of inflation on the agency budget field operations. The increase in fuel prices had a big impact and I am sure you are aware, construction prices, and facilities needed that we got a bid a year ago are not applicable because things are increasing so much. It is hard to get allocations, project to legislature what we want to build and spend and if that is delayed by a couple years numbers are no longer meaningful, so a real challenge. What our managers are having to do is

project for “x” number of building and when the time comes it might be “x” minus 40% that we can afford. A moving target that we are dealing with, but a lot of work and engineering in the middle of that process and struggling to hold bids and contractors to be accountable. We know their costs are changing too and we don’t want to be unfair to them. A challenging time for us. Commissioner Escareno – Money set aside for buildings and those types of things, if bids come in over cost and we are not able to do those, are you able to carry that over to the next year or does that money go away? Secretary Loveless – We can for a couple of years but every year we are having to move items along that we weren’t able to complete so go to legislature and ask for appropriation to spend money, and we revise that each year. It is a constant changing target. We go to legislature to upgrade that every year.

2. 2022 Legislative Update – Dan Riley, agency chief counsel, presented this update to the Commission – One piece of legislation that came out last year was HB 2476, it authorized us to establish some distinctive license plates as a fund raiser for a way for people to be able to support Wildlife and Parks. Since images shown last meeting, we had contact with Department of Revenue and what we have learned is that our designs did not pass the clarity test. The initial part of the process is to take tags and run them through law enforcement review, because purpose of a tag is to identify a vehicle, so the color combinations have to meet clarity standards. Our tags do not. This is not an endpoint, not a wall, just a hurdle. We will take guidance from Revenue and redo; most have a light solid colored background that doesn’t conflict with the black letters and numbers can only be black. We will redesign the backgrounds to not conflict with letters and numbers. We can retain the graphics, the chickadee, the buck, the bass, which has to be smaller and lighter colored. The one thing I did find out that it is up to our discretion the color for the other lettering on the plate, Kansas at the top and lettering on the bottom can be a color of our choice, thought about blaze orange if highly visible is one of the criteria. They will provide us criteria of what we need to meet. We have legislative approval, tags are only for passenger class vehicles, not RV or trailer, so park passport will still be in existence for those vehicles and people who chose not to buy one. We shouldn’t have any trouble having these ready to roll out in January, but additional work to do at this time. The other bill, HB 2087 (Exhibit E), passed session that does rework on regulation process. It is difficult to characterize the atmosphere between the legislature and the regulatory process. At times hot and others cold. There is definitely friction between those two phases of government at this time. This bill, in part, restructures the process of review, it realigns the order of the review. Expectations are that it will be beneficial but also creates requirement of five-year review report by every agency to justify every regulation they have and why they shouldn’t be revoked, which is a drastic measure. It seems to cut the corners of separation between administration of executive agencies and legislators. Something else coming up in November is ballad initiative, would authorize the legislature to revoke or suspend any executive agency rules and regulations by a simple majority vote. The business of promulgating regulations or deciding those issues in terms of how to best administer the business of the agency would be completely taken out of the hands of the agency, it would give legislature the ability to revoke anything without agency involvement. It is startling when you think about the immediate consequences in terms of our operations. Any time you have a major procedural change it takes time to get up to speed, the level and the roles of everybody in the process. The immediate impact on us were the nine regs we had submitted in April, change took place in May, kicked back out of the process and since that time the process has been a mess. Regs started in April are still in the process. You are aware of how dependent we are the ability to change our regulations as needed to make adjustments we need to, often

times on an annual basis. It is critical how well this process functions and our ability to get information in there and regulation changes out of there. A gnarled-up mess at this point. Immediate impacts will dissolve and fade out as people get used to the changes. Don't know what time frame will be. Taking a lot more time than it should. Some changes may be occurring in November depending on that vote. We may be called on to defend and justify every regulation we have at some point in time, harsh reality. Not sure where angst and friction has come from. Possibly intensified by public health issues and that has fueled some of the attack in terms of agency's ability. Some of that hostility has spilled over into the review committee that we have to appear before with every set of regulations. It is not that the legislature hasn't had access to the process in terms of comment or some other impact on regulations, with filing procedure but definitely with the ability to revoke or suspend any regulation without any involvement of the agency is a bold step. Commissioner Sill – Is that going to require a simple majority or super majority? I thought it was super majority, not simple majority. Riley – I think it is simple majority. That is on November ballot. Chairman Lauber – Assuming this passes I assume we will have to have a person(s) preparing template format to be able to make this presentation every five-years. Is it five years that you don't have to do anything or a certain amount of regulations each year for five years? Riley – The way it appears in the statute, I read it as every five years the schedule will roll over. Each agency will be required to provide justification on each regulation and why each regulation should not be revoked. Chairman Lauber – Anytime legislation is in session they can pass a no vote or cancel a deer regulation or something? Riley – If that initiative passes. Under current law, HB 2087 that passed, we will be required to go before that committee in five years and justify the existence of every regulation. Chairman Lauber – But if the initiative passes? Riley – They can do it on any schedule, on a whim without any prior notice or any involvement with anyone outside the legislature. One of the things that surprised me, you see politicking related to constitutional initiatives and I haven't seen anything about this one. No mention opposed or in favor at all, which is troubling. The legislative action already has had an impact on the behavior of agencies involved in the review process. Those people have heard the shots go over their heads and also why the process has ground down to a slower moving thing than it was before. They are double-crossing all the "Ts" and dotting "Is" because they have received something in the form of a veiled threat from the legislature in terms of overview of the process. The integrity of the reg promulgation process is one of the highest standards in terms of state government and that process has always been very thorough. If you look at scrutiny of regulations go through before it actually becomes a law it is a lot higher than any statute goes through, which are basically an idea that gets thrown in front of the committee any may walk out as law. My comments are my own. Regulations are highly scrutinized, always been there as far as regulations. Commissioner Sill – Where will public education come from prior to that November election? There is a lot of state agencies this effects but this is going to sound like boring benign stuff to the general public, but it is a big deal. Where does public education come from. Riley – I don't know. If you think about it the agencies with the biggest stake in all this are also subject to the whims of the legislature and in fear of speaking up. I honestly don't have a good answer for that. Secretary Loveless – We can't lobby on our own behalf, but we do make every effort to educate our stakeholders who want to help the agency function efficiently. This could really change the way we are able to function and change the way our regulations have thoughtfully been considered, with input from the public and final decision by the commission. That could cause them to change very quickly in the legislature. One thing we can do and should do is reach out to our stakeholders and let them know it is coming up on a ballot. Give them the information, while not arguing one way or the other, but bring forward and let them know how it will affect the agency. Chairman Lauber – A big deal and gives me a creepy feeling.

B. General Discussion

1. Turkey Regulations - Kent Fricke, small game coordinator, presented these regulations to the Commission (Exhibit F, PowerPoint – Exhibit G). Beginning of discussion on turkey regulations, will discuss at three or four meetings. During 2021, we discussed three primary topics. Increased spring turkey season youth eligibility to 17 years and younger. We tried to do that department-wide for all youth seasons. We set 2023 spring and fall season dates; and included handguns as legal equipment for spring and fall seasons and started this spring, 10-inch choked barrel length and usual requirements for shoulder mounted shotguns. By the end of the year, we will have 2024 season dates, discuss 2023 bag limits and get feedback on valid units in Unit 4 permits. Season dates, spring, youth and disabled begins April 1, get a full weekend; archery starts Monday after first full weekend, 9 days; and regular season starts Wednesday after second full weekend. Beginning in 2020 the fall season was changed from October 1 to January 31 was reduced to 41-day season from October 1 to November 10. This year, 2022, one of earliest starts to season and will have same October 1 to November 10 fall season. For 2023, earliest start before calendar begins repeating itself. Youth/disabled season will be April 1 and 2, followed by archery nine days of archery and regular season starting on April 12. If we continue that structure moving forward, have latest flip to regular season because starts on April 1. If we continue this structure moving forward 2024 will be a flip of that and be latest start to regular season. Because April 1 begins on a Monday, we won't have full weekend until April 6 and 7. Spring turkey abundance, through April rural mail carrier survey. Statewide estimate saw a little bit of a bump this year, within confidence intervals. As folks have mentioned at previous meetings the turkey population statewide in Kansas peaked around 2008 and slow decline since then. In NW and SW, Units 1 and 4, increases by unit and slower declines, but especially in the west we see relatively stable populations from 2012 on. In the central part, Units 2 and 5, more dramatic change. Get into more turkey habitat that can support a higher density of turkeys. After 2012 slow decline, mostly affected by 2019 flooding events. In east, slow declines and peaks happened a little earlier, late 2000s and these areas of the state that support higher densities because of habitat. Got a decent hatch last year and decent increase this year and question is whether it will sustain itself or not. In fall, low participation and declining participation rate in fall season and true in spring season as well but not dropping off as quickly, 10-15% in terms of permit buyers, and spring season with still relatively high percentage of nonresidents. Since 2016, 2017 was first year with no game tags in fall and see slow decrease in terms of residents and nonresidents using the season. 2020 Covid had restricted number of nonresidents allowed to hunt during that spring. In general, declining resident base of turkey hunters and nonresidents relatively consistent year to year. Bag limits, for 2022 still had two-bird bag limit in Units 1 and 2 and Units 3, 5 and 6 with one-bird limit. Unit 4 with one-bird limit. and limited draw for those 500 permits. There were no hunting incidents reported for our turkey season that we know of. An issue we haven't brought to the commission before but would appreciate feedback on. For several years some of our biologist interested in whether or not Unit 4 permit should be allowable to use in adjacent units. That is a 500 permit draw system with application every January/February, half of those, by statute, are required for landowners and the remainder can be applied for by any Kansas resident. Currently if you draw one of those permits it is valid in Unit 4 but also each of those adjacent units, Units 1, 2 and 5. We are asking your thoughts in terms of restricting that to only be allowed in Unit 4. Comments we have heard in support of this change, with people traveling more for turkeys, if restricted to just Unit 4 some may not be as likely to apply for those tags and if fewer people applying might be more opportunity for residents who

live in Unit 4. No recommendations yet, appreciate thoughts. Reminder of process, give data, doing spring survey right now, ends June 30, take data and analysis it, have turkey committee meeting in early July, made up of public lands managers, wildlife division biologists and National Wild Turkey Federation, and law enforcement. We meet and go over data and I develop recommendations which I will present in August. I will have additional information on population trends, harvest estimates and our staff recommendations. Commissioner Sill – Do you differentiate between permit buyers and hunters? Fricke – Yes, numbers presented here are permit buyers but in our survey we ask, “Did you hunt?” and get harvest estimate by extrapolating to remainder of permit buyers, about 90-95% of buyers do hunt. Commissioner Sill – Curious if that is changing with declining numbers? I know there are a number of people buying permits with no intent of going hunting. Fricke – Each year we reduce permit buyers to active hunters and that is what we use to calculate the harvest, hunter success and those associated parameters. Commissioner Sporer – How reliable is rural mail carrier survey? Fricke – I have no reason to doubt them, survey going on since 1980s. It is an abundance index not population estimate, turkeys per 100 miles traveled. That is not a density estimate or abundance estimate it is what we have available to us. Ideally, we would have a population estimate statewide and population estimate per hunt unit that we could rely on and do other things with, but this gives us general trend of areas. To that extent, confident of the rural mail carrier survey. Commissioner Sporer – I had interviewed several long-time mail carriers and asked if they were participating and both the ones I interviewed said they were not participating. Fricke – We receive 300-500 back each time we do this and we adjust for participation rates. I still believe we have good coverage of the state. Secretary Loveless – I recently asked Kent how much confidence he had in our data, we were in a conference with turkey managers from all across the country, so Kent gave me a response relative to what other states had to rely on, and why he had confidence in this long-term data set. Fricke – I would put various forms of our data up against any state in the country. We survey populations four times a year with rural mail carrier survey, survey hunter base both spring and fall post-season hunter surveys, we get additional brood information from our staff during upland bird surveys done each July and August. We have a lot of information available to us and I am extremely confident in the numbers we produce and our ability to make decisions based off of those. A number of other states don’t have surveys, may not have turkey permits so don’t know who is hunting turkeys, don’t have brood surveys and have alternative means. I am confident in amount of data and type of data we have to make decisions. Secretary Loveless – Comment on value you have in long term data and comparability. Fricke – The fact that we can compare 2022 data to 1986 and 1995, in some form or fashion; is it the best possible, no, but it is long-term, and we have ability to make comparisons. I am confident in what we have available to us. Commissioner Gfeller – On Unit 4 question, how many permit holders hunt in adjacent areas? Fricke – No, we don’t ask on a survey or ask who has a limited draw permit. We do ask what county they harvest in and what county they spent most time in. More anecdotal information in terms of conversations, I have had one or two calls in last five years both ways, a landowner that did not have a Unit 4 permit but could hunt other property in Unit 5 and vice versa, could only hunt in Unit 4 but couldn’t hunt across the Highway in Unit 5. No, don’t have information from Unit 4 hunters. Commissioner Sporer – When we were at Beloit a couple people spoke and in the NW unit people are complaining about lack of turkeys. Are you considering taking NW and north-central units down to one tag? Fricke – In consideration. We try to develop staff recommendations based on adaptive harvest strategy. Those are based on resident hunter success within each of those units. One of the things that has kept those units at two birds is that they sustain higher resident success and delayed that process. This is also two units with ability to have game tags, bag limit of four birds in the fall season, the longest and because of that working down the steps in terms of

reducing on spring side. Concerns I hear from both biologists and hunters, so in consideration. Commissioner Gfeller – Conversation this morning about turkey population and one thing most people can agree on is that it is declining. How steep it is may have different opinions. We had discussion about different ideas that we might want to consider in terms of trying to reverse the trend. We can't pinpoint exactly what the cause of decline is. In future meetings if you could bring discussion around shorter seasons, smaller bag limits, predator pressure and solutions to that and other things discussed or ideas you have that weren't discussed this morning. Fricke – Certainly. Commissioner Sporer – Talk about discontinuing fall season again, be proactive and get rid of fall season. Commissioner Sill – When you do computations for adaptive strategy, if decreasing hunter numbers but one's going are aggressive then success rates may not change or go up but really hunting less and less. How do you track that if you go just on success rate, it is not a true picture; it is not 200 people being successful but 100 people, how do you accommodate decreased numbers? Is that part of that algo rhythm? Fricke – We only figure in active hunters, so if active hunters are more successful you would potentially have higher success rates. I understand what you are saying. At the same time, one of the things we can't account for is hunter experience and ability. If you have fewer hunters and they are more successful or is that because there are more birds or because they were better hunters? It is hard to take that into account. As in most game seasons in Kansas, and across the country, we are trying to balance hunter opportunity and satisfaction with biological needs of the species. While potential for spring harvest of males to have negative impact that also hasn't been the primary assumption in the last 20 years of turkey management. As general research community and turkey biologists, it is a big question mark and whether having a negative impact or not. From spring season standpoint, we hear from hunters and biologist in terms of hunter satisfaction, we may want to see lower bag limits, for example. But that doesn't mean there is a biological impact of reducing that either. In an era of more uncertainty, in terms of biological impacts for turkeys. If I go to any other state that has had a one-bird bag limit for a long time, their population and trends aren't necessarily different than what we are seeing in Kansas. Or if I go to Texas where you can have as many as five birds, they don't necessarily have differences there either. Part of that balancing act between making sure we are as proactive as we can be in terms of protecting our resource but providing opportunity if available. Commissioner Escareno – Looking for feedback on restricting Unit 4 and not being able to utilize the permit in adjacent units. I think that is a good idea with declining populations.

2. Lesser Prairie Chicken Update - Kent Fricke, small game coordinator, presented this update to the Commission (Exhibit H). Last time I talked about lesser prairie chickens was back in March and I was hoping I would have an update for you in terms of what the U.S. Fish and Wildlife Service (USFWS) had decided on. We do not have that yet, so not much of an update but happy to answer questions. Lesser prairie chickens were listed as a threatened species in 2014, removed from endangered species list as threatened in June 2016 and in September 2016 they were repeteditioned to be on the list. June 1, 2021, the USFWS proposed as threatened in areas including Kansas and endangered in portions of New Mexico and Texas. By law they are required to receive public comment on that proposed listing and the department provided a comment letter last September and by law, by June 1, 2022, come up with a decision on that proposed rule. Whether to enact it as proposed, threatened in Kansas; warranted but precluded; or didn't require listing. We are waiting on information on their final decision. Senator Imhoff from Oklahoma did make a formal request to USFWS for a six-month extension, so they are considering that and hope to have information back on that by the end of the week. We

coordinate weekly with the USFWS and other conservation partners on lesser prairie chicken issues, especially concerning the potential listing decision and a number of conversations on recent funding opportunities to do lesser prairie chicken conservation work in the state and with neighboring states. More to come on that decision.

3. 2020 Licensed Angler Survey - Susan Steffen, human dimensions specialist, presented this update to the Commission (Exhibit I, PowerPoint – Exhibit J). As human dimensions specialist I am hybrid people scientist as well as wildlife/fisheries scientist. I pride myself on conducting applied research in realm of human dimensions. I mean I try to figure out what problems our management biologists are having and applying proper research techniques and methods to get at the information from our anglers such that we are maximizing experiences according to what is possible for the fishery as well as helping meet the needs of our anglers. We do this licensed angler survey periodically, every 5-7 years. I joined agency in 2009 and did survey in 2013. It helps ascertain trend data and get at basic information of who our anglers are, what they are fishing for, where they are going, how often as well as opportunity to ask special questions. We have surveys back to 1975. The 2020 survey had repeat questions for trend information, information on angler demographics, fishing participation and characteristics and special topics I will go over today. Include importance of fisheries programs and services, factors that prevent or help people participate in fishing as well as why or fishing motivations. In light of an unexpected year of Covid, I wanted to take advantage of that and learn more about how Covid impacted fishing participation. I won't present all the results but there will be a report later on available to commissioners, public and agency. Methods, survey data is priceless and worth its weight in gold, so we have rigorous procedures and methods we go through as social scientists to make sure we are getting accurate representation of the population. We pulled mixed mode survey, I selected 10,000 people picked randomly from license file, residents and nonresidents. Administered starting in June 2020 and first invitation to take survey was a postcard with a link to take the survey we then followed up with the ones that did not respond with a follow up questionnaire in September and November if needed, we sent two copies of mail questionnaire. Those multiple waves of surveys are meant to get to people who are reluctant to complete the survey. Results: under 2,000 surveys returned, 22% response rate is the norm. We are seeing low response rates across the board across the country; no matter what state, animal or creature you are studying; people are surveyed to death. One of the ways we can adjust for nonresponse error, which is that we expect people that don't respond may be different than people who do respond so we account for that by doing some checks with data, based on information I know about everyone in my sampling frame, I look at variables and compare those two. People likely to respond are older, 54 versus 44 for average age. Presence of an email address in our database, people with email more likely to respond. Also looked at residency, residents are more likely to respond than border nonresidents who were more likely than other nonresidents. One of the things we can do, if we know there are certain factors that makes someone more, or less, likely to respond, I can weight the data and help account for that nonresponse and that will make it a representative sample of the population. Most of our anglers are males, consistent back to 2013 and 2006 survey as well; 24% are female, holding steady and we have figured out a way to ask about gender in a more inclusive way. The first time I asked that question but we do have a small percentage, about one percent that don't feel comfortable telling us what gender they are or are non-binary/other. We will keep asking that. Fishing participation characteristics: "Which of the following fishing methods did you use in Kansas in the previous 12 months?"; most questions refer to Kansas in the previous 12 months to standardize that time frame. No matter when person got that survey. Consistent with 2013 survey, with one exception, in 2013, only 13% of people went fishing with non-motorized boat/canoe/kayak and in 2020, 19%. The others, handfishing,

floatline, limblines and ice fishing decreased, but motorized boat and bank fishing stayed about the same. That matches what I see when I go on the lake, more kayakers. How many days are people participating and where? We find private ponds has highest average day usage. People can fish with more than one method, so this is why percentages aren't 100% total. Private ponds are highest average, reservoirs were next with 6.1 days, down to walk-in fishing access (WIFA) and overall, the average days of participation was 28 days, which is pretty high. First thing fisheries folks ask is preferred species, largemouth bass continues to rein as number one, crappie is number two, channel catfish is three, walleye is four, and blue catfish is fifth. The way I analyze this question is I apply weights to various rankings. If somebody mentioned crappie are my fourth most preferred species that does not weigh as heavily as somebody who puts crappie as their number one. One of questions, "where do you go fishing?"; where, in general. I have a list of 30-40 locations people specifically mentioned, so highest percent was 19.5% for private ponds. Next on list are all reservoirs, Milford high on the list, followed by Hillsdale, Cheney, El Dorado, Clinton, Perry, Melvern Glen Elder and Pomona. Factors that will help people get out and participate more or factor that is constraint or limiting factor. Come things are out of our control like work commitments but a good question to ask to understand barriers and obstacles people face to go fishing. Likewise, what enables them to get out the most. Top five most enabling factors are interest in fishing, fishing near home, health, fishing skills and interest in indoor activities; five most limiting factors are work commitments, number of people fishing nearby, other people fishing near me, weather conditions and entrance fees. Also, important to understand why people go fishing. Asking for motivations, mostly getting out in nature so, first if fun of catching fish, to be outdoors, relaxation, be close to nature, get away from daily routine and is pretty consistent across the years. Some of motivations lower on the list, competing for prizes or money doesn't seem to be a motivation, the population we are looking at is licensed anglers, people already out there fishing. Second least motivation is to catch trophy size fish, obtain fish for eating and physical exercise. Some of the more catch-specific motivations are not nearly as enabling. I have personal research preference in looking at gender differences. When confidence intervals don't overlap shows where big difference is. There are three on the list of fishing motivators that don't overlap, males or females, for one of them more of a motivating factor. Close to nature, females see as more important motivator; family recreation more important to females; and challenge of sport more important to males. Part of my job is to help interpret this information and tell fisheries managers and administrators how they can apply this information. In setting a marketing campaign we can have materials geared towards different personas, for instance realizing family is more important to females. Fisheries division has 32 programs and services available to the public, I will show top eight and bottom eight. The survey is licensed anglers, asked fisheries division staff as well and that was interesting, if mismatch we could potentially be putting resources into programs not important to the public. Our KDWP fisheries division thought enforcing regulations was more important than the public, conversely Operation Game Thief, the public thought was more important. We thought research more important than the public did. The bottom nine, there were no statistically different programs here, they came pretty close, most of these rated below moderately important level. These are bottom programs that for the most part our people and the public were in agreement on and are least important programs. Some surprised me but several of the items mentioned are more outreach, like newsletters, mobile app, magazine, GPS coordinates of fish attractors, Facebook posts, mobile aquarium, which surprised me and master angler award. During Covid, did you go fishing, 87% did go fishing during the pandemic, I ask that question normally and it is usually around that number, 85-88% go. There are some people who plan to go but don't get around to

it. No differences in male or female participation levels during Covid. We heard that there were so many people out recreating outside during Covid, according to survey people not crowded when out fishing. Who people went fishing with changed during Covid, people fished more with family or alone, family from 40 to 46%, similar for fishing alone. People also less likely to travel further, 36 miles versus 40 miles, fishing closer to home. If we asked this today it would probably less due to gas prices. Gave impacts of Covid at a different conference. One of the great things about surveys is we can ask open-ended questions and I like to present these word clouds to see what kind of words pop up. They did say there seemed like there was a lot more trash, had increase in participation and with that came more trash and people were having a hard time finding bait and fishing gear and colorful comments as well. Full report coming soon, making it more user friendly and less stat-heavy. Secretary Loveless – Glad to see you asked anglers and staff and recognizing difference how might help inform our decisions? Steffen – Internally, as part of the division, to see what public considers rising starts, may not line up to what we think. One of the things I wrote a two-page report on for the division, some of the things not rated as high by the public, versus us, that are important to us like creel surveys, research, population sampling. As fisheries experts we know that is very important to do our job effectively. In terms of allocating resources that should not be taken off the table. To take second look at resources and start to look at things rated lower that is where you start considering programs that might need to get shifted or be replaced with something else. That can be a hard pill to swallow. Commissioner Escareno – Where results, what counties you got surveys from or what part of the state they came from? Is it equal throughout? Steffen – I actually had a professor at Emporia State University plot the responses on GIS and that will be part of the report. We had surveys returned from every single county and had very good distribution across the state. Commissioner Escareno – Where does the aquarium go to? What parts of the state? County fairs or where? Steffen – Different year to year, there are applications available through David Breth, our sportfish coordinator and he can decide where it can go. It is very big, takes a lot of manpower, have to get the fire department to fill it up, hatcheries have to help stock it with fish; a big endeavor.

4. Bald Eagle Telemetry Research - Zac Eddy, terrestrial ecologist, ecology service section, presented this update to the Commission (Exhibit K, PowerPoint Exhibit L). One of my primary duties is serving as the department lead for environmental review of energy projects. Today talk about study kicked off last year and how that overlaps with my day-to-day work reviewing and providing comments for wind farms and energy infrastructure. Background on the eagle populations in Kansas, recent history documentation of successful bald eagle nest occurred in 1989, population slowly but steadily expanded through 1990s and 2000s, and an Ad Hoc group of citizen scientists and local conservationists had come together to document and monitor nesting attempts across the state. By 2007, the USFWS delisted the bald eagle from federal endangered species list, we followed suit delisting from our state list in 2009. Populations have been very successful and expanded into a large swath of the state since then. In 2019, we learned a few other states around us were working with U.S. Geological Survey (USGS) and a consulting firm called Conservation Science Global to look at eagle home range sizes and space use. One of those birds from Oklahoma perished in Kansas and we got interested in quality of telemetry data they were able to collect on that individual prior to it dying in central Kansas. That led to some discussions with those two entities, the USFWS and Evergy, formerly Westar; USFWS and Evergy had a good partnership to access and band bald eagle fledglings up in northeast Kansas. We were able to leverage that partnership to assist us in accessing these birds and getting them safely on the ground to carry out our research. We hoped to start our project in 2020 but delayed because of Covid and got out into the field in early 2021 and started putting telemetry backpacks

on birds in May 2021. The goals of our project are three-fold, we wanted to assess home-range size and habitat use of eaglets just fledged prior to post-natal nesting dispersal period. They use territory around the nests they were born in to get their bearings and learn to fly and hunt and then eventually they head off. During that post-natal dispersal period we wanted to see where they go, quantify and analyze their behavior through those few years between fledgling and establishing nest territories themselves and learn more about their use of the landscape and airspace during that time. Through the collection of those data, we believe we can quantify a relative exposure risk to energy infrastructure and potentially model collision risk primarily with wind turbines which will help us provide recommendations and comments on future windfarm sites. As the population has expanded in the state that is the most common call I answer to concerned citizen calling to say there is a windfarm proposed in my area and they are aware of an eagle nest near there and asking if that will be a risk to them. My short answer is potentially, but we may be able to use data to assess that risk. One of the important starting point was to select nests, relied on citizen science-led effort to determine which nests had successfully incubated eggs and produced eaglets, where they were located in the state and try to get approximate ages on those eaglets. Once we had good potential nests, over a two-week period, a group of our staff would go out with drones, fly above those nests to try get good photos to determine how many eaglets in nest, approximate age and whether the tree would be accessible to get birds down safely. We were trying to target nests with two to three eaglets and very important that they be between seven and nine weeks old at the time of transmitter. The reasoning behind that was that they needed to not be capable of flight because we didn't want them to jump from nest and fly away, but they needed to be fairly fully feathered and not have much down so backpacks could be cinched to bird tight enough to not cause risk to bird or risk of falling off and we knew there wasn't a lot of expansion that was going to happen as down was replaced by feathers. We visited a number of nests, looked at some too young, some with only one in the nest and one in nest in tree at Milford WA not safe to climb but could reach from a bucket truck and safely get those birds. We found six nests we could safely get to with a total of 15 birds, located across central and east-central Kansas, some near reservoirs, some near big rivers, some small streams. Some did show risk with some energy infrastructure, primarily transmission lines and windfarms. They utilize landscape and habitat around Kansas that is probably going to encounter both those things. We also tried to get some birds inside the Governor's windfarm moratorium area and outside that area. Accessed nest in two ways, easiest and best way was to get bucket truck beside it, could get birds down quickly and safely with low stress to the birds. An Evergy employee named Ben was a skilled climber and volunteered his time with USFWS to help with this project; he would hoist himself up the tree, get a pulley system rigged up and lowered birds down to us. While he was in those nests, he could get visual of primarily food source was, in one it was soft shelled turtles along the banks of the Ark River in Derby. Once the eaglets were down, the telemetry fittings started and those birds were all banded with USFWS identification color band on one leg and on the other leg a USGS band that identified them as being part of this study. We estimated sex and age, blood samples taken to do genetics, confirm sex of the bird and test for exposure to contaminants, primarily lead. Eagles are very sensitive to lead contamination and it is one of the primary killers of the species. At end they would be fitted with telemetry backpack which remains on the bird for the life of the bird, rechargeable battery charged by a solar panel on the top of the telemeter, a small unit and secured so it should not come off. Battery life expectancy is about 5-6 years which should take birds through until they start to establish nesting for themselves. Even though these are big birds and old enough to do damage if they get a talon into you, once they are on the ground and fitted

with hoods, they are incredibly docile, no fear shown by the birds and no risk to researchers doing the work. Once fitted with telemetry packs they were put back in the nest and telemetry units were turned on. The data we are collecting, collects a GPS data point every three seconds when in motion, and when stationary, every 15 minutes. Data points will track the birds' location, speed, heading, altitude as well as give us an estimate of GPS precision. The data are stored internally until the unit comes in range of a cell phone tower, once they get cell phone service data is uploaded automatically to the server maintained by Conservation Science Global. A multi-year data point that may be taking data every three seconds is a huge amount of data for each bird. I looked at five months of data from a single bird and it had 240,000 data records and I am sure there are some birds with more, some with less. Through the three years of the study, we will have a lot of data on each one of these birds. We had 15 nests with 13 different birds, one bird was too small, common with nests with three birds in them, two birds developed faster and one essentially the runt that didn't develop as fast. We did bring that bird down to the ground to do aging, sexing and blood testing, put USFWS color identification band on it and put back in nest without a backpack. One hopped out of the nest onto a limb and we let it go, we had two of its siblings in the same nest. We followed a couple birds over the course of 5-6 months, one from Derby that made it to northern border of South Dakota and spent summer there, then over-wintered in Tulsa area. One bird off of Tuttle Creek WA nest near Shannon Creek area spent quite a bit of time in Kansas over that first summer and eventually made it to central Nebraska, spent time along the Platte River and headed back south to Kansas again, then Bartlesville before returning to eastern Kansas to over-winter. Now, four of the birds in central Manitoba in Canada, three in North Dakota, one in South Dakota, one in Nebraska, one on the Kansas/Nebraska line and one that GPS has gone haywire. It was in Manitoba about two weeks ago but now it is not giving a GPS reading. I assume it is probably still up there, but we have no indication that bird has died and sometimes you just have to reset the software in those transmitters. We did have two birds that did perish fairly soon after leaving natal territory, we found those transmitters and sent them back to Conservation Science Global to be refurbished and we will use them again. In future, impressed by quality of data we are collecting, going to extend contract for another three years and add more backpacks. The addition of years, some backpacks will maintain functionality for about six years and we want to see, assuming survival, where do birds come back to establish their own nesting territory. The assumption is that they will return close to area they were born but that obviously is not always the case. In 2023, hope to deploy another 10-15 units in central and western Kansas to see if birds differ in their behavior. We will have five years total data collected for initial 13 birds plus additional three years of data from the new birds we deploy next year. We have about a year of data those birds have all birds dispersed in early July 2021 and research partners can begin analyzing data and start drawing conclusions about how they are using habitat and airspace. Acknowledge that folks that assisted us in initial phase of this project and have to thank private landowners that allowed access to their properties to get to the birds, as well as individual eagle nest observers who volunteered their time to help us locate nests, make landowner contacts and allow research to go forward. Rex Herndon was one of the observers, landowner he put us in contact with, Everygy provided use of bucket truck and people who went into the field to help kick this off. Chairman Lauber – Was the first eagle nest at Clinton Lake? Eddy – I believe it was up around there but not sure if Clinton or Perry. Secretary Loveless – I think it was Perry. Chairman Lauber – I think there was one at Clinton early on. Secretary Loveless – I think Perry was the first site. Tom Mosher – It was Clinton. Commissioner Sill – Any reports or conclusions drawn from this year? I know there was a substantial number of nest failures. Any information or conclusions from that? Eddy – No, we had a baby in March. We have four telemetry backpacks and were hoping to deploy them this year, but I went on paternity leave and through discussions decided to add more units instead of

bringing the primary researcher all the way from New Jersey to only put out four. Though I have looked at the observation data I have not tried to analysis is for differences in success between years. We do see that periodically; some years are just better than others.

5. 2022 Kansas Wildlife Conservation Award – Brad Rueschhoff, Region 2 wildlife supervisor, presented this award (Exhibit M). Here on behalf of Wes Sowards, assistant wildlife division director who was unable to attend today. Approximately 98% of Kansas is under private ownership. To achieve the department’s mission to conserve and enhance Kansas’ natural heritage, its wildlife and their habitats we must focus on managing and enhancing private lands in partnership with the landowners of this state while keeping in mind the goals of the landowner. KDWP currently employs 29 wildlife biologists across the state to work directly with private landowners, United States Department of Agriculture, United States Fish and Wildlife Service and other conservation partners to help restore and enhance wildlife habitat on private working landscapes. KDWP’s Habitat First program, funded by license sales and federal wildlife restoration dollars, provides both technical assistance and financial assistance to landowners. The department also partners with Pheasants Forever to employ habitat specialists to directly implement beneficial habitat practices on private properties. We are invested in the private lands of this state and want to take this time to celebrate the landowners who are the stewards of our land and its wildlife. I would like to read this year's winning nomination for the KDWP 2022 State Wildlife Habitat Conservation Award. This nomination was written by Darin Porter, our district biologist out of the Topeka, Region 2 office. “I would like to nominate J&N Ranch LLC for the 2022 State Wildlife Habitat Conservation Award for work accomplished on the Ranch. The Ranch is located in southern Wabaunsee County in the heart of the Flint Hills. The Ranch is owned and operated by Joe and Norma Hoagland and their family based out of Leavenworth, Kansas. The property is comprised of 3,800 acres of Flint Hills native grass and managed as a stock herd and cow/calf operation. As with many property owners and managers Joe Hoagland was concerned about changes he had seen in composition of the vegetation, the sericea lespedeza and invasive trees were expanding in the Flint Hills. Annual spring burning and widespread chemical applications were not effective in controlling these invasive plants alone. In conjunction with direction from Dr. Casey Olsen and others, Joe began to change his management strategies from spring burns and widespread chemical applications to fall patch burning strategy and targeted chemical application. In the summer of 2021, an agreement was entered into with the U.S. Fish and Wildlife Service, Tall Grass Legacy Alliance and J&N Ranch LLC. Partners of the fish and wildlife program provided funding for long-term habitat restoration and monitoring and KDWP also agreed to provide funding and labor through its Habitat First program. During the winter of 2021 trees were cut and piled up on 300 acres of drainages as well as those scattered across the pastures. The management plan implements grazing and burning strategies to improve grazing opportunities at the same time improving grassland nesting birds such as the greater prairie chicken, northern bobwhite quail and many other nongame species. The Hoagland family has agreed to utilize prescribed burning and spot spraying techniques to minimize native forb community which will also provide benefits to many pollinator species as well. The Ranch has also been involved in the department’s Walk-in hunting area program which is providing excellent hunting opportunity to the public in general. The U.S. Fish and Wildlife Service is continuing long-term monitoring of the habitat improvements. This joint project between private and public entities will continue to improve wildlife habitat on the Ranch for many years to come.” Joe and Norma Hoagland were not able to attend today’s meeting so

accepting the award on their behalf is their son, Dirk Hoagland and his family. Congratulations and thank you for all you have done for wildlife in Kansas.

Dirk Hoagland – Thank Brad and Darin, they have been a huge help to us in helping us navigate through this process. The U.S. Fish and Wildlife Service, Kansas Department of Wildlife and the Tallgrass Legacy Alliance have been amazing partners for us. It has been eye opening and we really enjoyed the partnership. We have learned a lot and already seeing results. We are excited and look forward to continuing the partnership and excited to see the pasture returned to the way it is supposed to be. We are honored, thank you. We appreciate the work you are doing.

Break

6. Clinton State Park Update – Connor O’Flannagan, Clinton State Park manager, presented this update to the Commission (Exhibit N, PowerPoint Exhibit O). I want to talk about the 2019 flood, how we recovered and responded; current and upcoming projects; and the Clinton Marina. As you know 2019 had a lot of rain in the spring and it made our lake rise 23 feet higher than normal elevation; like the marina itself, boat ramps, roads and things like that. Our lake returned back to normal operational pool level in November that year. At boat ramp number three our northern parking lot was completely under water and the main area with two boat ramp launching lanes was completely under water as well. This was common at all boat ramps, under water. For the marina itself, they made a makeshift walkway out to the marina and the manager still let people with boats able to operate and get out there even though they had no power or running water and things like that. At Lake Henry, one of our trout ponds, what occurred in this area was soil under the parking lot got saturated from the water. It is on a hill and when the water left the hillside it compromised the integrity of the parking lot, and it began to sink and crack and needs replaced. Boat ramps and bathrooms completely under water. Commissioner Cross – Was bathroom sewer or septic? O’Flannagan – A vault toilet under water and luckily the Corp let us know ahead of time and we got everything pumped out. It still shocked me that people would be fishing nearby. Some of the projects that stemmed from that rain event; replacing parking lot light poles, they got rusty and needed to be replaced; boat ramp bathroom doors, checked one and it fell off the hinges; repair Lake Henry parking lot; and other boat ramp parking lots that need patch work and replacement. Kid’s fishing pond inside day-use area in the park, not much area around the pond itself that wheelchairs can easily get to and access for fishing, so we worked with engineering to get plans made up and we built a complete ADA accessible fishing dock, opened for OK Kids Day, a popular place. Wildlife projects at the park include six bat houses to help with declining bat populations and still need to check them this year to see what occupancy it. We got two bee colonies and have two hives and will turn into interpretive project and go to schools and talk about pollinators, honey and things like that. The big project we have been working on this year is the archery range. Before we had an archery range that didn’t have a shooting line but had five targets and it needed some updated work. In working with Aaron Austin with Education and partnering with them, we got a 14-lane covered shooting area, ranging from 10 yards for youth targets up to 60 yards and two lanes for bring your own target for crossbows. Plan to have a grand opening down the road. Megan Hiebert purchased the marina in 1998 from the Ratone family and in 2021 niece Erin Carvery and finance Peter managing it; all three of them are here. The Marina itself has 529 boat slips, 20 courtesy slips, 20 personal watercraft ports, boat rentals, food and beverages and clothing and boating supplies. Working with Peter and Erin on their vision, they are building off Megan’s legacy and showcasing what we have at the lake and park. Commissioner Cross – Were those projects federally funded or available for federal funding? O’Flannagan – The archery range is funded through Hunter Education and pollinators for bees through WildTrust donations, bat

houses could have been federally funded but I am not sure. Commissioner Cross – I am curious if infrastructure problems? The parking lot and things like that? O’Flannagan – The projects related to flooding of 2019 are going through FEMA. Secretary Loveless – A good question. Talk about timing of FEMA payments, a change from previous experience with FEMA. O’Flannagan – Although 23 feet high our state part didn’t suffer nearly as much as some other state parks. Our campgrounds are higher up on the bluffs and some of those facilities were not in use. We have been able to last without needing as much funding and right now we are getting some of those projects done. Bigger parks with more issues needed their stuff done first. Chairman Lauber – Being someone who fishes in winter I appreciate you cleaning the snow off the roads in the winter. O’Flannagan – We have a couple guides as well, so we try to run through the boat ramp parking lots too. Chairman Lauber – Noticed and appreciated.

C. Workshop Session

1. Commercial Harvest of Mussels – Jordan Hofmeier, aquatic ecologist, presented this update to the Commission (Exhibit P, PowerPoint – Exhibit Q). Talk about mussel harvest regulations that I spoke about at last commission meeting. Historically used in pearl button industry and for cultured pearl production. Historically we have four native species permitted for harvest and one non-native species. Since the beginning of 2003 we have had a moratorium on commercial mussel harvest, which lasted for 10 years with one extension and is set to sunset at the beginning of next year. We have seen good results from the moratorium, an increase in previously harvested mussels such as the monkeyface and it has also prevented further decline of other mussel species. We do have some species like the threeridge that seem to have not recovered yet. Reached out to neighboring states to see how they handled commercial harvest. Oklahoma and Arkansas still allow commercial harvest but there really is not a market. Missouri removed regulations allowing harvest in 2009 and Nebraska also does not allow commercial harvest. We have a number of concerns with mussels in Kansas. Mussels have pretty specific habitat requirements which leads to concentrations of mussels and concentrated harvest. Based on their complex life histories have often had sporadic recruitment, conditions have to be just right for spawning and reproduction. There is a lot of old and new threats that mussels face such as aquatic nuisance species, climate change and potentially emerging mussel virus in the eastern U.S. Commercial harvest is also a concern on regulatory listing process and on both state and federal versions of the Endangered Species Act is a point that has to be addressed in listing process, removing it alleviates that concern. Mussels are difficult to identify, a lot of them look similar but at the same time mussels of the same species can look different. Regulation compliance was lacking in previous harvest reporting. There were thousands of pounds of mussels harvested in the past that went unreported. There is no market for them anymore. They shifted techniques in Asia to create pearls, they have their own material they use. The practice of commercial harvest is unsustainable. The changes we are proposing is to replace five existing regulations related to harvest, salvage and sale of freshwater mussels, basically harvest and buyer permits, with one regulation that prohibits commercial harvest, salvage and sale of freshwater mussels. Chairman Lauber – How long does a mussel live? Hofmeier – Depends on species, some of thinner-shelled species only live five or six years, they grow much faster. A washboard mussel that gets very large can be upwards of five to ten pounds will live over 100 years. Chairman Lauber – If it takes right time for breeding season ten years is a short time when it comes to mussels rebounding in numbers? Hofmeier – Yes, for that mussel that lives 100 years it

might have right conditions for good year class only 10-12 times if water conditions and temperatures and host fish are all just right.

2. Fishing Regulations – Bryan Sowards, fisheries assistant director, presented these regulations to the Commission (Exhibit R). This was part of general discussion in April and none of the language has changed on the fish regulations and this will be workshopped at least one more time. The first item is changes to the reference document which outlines the length and creel limits for individual impoundments that is different than statewide regulations. We are proposing to remove 10-inch minimum length limit on crappie at Cedar Bluff Reservoir. Instituted in 2018, based on response to poor recruitment and rapid growth. Conditions have changed since lake filled up in 2019 and growth has slowed, recruitment has improved, so more smaller fish competing for resources and there isn't that many 10-inch fish showing up in angler creels so we want to allow harvest of smaller fish. Proposing a 6-inch to 9-inch protected slot on bluegill, and other sunfish at Graham County-Antelope Lake. We have four experimental populations we are trying right now and this will be our fifth. It is part of adaptive research project to determine if reducing harvest of these sizes has potential to increase those size structures. We have very little 8-inch bluegill in a lot of our public impoundments. Trying different things to see if we can increase growth on them. At Pomona and Melvern Reservoirs we are proposing an 18-inch minimum length limit on saugeye, that has had those currently have 18-inch minimum length limits on walleye populations for several years and have started stocking saugeye as part of a research project to see if they do better than the walleye we have been stocking. Since we have both species, we want them to have the same minimum length limit. That is the main ones in the reference document.

KAR 115-7-4. Fish; processing and possession. Change this regulation to read: (a) Each person who takes any fish *with a statewide length limit or a water body specific length limit* from a body of water shall leave the head, body, and tail fin attached while person is in possession of those fish on the water. We want to make sure we are allowing gizzard shad as cut bait for channel and blue catfish. People were doing this in the past and it was an oversight that we didn't catch that so cleaning up that language. If they have a statewide length limit you need to leave head, body and tail fin attached to be legal.

KAR 115-1-1. Definitions. In response to use of umbrella rigs with up to five hooks. As discussed in April we felt the use of umbrella rigs with five hooks is not likely to have population effects of any particular species and we haven't seen any scientific research to the contrary at this point. There have been a few issues of snagging and people and two successful snags of fish, not necessarily on purpose. We feel that is covered adequately in other regulations that restrict snagging as a means to capture fish and requires the release of fish that are accidentally snagged outside the mouth. The actual change is to two regulations to meet our needs. First in definition, KAR 115-1-1, changing definition of an artificial lure; means a man-made fishing device made of artificial or non-edible natural materials, used to mimic single prey, we took out the word "single" and added a sentence. "*Devices mimicking individual prey shall be limited to no more than three hooks, devices mimicking multiple prey shall be limited to no more than five hooks*", which allows for umbrella rigs to use up to five hooks. This would change KAR 115-7-1 also.

KAR 115-7-1. Fishing; legal equipment, methods of taking, and other provisions. Change this regulation to: "*Fishing lines with not more than two baited hooks or two artificial lures per line. The latter, artificial lures, shall not exceed six hooks per line.*" You would still be able to use two crank or jerk baits per line but not two umbrella rigs because that would be over six. We are not making any changes to 17-2.

KAR 115-17-3. Commercial fish bait permit; requirement, application and general provisions. We want to add dead fish twice under part a. A commercial fish bait permit that shall be required for harvest, sale or purchase or resale of fish bait except for the commercial fish bait permit shall not be required, here is the change, “*non-living, commercially packaged fish bait or the harvest or sale of anilids or insects or for purchase of anilids or insects for resale*”. We wanted to clean up that language so if just sells worms and dead fish you don’t need to have a permit.

KAR 115-7-10. Fishing; special provisions. We want to remove the term "Asian Carp" throughout and replace with silver and bighead carp to be more specific. We want to add rusty crayfish to the prohibited species list and add McPherson State Fishing Lake to the list for rusty crayfish. Rusty crayfish were collected last summer, in 2022, At McPherson SFL, prior to that we had no record of them. We were mildly worried about them and started some crayfish surveys and found individuals there. The last one is we want to add Lebo City Lake to the "Kansas Aquatic Nuisance Species Designated Waters" reference table due to the 2021 zebra mussel infestation.

Last item is changes to trout water. King Lake-Emporia, add as a Type 1 trout water. OJ Watson Park-Wichita add as a Type 1 trout water; Wichita KDOT-East, remove from trout waters list. Swapping one for the other in Wichita, OJ Watson Park is a better opportunity to catch trout. There are two types, type 1 water needs trout stamp to fish during season, we designate trout 1 waters in areas where trout is only opportunity during that time of year. Commissioner Cross – What are next steps? Sowards – Workshop one more time.

3. Furbearer Regulations – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit S). Three changes to propose to furbearer regulations. KAR 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions. Proposing allowing the use of laser sights to take furbearers that are treed with the aid of dogs. KAR 115-25-11. Furbearers; open seasons and bag limits. Other two changes are in this regulation. One proposal is to extend the furbearer season which currently ends on February 15 through the last day of February. That will extend season for most furbearers for approximately three and half months during most years. The opening day varies a little bit depending on what day ends up on the calendar. The third change is to increase otter season bag limit from five otter to 10 otters and with that we would propose increasing the bag limit from five to 10 on the Lower Neosho and Marais des Cygnes otter management units. We would increase bag limit from two to five on the Verdigris and Missouri units. The furbearer season dates, which we talked about in more detail at a previous meeting and was a topic of conversation this morning. I would ask people who are wanting a longer harvest season how many of them are using the harvest seasons we have now to the extent they are available. We have always used the harvest season with furbearers and a lot of other species as a time to address damage issues or perceived overpopulations in certain areas. I want to be clear we would still view the legal harvest season as the main time in which people who think there are too many furbearers should be doing something about it. So, we don’t need to necessarily extend the season for those people to be able to address their problems. They have three months and now we are proposing 3 ½ months that they could already do that. Our intent is not to stand in anybody’s way to harvest more raccoons or address other furbearer populations on their property.

VII. RECESS AT 3:50 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Buck Leavins Jr. – I have hunted in Kansas 20 years or more. I have always hunted public land and have enjoyed coming up there. You have great wildlife programs. I would like to be able to afford to go with an outfitter, but it is not possible. I didn't get drawn this year for a permit. I was expecting check for refund. In the past kept something like \$20 or so for the draw and the hunting license fee, however I was told this year that they are not going to refund the money for the hunting license. I want you to reconsider that, \$97 I think. I didn't realize that we would not be refunded. I plead my case with the Pratt office, I told them I wish I had known that. They said they were trying to encourage people to come up and do other types of hunting. My budget to drive 13 hours from southeast Texas with fuel prices so high I can't do that. I can't spend that kind of money. I wish you would reconsider. I am a public land hunter and feel like that hunting is outstanding. Everyone I have had contact with from game wardens to those over the refuges I have hunted are top notch, very good people. It is the money issue that has kept me from hunting other land. Public hunting to me is the blue-collar guy's last hope, can't hunt anyone's property without a pocket full of money. Don't blame the landowners. That \$97, is a poke at the blue-collar guy and it would be nice to have that back. I just want to plead my case. I am hunting land that is public. One day I hope to retire and move to Kansas because I love it there. Reconsider keeping hunter license money. Chairman Lauber – Not uncommon in other states. We made a concerted effort to disclose that on application process. No immediate response to your comments or what you should do next. Secretary Loveless – Two staff members, Jessica Mounts, on Zoom or Levi Jaster are here and ask them to characterize that and how we went through the process. Levi Jaster, big game program coordinator – I went through all the states that have a deer tag on a limited draw the best I could yesterday. I got through 17 states and in going through that many states are unclear on how they handle refund information; most based on somebody who got a tag and can't come. There are nine states that definitely said that they don't refund tags, three states that, as best I can tell, also don't, so 12 states that do not. There is only one state that does, Iowa except they take out a \$60.50 preference point fee. There are a couple states that don't require a hunting license because it is in the cost of the deer permit. Then a couple states that are kind-of, notably Nevada, in that they will refund the license fees but no bonus points, if you want the bonus point then no refund. Seven states have a higher hunting license fee than we do, one is Iowa, get half back, minus half of that for preference point. We are at \$97, California is highest at \$188.74, and several states require nonresidents to not only buy a nonresident hunting license but a hunting/fishing license combo, there is no nonresident annual hunting license. In running through some of these what stood out was the message they put in place, California says not refundable and thank you for supporting conservation. Those that do keep that fee tended to have lower application fees or don't add on stamps and fees that some states do. Many times, in other cases where they added additional stamps, like the Dakotas had a habitat or conservation stamp and that isn't refundable either. Kansas has the highest draw rate, 73% versus Iowa that is next closest at 55%. In looking at their draw odds, people with 0, 1, 2 or 3 points aren't putting in at the rate you would expect. Most people are waiting to try and draw when they have enough points. Other than that, most states are in the 30% range, and some are only 10%. Utah is limited entry and is less than one percent. Secretary Loveless – We realize that most states were keeping those license fees, so we felt that appropriate. Jessica Mounts, director of licensing – I know you spoke with several of the team in Pratt and thank you for speaking so politely to them and appreciate you showing them up. This wasn't an easy decision and is one

that involved the whole agency in over the last few months. We did some research on the background and what other states were doing. We took a look at the workload it was causing to do all those refunds. We tried to make more of a case for allowing us to serve customers who legitimately had an emergency develop that they weren't able to use their permit. In order to serve those folks, we did have to make some concessions. Part of that is going to affect people like you. The state of Kansas uses every single dollar to support wildlife, wildlife conservation and the opportunity to hunt for generations to come especially on our public lands. As a public land hunter, you know that Kansas is 90% privately owned. Those little, tiny areas, by ratios, are so important to us. I am wondering if you have thought about coming during doe season and buying an antlerless tag over the counter, which is one solution if you want to harvest an animal. Leavins – That is good to know. When I put in for the draw, I should have researched it a little more. I brought my wife's uncle last year to Pratt, Texas Lake, knew deer numbers were down, but still an experience. I was reluctant because of fuel prices. I have been blessed; I have been drawn every time I put in but not this year. Losing \$100, next year I will know but things are tight this year and was reluctant about putting in. Uncle wanted to go back because he didn't harvest a deer last year. He enjoyed it during muzzleloader season. I will talk to him and see if we can split the fuel and come get a doe. The best deer meat it is real quality. I wasn't aware I could shoot a doe. I will see if I can afford that. Thank commission again for letting me talk. I had to weigh on that on how much it would cost. I enjoy your state. Everyone I have come in contact with, from people in office at Pratt, the commission, everybody, has been top notch. I respect what you are doing with your wildlife. Love these meetings like this and what is best for wildlife and your management. Secretary Loveless – Levi has some additional information he can pass on if we can get his contact information.

Marty Birell – I came to discuss status of recovery of black-footed ferret in Kansas. We have a recovery site operated by the U.S. Fish and Wildlife Service (USFWS) and supported by stakeholders across the state, including the state of Kansas who has provided a lot of personnel and technical expertise, as well as equipment to the project. The site is 10,000 acres in Logan County, going since 2007. I am with Prairie Park Nature Center and I am the nature education supervisor. One of the many biologists through the state who offers services of volunteer nature to help support surveying and doing wildlife education around shortgrass prairies and Kansas prairie habitat, prairie dogs and recovery of black-footed ferrets. We believe they are all tied in together. Black-footed ferret is great poster child for the endangered species program and one that has been especially successful here in Kansas, largely through efforts of not only the USFWS but many stakeholders; zoos, nature centers, the state, organizations such as Audubon of Kansas and Defenders of Wildlife. This program has been successful as explained to me, because of following points. 1) Only site in U.S. that is plague-free; plague is one of the things that has caused prairie dog populations to fail and black-footed ferrets to be critically endangered; Kansas is the only plague-free site. We have very little public land, but this is viable site and has proven to be very successful because reproduction has been documented every single year since it's inception in 2007. This site is supported by hundreds of people who have engaged in surveying, corporations who supported it, states, universities and other organizations who have contributed their staff towards supporting this recovery program. It is threatened by a small local group in Logan County who do not support it. In the last two years that group has become more vocal and has once again challenged the site by insisting that the Haverfield family who runs the farm (two sons and daughter of previous owner) as Butte Creek Farm and they have added habitat to recovery site through their own land ownership. The county is now reorganizing to try and

oppose any further development of this recovery site and the family is very concerned that support will be lost and recovery efforts will fail. We have chatted with Defenders of Wildlife who is acting as liaisons with the family and the USFWS and sent letters of support. One of the things that came about through our discussions is that other states such as Utah, Colorado and Wyoming have gotten bolster in support for their recovery sites by having their states develop working groups. Working groups that work in conjunction with the USFWS to develop a coordinated plan whereby their states can use their biologists and other essential resources to help the recovery plan. Those states have developed working plans that are consistent with and in conjunction with USFWS goals. We think it would be a great idea for Kansas to develop a working group. The state has already been very supportive, but this will add additional support and hopefully protection for recovery site. This recovery site has generated a great deal of interest in Kansas. I have one of the displays that displays the black-footed ferrets just a few blocks from here and the efforts that have gone into making this recovery site a success. The black-footed ferret is a poster child for shortgrass prairie conservation and the protection and conservation of black-tailed prairie dogs which are a keystone species in our state. They support literally dozens of other species, and that site is a rich environment that needs to be protected. The site has generated a lot of support across the state, even our own state naturalists, such as Milford Nature Center, have gone out and done education programs in Logan County with hundreds of people coming out to listen. It is not all of Logan County that doesn't want this site it is a very small group of people who don't support endangered species being returned to the land. Kansas has very little public land to contribute to recovery sites. We are dependent upon individual landowners and these landowners have successfully supported this program since 2007 and want to continue to. There will be no allocation of new ferrets to the site, how that decision came to be or if decision is final, I don't know. Allocations occur when young ferrets at conservation center in Colorado are available and biologists determine adequate habitat on the recovery site is suitable for new ferrets to be reintroduced. That is necessary for ongoing success of the program. Without support of that it is feared this site will fail. After 15 years it would be a sad state of affairs. Asking that we work with state, stakeholders and family to help bolster this project and see state throw its weight behind this through assistance of its biologist and development of a working group who will help protect the recovery program. It is the only one we have and an important program. We have five live display education programs throughout the state with sixth one coming on soon. Hope KDWP will seriously consider putting together a working group. The working groups in Wyoming, Utah and Colorado all developed these working plans that have similar goals but are tailored to the individual state and sites. It would require effort but as I understand not require additional personnel that already are doing jobs like habitat surveys, landowner contacts and helping them to meet goals in a variety of different ways. Consider it and look into it and throw your weight behind continued support of the recovery site.

Chairman Lauber – I want to thank Aaron Rider for his contributions for the last few years. This will be his last meeting on the commission. We have some cookies to celebrate his departure. I have mixed emotions for that. At least he won't have to make the long trips as much, but we will miss him. Thanks for all your time and contributions. Commissioner Rider – I appreciate that. It has been a great ride and I have enjoyed it immensely. Met a lot of great people and have enjoyed discussing the passions of the outdoors and seeing a lot of the great state of Kansas. Appreciate everything I have learned and will cherish this time many years from now. Secretary Loveless – I want to also express my gratitude toward Aaron and for the good work he has done. We have great conversations, and he is fully invested in the outdoor resources of Kansas and been a great advocate for that. If we could take a quick break so we can share the cookies.

Break

VI. DEPARTMENT REPORT

C. Workshop Session (continued)

4. Webless Migratory Bird Regulations – Richard Schultheis, wildlife research director and migratory game bird coordinator, presented these regulations to the Commission (Exhibit T). There is a recommendation for change to KAR 115-25-20 to clarify the requirement of completing the online crane identification test prior to hunting versus prior to purchasing the sandhill crane hunting permit. The recommended change would better align with workflow and new online licensing and purchasing platform and still maintains requirement of completing the test before going out in the field hunting, which is the intent of the regulation. A relatively straight forward change. This is one regulation, as you heard from Dan earlier, is caught up in the process. Hope to vote next time but at least sometime soon. Commissioner Sill – No question to applicants? They can't say I have my license. Schultheis – This clarification is more straight forward process than previously.

5. Public Land Regulations – Stuart Schrag, public lands director, presented these regulations to the Commission (Exhibit U). I noticed that it says Workshop Session #2, but it should be Workshop Session #3. Hope these will go to vote soon. Dan Riley – It will be 60 days, so probably September before the vote. Secretary Loveless – Will it be soon enough? Schrag – Hunting season will have already started but we have to go by the process. Dan Riley – We can get emergency regulations in necessary but people in the process don't like that. KAR 115-8-23, baiting. Baiting has been prohibited on public lands and we are just amending the language that states no person shall place, deposit, expose or scatter bait while hunting or preparing to hunt on department lands. Our officers found that people were using this, because of this language, to place bait on public lands for viewing wildlife or photography and ultimately hunting over that bait. We are changing it to, no personal shall place, deposit, expose or scatter bait on department lands, period, for any reason. This also applies to walk-in and iWIHA properties that adopt our public land regulations. This would also affect licensed furharvesters that trap on public lands.

KAR 115-8-9, our camping regulation. Made recommendations on this one because of the ever-growing problem with homeless folks taking up residency on state fishing lake and wildlife area campgrounds. As a measure to minimize that we are recommending reducing the number of consecutive camping days allowed on state fishing lakes and wildlife areas only from 14- to 7-days. This would not affect state parks. The language of the amendment would still allow managers on site to either post the property as still allowing 14-day camping or written approval could be given to a family who wants to camp. We still have some flexibility with this.

Commissioner Escareno – Is this the second workshop? Schrag – These are all the third workshop.

KAR 115-8-25, this is a new proposed public land regulation. Trail or Game Camera and other devices regulation. Our department, and the Midwest public lands working group, have been discussion this topic for several years. It is an ever-growing issue on public properties throughout the Midwest. We are seeing a lot of properties inundated with these trail cameras and it has transitioned from devices to view wildlife to devices to spy on who is using the same property.

There has been a rise in reports of theft of these trail cameras, misuse of trail cameras and inundating tracts of wildlife areas and monopolizing tracts with one individual's trail cameras. Staff and the Midwest working group also discussed fair chase issues under the North American Model of wildlife conservation. We are proposing that all trail cameras be prohibited on department lands. Part of this would include the use of images of wildlife produced from satellite imagery so people couldn't get real time live shots of wildlife with a handheld device. This would not preclude the use of mapping systems on-X or Google maps that hunters use. Again, this applies to WIHA and iWIHA properties.

KAR 115-8-1, public lands special use restrictions reference document. The first section is under access restrictions, I mentioned at previous meetings that we had entertained the idea of possibly implementing not being able to get on the water before 5:00 am similar to what you passed at Neosho a year ago. Staff at the Bottoms met and discussed that on numerous occasions and felt because of construction at the Bottoms, the presence of whooping cranes last year and dry pools they didn't get a good handle on boating regulations and restrictions you passed to see if that helped with some of the issues we are facing. They chose to have no at this time on access restriction Cheyenne Bottoms. Under refuge section the only change is in region 3, Cherokee Lowlands Wildlife Area, because of additional acres required through donations we feel we have enough acreage that a refuge portion could be designated, like all of our other wildlife areas. That would be Perkins east and Bogner center tracts. Daily hunt permit section, discussed for some time and decided that now that we are transitioning to the Brandt licensing system now would be an optimum time to have check-in and check-out requirements at all of our wildlife areas. We have seen how crucial the data has been that we have obtained on wetland properties, so we made decision that now is the time. For now, this would just be for hunting only but as we transition to the new licensing system, we will change things as we see fit for management purposes. Chairman Lauber – This is all areas, not just the ones that have been deleted? Schrag – Correct. Before we just listed all the properties where iSportsman was required, we lined through all those properties and added the language that all department managed lands and waters (wildlife areas and state fishing lakes) would require it, as well as iWIHA. Chairman Lauber – We will see you back in a month to workshop this again.

Schrag – I want to mention something that came up at commission meeting in Beloit. We had some internal conversation about our special hunts program and whether nonresidents were allowed to participate in those. Up until this point they have been allowed to participate and apply. After surveying staff involved with these special hunts and talking with administration, we made the decision that starting this fall and winter (2022-23) hunts that 75-85% will be restricted to Kansas applicants only. There will still be that small portion that will be open to everybody. Some staff felt pretty strongly that if we close those hunts down to nonresidents, we won't get anybody to apply because historically that has predominantly been nonresidents that apply. We want to try out this and see how participation goes. I talked to Tanna and we want to make a good public release campaign to make sure Kansas residents know this is the decision we have made and that these hunts are available and we encourage Kansas residents to participate. One thing staff did indicate to me, which we will monitor, is our Kansas residents are more inclined to not show up to a hunt that they have drawn. They don't have as much vested interest as a nonresident who has driven from out-of-state, spent the time and money; they will show up for their hunt. It is easier for a local to find an excuse and not make it and then we have an unfilled, unused hunt. Staff felt this was a worthy endeavor to try for 2022/2023 fall/winter hunts. We are hoping to get those posted online around July 8 or 9 and there will be specific highlighted instructions that this change is occurring for special hunt program year. At the Beloit commission meeting I mentioned that staff don't have any specific recommendations when it

comes to the nonresident waterfowl hunting issue on public wetlands. Rest assured the conversation has not stopped, and will not stop, it is the hot topic discussion in our division. My goal is to continue to look into things and have some definitive paths lined out. If staff comes to me with recommendations, we will know which way to go. Whether through regulatory process or Kansas statute through legislative process. Continue to have public meetings and have public information night at Cheyenne Bottoms in mid-August and I encourage staff to come too. We are discussing other public meetings and still talking about the survey through Rich's shop on human dimensions side of things. I want to reiterate that we are still actively talking about this and will continue to in the future. Commissioner Sill – Appreciate opportunities for Kansas residents on those special hunts. Can you do leftovers draw allowing nonresidents if you don't fill them with Kansas residents? Schrag – We already have that process in place. We do a first draw. Jason, when is our first draw? Jason Dickson – It is in early August for September/October hunts. Schrag – Then do a November draw? Dickson – Do draw in October for November/December season and late December for January hunts. It was determined a couple years ago that when we had January hunts deer combined with winter hunts, we were having so many people drawing for those hunts that were getting their deer in December during firearm season, so they were pulling out the January hunt. That is why we moved that back, so it is after that firearm season. After a hunt has gone forth, we list all the leftovers on the website and they can just call the managers and take those off the list and as people decline the hunts, Scott Thomasson and his team add them back to the list or they go to the next person drawn, depending on what hunt it is. Schrag – We also had initial conversations about possibly putting special hunts program into the Brandt system in the future. That would make things more efficient as well as reporting and tracking. Commissioner Sporer – What about youth/mentor areas, will those be residents only or are you still allowing nonresidents? Schrag – That was not discussed at this time and for this upcoming fall I have not had requests to change any of those to be restricted to residents only. Commissioner Sporer – We talked about it at the Beloit meeting. Schrag – Correct, my staff hasn't made that recommendation to restrict those youth/mentor areas to only Kansas residents at this time. The use is fairly low on a lot of those areas. We will try special hunts program and see how that goes. These are all part of the conversations we continue to have. Commissioner Sporer – In the area where I'm at it is highly used by nonresidents, more than residents. Schrag – At Cedar Bluff? Commissioner Sporer – Just in western Kansas reservoirs. Schrag – I will circle back with staff and have that conversation with regional and north staff about that issue. Commissioner Sporer – Thank you.

6. KAR 115-25-9a Deer; open season, bag limit, and permits; additional considerations; Fort Riley (military subunits) – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit V). Typically, we vote on this at this meeting, but we will workshop another time and vote in August. This sets season dates and bag limits for the military subunits. We work with them to help them meet their mission needs but also to allow some additional opportunities to hunt and for hunters to access those properties. Smoky Hill has requested to have same season as statewide deer hunting seasons as set in KAR 115-25-9 and they want the five white-tailed deer antlerless-only permits, same as Unit 4. Fort Riley has requested additional archery days for individuals authorized, September 1-11, 2022, prior to youth/disabled season; and January 1-31, 2023; additional days of hunting opportunity for designated persons, youth and people with disabilities, from October 8-10, 2022, which would replace pre-rut firearm season for antlerless white-tailed deer. Firearm season dates are November 25-27, 2022, December 17-23, 2022, and December 26-27, 2022. Same number of

days as statewide season, which can give some of our hunters additional dates to firearm hunt outside regular statewide season. They will not be participating in extended firearm antlerless-only season in January; and allow a deer hunter to only use one white-tailed deer antlerless-only permit.

Fort Leavenworth has requested the firearm season, November 12-13, 2022, November 19-20, 2022, November 24-27, 2022, December 3-4, 2022, and December 10-11, 2022, again the same number of days. They would like to be in the longest extended firearm season, January 1-22, 2023. Also, participate in extended archery season from January 23-31, 2023, for antlerless whitetail deer; and want to be able to use up to five white-tailed deer antlerless-only permits in their subunit 10a.

7. KAR 115-4-11 Big game permit application - Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit W). This is big game and wild turkey permit applications. This will not be implemented this year but will go in effect for next year. We are having concerns about point creep and with people purchasing archery permits. Last year we reduced the limited draw permits by about 20%. Currently it takes about six preference points to obtain a firearm permit to hunt pronghorn. One of the things that can happen is a hunter can apply for that limited firearm permit, not draw and get a preference point and still buy an over-the-counter archery tag increasing the preference points needed over time. With that increase in popularity of archery hunting for pronghorn we would like to remove the ability to get a preference point if you also get an archery permit. So, you can either apply for limited permit and take that permit if you receive it or take a preference point and not get to hunt pronghorn for that year or you can give up that preference point if you did submit an application and get an archery tag. This is addressing that ability to double-dip. Seeing some of the increase in applications and permits and how that has affected permits and harvest over time. Again, the recommendation is to modify this regulation so pronghorn hunters much either get an archery permit or apply for limited draw permit. They would not be able to apply for the firearm or muzzleloader permit or buy preference point and also purchase an archery permit during the same season.

D. Public Hearing

Notice Form (Exhibit X).

1. KAR 115-4-6 Deer; management units – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit y). We need to clean up some boundaries, specifically under section (e), Pawnee Unit 5. Recently, K-14 had some work done and they have taken this section on a different route, so it moved the boundary of the unit. All this does is clarify the road names so that the boundary stays the same as it has been. It is the junction of Sego Road and south on that to junction with US-50 when it changes from K-14 to Sego Road. That also affects section (f), the middle Arkansas Unit 6, Sego Road and north to junction of K-14, because of the rerouting of K-14, this changes that name. Additionally, on section (k) Osage prairie Unit 11. A few years ago, we updated boundary of Unit 19 zone and that affected Unit 11. This is just clarifying highway K-150 is now Johnson County 135th Street. When we made change previously in other Unit, we did not get language changed in Unit 11 for that shared boundary. This clarifies the street name.

Commissioner Lauren Sill moved to approve KAR 115-4-6, Commissioner Phil Escareno second.

The roll call vote to approve KAR 115-4-6 as recommended was as follows (Exhibit Z):

Commissioner Cross	Yes
Commissioner Escareno	Yes
Commissioner Gfeller	Yes
Commissioner Rider	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion to approve KAR 115-4-6 as presented passed 7-0.

2. Cabin fees at Cheney State Park and the Kansas State Fair – Linda Lanterman, parks division director, presented this update to the Commission (Exhibit AA, PowerPoint Exhibit BB). Update on FEMA damage and what we have done so far. We had historical flooding in 2019 so want to go over a few things I thought you might find interesting. We had flooding in 17 state parks and were under water at record high levels and closed in some capacity for 4-6 months. The damage to our state parks facilities was in the tens of millions of dollars. Hillsdale was one of the most significantly damaged parks with four campgrounds damaged and was closed for quite some time. That is one of our most visited state parks, so we chose to work on that one first to redo all the campgrounds damaged, electrical and water. We are still working on it with a little left to do and are at \$1.3 million spent to date. Some interesting statistics, 2,438 campsites were damaged, 242 facilities closed, 33 miles of roads damaged and on average those facilities were closed for 4-6 months, some more than that. When water started coming up, we decided to protect as much assets as we could, so we moved cabins at Hillsdale in the River Pond area, although that didn't flood, we chose to move those out early because it was close. We thought that if it blocked the road then we were stuck, got them to higher ground and then moved them back in. The damage to those if they had gotten wet would have been much more than us moving those out of there. We did that on a couple of locations. Cross Timbers and Fall River did have damage to cabins. We got those aired out and fixed and back open. To date, we have spent over \$3,8 million. The Governor put in her budget \$2 million for state general fund which we haven't used before, we spent that and more of our park fee fund and road fund. We put a new shower building at Eisenhower State Park, which was damaged and under water, so we put new one on the other side of the road to mitigate the damages. We still have some damage at Eisenhower and Pomona. We still have about \$9.5 million to fix and that number has gone up because cost of materials has gone up. As you get into it, like El Dorado and places like that you don't know how much damage you have until people start using them. Right after that we had Covid, so people came. We are still trying to fix that. In perspective, we just put Milford Cedar Point campground bid out and it came in at \$2 million, which is significantly higher than engineers estimate. We have about \$2.8 million we still need to do at Kanopolis and at Hillsdale we will spend just over \$1.5 million alone. Our team has done a fantastic job pulling our assets together, doing a lot of it themselves, but a lot we have used our engineers in the agency and bid it out. We got back up and going. In perspective, 2019 visitation was 5.6 million, revenue was \$8.4 million; 2020, when Covid hit, went to highest visitation ever in Kansas, 8.6 million with revenue \$11.5 million; 2021, almost \$14 million in revenue with visitation, down a little but people are staying longer, of 7.6 million. I feel the team has done fantastic accommodating, moving people around and getting our facilities back open. We put in new fishing dock at Elk

City State Park that was put in with intentions for FEMA reimbursement. I was there Memorial Day weekend and it is flooded again but huge numbers of people wanted to get out on that fishing dock. We are still working on it but not where we need to be. Continue to submit into FEMA and we have received no FEMA dollars back. Our intention is to get a reimbursement back from FEMA then start on the next phase of projects. We can't do it until we get some of that reimbursement back.

Secretary Loveless – In the past ever have this kind of delay with FEMA and do you have any projections from them on when that money will come? Lanterman – It is always a long process. We have submitted our debris removal, which is 100% reimbursable, still don't have it done, partly because of Covid because they couldn't get out to see the process, but it is a long process. I don't necessarily blame them it is just a process to go through. In the past, I have been through this before, and it does take time to get reimbursed. I am anticipating getting reimbursed for debris removal and the other projects they will have to come out and see and with our engineers help make sure we did everything right. There is a process. You can't just go in and do whatever you want you have to make sure you put it back the way it was or if you mitigate it, we have to make sure we pay for the difference. It is a long process and I feel our engineers and staff have done a good job trying to get things going. I hear the Corps of Engineers has improved a lot of their areas quicker but they have more access to money then we had. I am grateful for the \$2 million we got from state general fund, which got us going. Hopefully, we can get the reimbursements to start on the next phase of projects. It is interesting to see what we have been doing and the number of people we hosted right after that, which is incredible. Always welcome to visit a state park. Trend is not as high as 2020/21 but still busy.

Commissioner Escareno – New showers and restrooms being built, is there ventilation in those? I have had complaint about how hot they are when it is extremely hot outside and there is no air circulating in there. Lanterman – It depends on which one you are talking about; we have several styles of shower facilities and have been trying to go more towards the CXT. They do have a vent but probably not like our open air and some of our shower buildings that were block style, they are almost open. We have gone to CXT because it has a family unit, it isn't male or female and is 4-6 pods. It can get hot in there at times, depending on how much it is used. Put in bid this time that windows could be opened and before it wasn't so that might help.

Lanterman – We love our cabins and we found out the public loves our cabins. Cheney State Parks is a little different on cabins, the Friends Group there pays for and operates these cabins. They run through our reservation system, but they pay for utilities, pay for any cleaning and updating. We just put three new cabins right during Covid and we dedicated those three cabins on the east side. They were stick built and the cost to put those in was significantly higher than the cabins we have done in the past, over \$100,000 each. The Friends Group took out the note for that so in doing that they wanted to increase their fees so they could start getting that paid down. Cabins are great but the cost to run them can be tough, utilities and cleaning them. In our State Park system, I try to get a camp host to clean them but not always able to do that so paid seasonal staff help clean those cabins. So, I visited with Cheney Friends group and told them I would come and present to you how much they would like them to go to. The smaller cabins (Exhibit CC) are \$65 a night, want to go to \$75 a night Sunday through Thursday; then they have two other styles of cabins on the west side that are at \$95 and want to go to \$110; and in new cabins on the east, they want to go to \$140 a night. On Friday and Saturday nights rates at smaller cabins would go to \$100; two bedrooms to \$150; and three new cabins to \$165. We have weekly rates; it doesn't happen often but we put in a discounted rate. In addition, the state fair cabin is costing more to operate also. We put that cabin in there for the Kansas state fair, we use it for our purposes during the fair but rent it out at other times. The state fair gets 50% cut and it is costing them more because of utilities and cleaning it. We do the major maintenance on it but costing more so want to go up to \$95 and \$120 on weekends.

Commissioner Sill – What is it like

seasonally? Lanterman – The three new cabins at Cheney are at over 80% occupancy on weekends, it is hard to get in. Commissioner Sill - Year around? Lanterman – Year around it is tough to get in those; the other ones are not that high, around 50% is a year-round average, some a little lower. Those smaller cabins were ones we put in early 2000s and we matched that with a grant the Friends Group came up with the match. Those are smaller and people like larger cabins. New cabins on the east side are right by the marina and close to the water and close to boat ramp and are very popular. We could use five more of those. The state fair cabin is not, it is just a matter of it is costing them too much to maintain it. Commissioner Escareno – Who built those cabins? Lanterman – The three cabins at Cheney that were just put in went out for bid. The other cabins we had the prison build some and we are having cabins now being built by Neosho Community College. They have built probably eight cabins for us and are doing a fantastic job through their student program, and they build us one a year and we have a contract with them. The early cabins we purchased Skyline, like a mobile home on a chassis and that is what some of the cabins are at Perry and Cheney and some of those areas. Commissioner Escareno - Fort Hays State has a pretty good carpenter program that you might take a look at and consider. Lanterman – I will do that because it has been a favorable program for us. We have even had high schools reach out to us. It is a great program for us and them. Conner went down to Neosho Community College and those students are proud of what they have done; a neat program for us. Chairman Lauber – We have a recommendation and need a motion to approve it. Sheila Kemmis – We don't need to vote. Lanterman – We normally don't. Chairman Lauber – I thought since it was public hearing we were voting on the numbers.

No vote required.

Lanterman - Mr. Rider, thanks for your support of Kansas State Parks, our team enjoyed you and your family coming out and using our cabins, camping and using our trails. You have always visited with them and they truly appreciated it. Thank you for what you have done for Kansas State Parks. Commissioner Rider – Thank you, we had a great time and we will continue to come.

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

August 4 – Hutchinson, Dillon Nature Center

September 8, Chanute

November 17, Colby

January 12, Wichita

Chairman Lauber – Consider discussion at next meeting. We have been having more after 6:30 than we used to and want to consider keeping afternoon schedule a little lighter and have evening session start at 6:00 pm instead of 6:30. Think about that and we will bring it up again at next meeting. Commissioner Sporer – I would like to make a proposal. Our afternoon session was three hours and evening session was an hour and a half. What would be wrong with starting 10:00 to noon and finishing up 1:00 to 3:00? Then everyone could get home by dark. Chairman

Lauber – That would be fine with me, but the biggest difficulty is that we try to have an evening session for people in the areas to come when they didn't have to work. That is the reason it started but I am not saying it has to remain that way. Commissioner Sporer – I would recommend change for ease of travel; lack of having to have overnight travel and everybody can get to a location by 10:00 am and get home by dark. It makes sense to me. Chairman Lauber – I think we should consider that and have staff to look into it and make recommendations too.

XIV. ADJOURNMENT

Adjourned at 8:00 pm.