



KANSAS
WILDLIFE & PARKS

Our Mission

“ TO CONSERVE AND ENHANCE
KANSAS' WILDLIFE AND ITS HABITATS,
ENSURING CURRENT AND FUTURE
GENERATIONS APPRECIATE AND ENJOY
THESE LIVING RESOURCES AND
ASSOCIATED RECREATION, WHILE
INFORMING THE PUBLIC OF THE STATUS
OF KANSAS' NATURAL RESOURCES,
GAINING UNDERSTANDING AND SUPPORT
IN ACHIEVING THIS MISSION. ”

REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING AND PUBLIC HEARING
Thursday, January 25, 2024
The Meeting Room on Main Street
16 Main Street, Sabetha, KS
including a
Virtual ZOOM Meeting Option

A) Log Into Zoom

1. Visit

<https://ksoutdoors.zoom.us/meeting/register/tZYsdOCtqT4oHdUVsp205eKIoFSZuSc7JDwq>

2. Register by entering your first and last name, and email address.

3. Once registered, you will be provided a link to “join the meeting.”

4. Visitors will be muted upon entering the meeting. To comment or ask a question, use the “raise hand” feature or type into the chat area.

B) Call In

1. Call: 1-877-853-5257

2. When a meeting ID is requested, enter: 821 3957 5271#

3. When a participant ID is requested, enter: #

C) Watch Live Video/Audio Stream

1. Individuals may watch a live video/audio stream of the meeting on

<https://ksoutdoors.com/commission-meeting>

I. CALL TO ORDER AT 12:00 pm (noon)

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

IV. APPROVAL OF November 30, 2023 MEETING MINUTES

V. DEPARTMENT REPORT

A. Public Hearing (Administrative Rules and Regulations - Pursuant to KSA 77-421)

None

VI. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

V. DEPARTMENT REPORT (continued)

B. Secretary’s Remarks

1. Agency and State Fiscal Status (Secretary Brad Loveless)

2. Legislative Update (Dan Riley)

C. General Discussion

- 1. Commissioner Permit Update and Drawing (Stuart Schrag)**
- 2. Webless Migratory Bird Regulations (Richard Schultheis)**
- 3. Waterfowl Regulations (Tom Bidrowski)**

D. Workshop Session

- 1. Antelope 25-Series (KAR 115-25-7) Regulations (Matt Peek)**
- 2. Elk 25-Series (KAR 115-25-8) Regulations (Matt Peek)**
- 3. Military Deer Seasons (KAR 115-25-9a) (Levi Jaster)**
- 4. Big Game 4-Series Permanent Regulations (Levi Jaster)**
- 5. Carcass Movement Regulation (Levi Jaster)**
- 6. KAR 115-8-26 new Public Lands regulation (Ryan Stucky)**
- 7. Pending Regulations (no presentation, presented multiple times) (Dan Riley)**

KAR 115-7-2, 7-3, 7-9, 7-10 Aquatic Invasive Species Regulations (At AGs office)

KAR 115-25-14 Fishing (Reference Document)

KAR 115-5-1 Furbearer regulations (waiting on edits)

KAR 115-8-1 Public Lands regulations (reference document) (waiting on edits)

KAR 115-30-4 Boating; capacity plate and operation (at AGs office)

KAR 115-2-3 Camping, utility, and other fees (waiting on edits)

- 8. Published in the Federal Register – to be voted on in March (no presentation, presented multiple times) (Dan Riley)**

KAR 115-4-11 Big game and wild turkey permit applications

KAR 115-25-11 Furbearer regulations

KAR 115-30-10 Personal watercraft; definition, requirements and restrictions

VII. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

VIII. OLD BUSINESS

XI. OTHER BUSINESS

A. Future Meeting Locations and Dates

IX. ADJOURNMENT

If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter, call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911. The next commission meeting is scheduled for Thursday March 28, 2024, Topeka and Shawnee County Library, Marvic Auditorium Room 101C, Topeka, KS. Times have changed to start at NOON and run until we are finished, with no recess.

**Kansas Department of Wildlife and Parks
Commission Meeting November 30, 2023
Lyon County Fairgrounds, Bowyer Community Building
2700 W US Hwy 50, Emporia, KS
including a
Virtual ZOOM Meeting Option**

Subject to
Commission
Approval

The November 30, 2023, meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 12:00 p.m.

Chairman Gerald Lauber, Commissioners Emerick Cross, Warren Gfeller, Delia Lister and Lauren Sill were present. Commissioner Phil Escareno 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

Mission Statement (Exhibit B) and Agenda (Exhibit C).

Sheila Kemmis – One correction in first agenda mailed out, under workshop session, 6) Pending Regulations, KAR 115-30-4 was listed as Boating; capacity plate and operation and should be 30-4 Fire Extinguishers; requirements and was corrected in the copy on the table.

IV. APPROVAL OF THE September 7, 2023, MEETING MINUTES

Commissioner Lauren Sill moved to approve the minutes, Commissioner Warren Gfeller second. *Approved* (Minutes – Exhibit D).

V. DEPARTMENT REPORT

A. Administrative Rules and Regulation Procedure – Pursuant to K.S.A. 77-421 – Public Hearing (Notice of Public Hearing – Exhibit E)

11. KAR 115-2-1 Amount of Fees – Jake George, wildlife division director, presented this regulation to the Commission (Exhibit F, PowerPoint – Exhibit G). Began process in January 2023, had discussions establishing the need for additional revenue. Recommendations made in June and in promulgation process since then. Two things changed during promulgation process. We had an increase on the nonresident hunting license that is currently \$95 that has a cap of \$125. Nonresident spring turkey permit from \$60 to \$75 and the addition of the nonresident draw for this coming spring turkey season. The nonresident combination two-deer permit is an antlered and antlerless white-tailed deer permit, that one is currently \$415, at a rate which is less than it would cost to get the antlered permit and an antlerless-only permit as a nonresident

separately, so that is certainly one that we're going to look at an increase to \$450. The non-resident fishing license is another one that's been identified, it's currently \$50 and has a cap of \$75. The nonresident calendar day fishing license doesn't have much room to increase, but is one that's at \$7.50, has a cap of \$10. We've already talked about the two separate hunting and fishing nonresident permits. The nonresident combination hunting and fishing license is currently at \$135 and has the potential to increase to \$190 as opposed to buying them separately. Based off calendar year 2021 license sales, because with the change in licensing system at the time of estimations, that was the best full year data we had to use when we started the process. We were estimating about \$3.74 million before those two changes. As part of the promulgation process statute 32-937 subsection H was identified as the special hunt own land permit which is for lineal ascendants, descendants and spouses should be equal to the price of the general resident deer permit. At some point they were set at the nonresident hunt-own-land deer permit price at \$85 so a correction will be made from \$85 down to \$40. We sell approximately \$1,200 of those each year so that will be a net revenue decrease of \$54,000. The second change was legislation passed regarding requirements for licenses for disabled veteran free lifetime hunt and fish combos. That was previously an annual process to provide those free permits with limited funds. This is going to be a revenue neutral change. Because of legislation, we will have to strike through language on disabled veteran hunting, fishing and combination licenses. The second change of adding the special hunt-own-land deer permit reduction in revenue and estimation of changes outlined in the briefing book, the revenue increase would be about \$3.68 million for next year.

Commissioner Sill – All are at caps now? Jake – All will be at statutory caps, yes.

Commissioner Warren Gfeller moved to approve K.A.R. 115-2-1 as presented to the Commission. Commissioner Delia Lister second.

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

Commissioner Cross	Yes
Commissioner Escareno	Not present
Commissioner Gfeller	Yes
Commissioner Lister	Yes
Commissioner Sill	Yes
Commissioner Sporer	Yes
Commissioner Lauber	Yes

The motion to approve K.A.R. 115-2-1 passed 6--0.

2. Secretary's Orders – Free Park Entrance and Free Fishing Days – Linda Lanterman, Parks division director presented these resolutions to the commission (Exhibit I). Parks has three free entrance days a year, May 4 is for all state parks, Lets Camp America is a national initiative. Each park can do their own, usually an OK Kids Day and last one is Black Friday where we have a *#optoutside*. We hope to get people out to the parks with these initiatives. People take selfies and attach them and give a free cabin stay to those selected. The other resolution is the free fishing days, which will be June 1 and 2, 2024. No vote necessary, the Secretary will sign these.

VI. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Jeff Hancock, president of new NGO, Kansas Hunters for Access – positive relationship. Shot first quail near here. We are trying to promote access and building positive relationships between hunters and landowners. As a child I appreciated access to farms and ranches with my grandfather. During the summer my grandfather would go around to landowners and give them peaches and watermelons to get access. We spent time with them and got to know each other. My grandfather died in 1997 and a lot of the access died with him. We still have some access, and we do the same things my grandfather did to be allowed that access. While landowners have changed, and access has changed. In mid-1990s we started seeing WIHA signs. I continue to hunt and hunt a lot of WIHA or public lands. Enjoy hunting as a family and enjoy doing that together. There are threats to the WIHA program with so much private leasing, nonresidents buying property to hunt on, outfitters, and just bad hunter behavior. So, we formed this not-for-profit several months ago, focused on public land access and mainly on WIHA program. Working with KDWP staff, sending surveys to cooperators asking them to stay in the program and asked what we could do to help them stay. Those survey responses are being compiled and we are doing a pilot project this winter in north-central Kansas. We will be hosting a group of WIHA cooperators within a certain radius and will have KDWP and other NGOs on hand to provide information about services that can be offered. Kansas Hunters for Access will have giveaways for the cooperators as appreciation gifts that are being provided by local vendors and NGOs. We will provide the cooperators an opportunity to sign up for work such as fencing cleanup, invasive removal and painting that needs done around farms and ranches that our volunteers can help with. I was recently asked why this is necessary, and I told them, as a business owner it is the same reason, I go to work every day an hour before everyone else, a little bit of extra effort can brighten a cooperator's day, I think it is a win-win and we can make it happen. This is an experiment to be sure hunting access is available in the future and working back to place where the relationship between the hunter and landowner is a good one. Chairman Lauber – Do you have a business card? Hancock – Not yet but I will give you my personal business card. Commissioner Gfeller – Do you have a website? Hancock – kansashuntersforaccess.org. Commissioner Cross – How many members do you have? Hancock – Not membership based, volunteer based. We did that on purpose, to keep our focus on WIHA programs and not have influence of members wanting to drive things in another direction. Commissioner Cross – Do you have folks across the state? Hancock – We have board of four in the center part of the state, Manhattan, Hutchinson and two in Pratt. Commissioner Sill – How many volunteers have signed up and where are they dispersed? Hancock – We have about 25, most in population centers of the state, but a few in rural areas.

Jim Schuhart – Here to talk about live target sonar and excessive harvest it is causing. I have five articles I would like to present (Exhibit J) written by industry professionals and Arkansas Fish and Game. All these individuals are concerned about over-harvest that live target sonar has caused on lakes. Some states had reduction in limits, Minnesota went to 15 pan fish limits with five crappies, five yellow perch and five blue gills. Mississippi put in a reduction of 30 fish per boat to stop overharvest. I think it needs to be done here. I am retired and I fish a lot. There are a lot more guides than there used to be with two to seven people per boat and they come out with 140 fish with bigger group and do it repeatedly day after day. If you want evidence, they actually have a Facebook site called Kansas fishing guides where you can see firsthand. They say things like, come fill your freezer. Kansas lakes aren't designed for that, and they shouldn't be doing

that, lakes are for everyone not just them. These noted guides have millions of dollars invested. We have taken the cork out of the bottle of technology; it works well, and anybody can use it. If anyone would like to see it, I can give a boat lesson on how it works. I agree we should have limits and slots. Crappie is a catch and keep type fish, black bass usually catch and release. Crappie are not helped by hatch releases but rely on natural reproduction and are prolific and can come back quickly. They need high water to have a good spawn, so numbers are down. Then they were hit hard and hurting our lakes. Pick one lake as test lake and put limits and higher slot on that lake that is known for crappie, do for year and apply across the state if it works. Lakes that have stripers, at beginning of year people were catching 10–15-pound fish, as summer progressed smaller, now taking five- to seven-pound fish. They are taking the top end of fish out. They are slow growing. The blue catfish gets special regulations on them, and I think the 50-fish limit crappie and should be reduced to 20 or 30. White bass is a pan fish and has an unlimited limit on them, the only state close to that is Oklahoma, they are getting hit hard. Chairman Lauber – Where do you fish? Schuhart – In the north and eastern part of state. I fish John Redmond, Coffey County, Melvern, Pomona, and Council Grove. Commissioner Sporer – Jim, aware of Wildlife and Parks study done a few years ago on sonar at Cedar Bluff? Schuhart – Yes, the one Ben did with 10-20 boats. Arkansas did the same thing with 700 boats, and they found significant difference. Catch rate with live target sonar was 2 ½ times higher than ones without. They did it not because of excess harvest but they thought they were targeting bigger fish and found that wasn't true but took more. We need to implement regulations to help protect fish and get reduction to manageable level. Commissioner Sporer – I have asked about 50 crappie limit and have learned from fisheries people that there are times when too many crappie and white bass and it would be good to take them out. Schuhart – I understand, but why lakes in other states with more water, find they need a limit, when we have smaller surface area and higher limits? Commissioner Sporer – Can Bryan Sowards answer some of the questions? Bryan Sowards, fisheries division director – Why we are different at 50/day versus other states? At one time it was unlimited. I have spoken on this before and I think the interesting thing is unintended consequences so went from unlimited to 50/day and we actually saw increased harvest because they had a target they could hit. A small portion of the anglers take home 50 fish/day based on creel surveys. Maybe that has increased since live imaging came out, I'm not sure. Schuhart - Crappie fishing popularity has increased to one quarter of all the fishes at all fisheries and you need to take that into account. Sowards – And winter is when they school up tighter and are easier to find. Schuhart – Don't have to be much of a fisherman to take a bunch. Arkansas has implemented their own limits because they are concerned. The guys who install sonars in boats, all live imaging anymore, at \$4,000 each, sometimes worth more than the boat and they don't have to fish for them. With not have a guide association in Kansas, they are getting their monies worth. Sowards – We have fishing regulations on guides. Schuhart – Don't know what regulations on guides are, but have seen them go out, cast and pass the pole to the client. Where does that apply to the limits? Sowards – Proud of our division and the fact that we sample every year and monitor to make sure we don't have crashes in populations. So far, we have not noticed any concerns. We have taken a deeper dive into age and growth information for crappie as well as the social component of what people like to see for creel limits and those sorts of things. What we saw in growth information, we would have to reduce to five to seven fish to make an impact on population, people wanted a 20-fish limit but did not support going below that. Schuhart – If don't have live sonar you can fish all day and not get 20 fish, much more efficient using sonar. I didn't see a boat yesterday that didn't have it and fish can't hide anymore. There is a learning

curve but once you learn how to use it, you are deadly with it. There is not a professional fisherman on the circuit that doesn't have one, unarmed if you don't have one. In doing limits take that into consideration. Again, if you want to see it, I will show you it in action. Chairman Lauber – I believe it is effective. Discussion of limits has a lot of issues with it, not necessarily people's disappointment, but some lakes need a limit, and some don't. I recommend we study these things. Heard before and not without merit but can't solve here today. Appreciate your comments.

Kurt Ratzlaff, Backcountry Hunters and Anglers – Spoke in Pittsburg and said we would be watching to be sure the North American model of wildlife conservation was followed on appropriateness of deer baiting. We have not adopted a position on the issue. We are evaluating scientific evidence of CWD. It appears baiting has kicked down the road again like it has for the last 10-20 years. Feels like it is some sort of political hit job, not sure whether Washington DC, Topeka or both. There was a website that said there was going to be a secret vote by the commission, also politicians and bureaucrats were going to take everybody's ability to kill big bucks away. Also, same website had a well-known politician that said how baiting was the greatest thing. It smells like it was political. All I know is politicians and bureaucrats are supposed to stay out of this type of decision, and that is based on two distinct sources, the North American Model of Wildlife Conservation mandates the Commission makes decisions to conserve the state's wildlife. The wildlife belongs to all Kansas, owned by citizens, who entrusted you to make those decisions on wildlife based on the best available science. The second source that tells us politicians are not to be involved in this decision is the Kansas citizens who recently voted that legislature should stay out of agencies and let them make their own decisions. These two things mandate this commission to make these types of decisions based on science and any politician, whatever side they are on, is failing the citizens as well as our wildlife. There is valid criticism we heard regarding information presented on whether baiting leads to an increase in CWD and I don't know if we have sufficient testing in Kansas yet. So, let's do something and don't kick the can down the road. Let's continue the conversation and get some information that allows us to follow the science and see where it leads us. If we can do that then maybe 10-15 years from now, they will say you did something. Continue the conversation, do some testing and do what we have to, to have some information to follow.

David Mueller, Halstead, speaking on behalf of others. Thank Commissioner Sill for talking with me on the phone as well and encouraged me to come talk to you to consider the use of drones, Or UAV, for recovery of deer. When hunting deer, especially with archery equipment, uncovered deer are a concern, consensus shows 83-87% recovery rate with archery equipment. Based on harvest numbers, that leaves 5,000 to 6,000 deer a year not recovered, some injuries may not have been fatal, so maybe 2,500 to 3,000 killed but not recovered. We understand dogs are effective but there are not enough dog handlers to meet the demand. Other concerns with tracking dogs, they are invasive to ecosystems and their tracks can also make it more difficult to recover the year. UAVs with thermal cameras are highly effective in locating dead game and can cover large areas quickly. They fly 200-350 feet off the ground and are minimally invasive to the environment. Embracing technology can enhance experience of hunters, conserve and expand our state's natural resources. Crossbows, modern muzzleloaders and thermal scopes are all examples of technology that you have passed. Chairman Lauber – It is your idea to liberalize the use of drones for recovery of game? Mueller – Yes. Those technologies are ones embraced by

Kansas and other states and can be used to take game, but the drones would only be used for recovery at this point. Every regulation and corresponding technology have challenges, but not more difficult than other technologies. We believe enforcement wouldn't be any more difficult than any other regulations on the books. We recognize KDWP faces challenges in funding and manpower, so we have ideas for enforcement we believe would lessen the burden on KDWP. Our idea is to have a certificate issued by KDWP. Possible requirements would be the operator have a part 107 commercial drone pilots license issued by FAA, a hunter education card, a fee to cover processing and administrative expense and signed commitment by the operator to use the technology only for recovery of harvested animals. Upon submission of all that KDWP would issue a certificate to be kept on the operator, similar to a license. Another option would be to require operator to notify local game warden when recovering game. Thermal drones are a little bit self-regulating and setup costs are around \$15,000, so not every hunter will have one. With high cost, technology is available to people with means. As a whole, hunters act in the spirit of fair chase and within the law. Legal options available to hunters are more likely going to take those options rather than resorting to operating outside the law. We don't want to minimize importance of enforcement and recognize KDWP regulations rely on trust between agency and outdoors men and women. Any potential UAV regulation would rely on same trust. Chairman Lauber – At this point, we have people dealing with drones in the agency and they will take this into consideration to see what may be possible. Assistant Secretary Schrag – For clarification, the reason it is not lawful at this time is it is not under state regulation but in state statute, that defines illegal methods that include aerial as well as mechanical and 32-71 which offers definition of take. Mueller - Is the term collect in that definition? Assistant Secretary Schrag – There are several words within the definition. My point being that would have to go through legislative process not regulatory process. Mueller – If take is the issue, then you wouldn't be able to use ATVs to haul deer out, that would violate that state statute. Nobody is going to argue you can hunt a deer from an ATV, but I don't know of anyone questioned for hauling their deer out. Assistant Secretary Schrag – The whole definition of take. Mueller – I would say it is applied inconsistently. Schrag – I wanted to make you aware of the regulatory process for change through this commission. We have reviewed this extensively with legal and law enforcement and we all have the same understanding. Chief Counsel Riley – I suggest we continue this dialog, never best way to answer a question when there is legal significance. I have your name and contact information and I will look at the law. Assistant Secretary Schrag – Appreciate your ideas and offering ways we could make this enforceable as that is a concern. Chief Counsel Riley – How many hours from do you have from the time deer dies and you still have significant temperature differential so thermal imaging can locate it? Mueller – Most of my information says 48 hours after being shot, but that would be weather dependent, so that would be with ideal conditions. Chief Counsel Riley – Would need mechanism to distinguish between a live deer and deer you are looking for. In other words, what would keep you from pursuing a live deer rather than dead deer. Mueller – If dog tracking, they don't know if live or not either. There is a level of trust between the hunter and the dog. In this case trust would be between the operator and the drone. Those dogs can do amazing things. Generally, you could say after a certain time, a hunter could track or pursue the animal. Chairman Lauber – We need to take this conversation offline. I didn't realize there was a statute in place.

Terry VanWey, landowner Wabaunsee County – Is there talk about bringing back transferable deer permits? Chairman Lauber – Permits generally not seen with favorably VanWey – I mean I

disapprove of them entirely; I don't mind hunt-on-your-own land. Chairman Lauber – We have had attempts to bring those back and the department took a negative posture. VanWey – All you are doing is giving the outfitters ability to hand out permits I am strictly against those.

Sean Miller – Appreciate the time and apologize I can't be there in person. Asking for inclusion and future agenda item. I testified in March on 115-8-25, public land trail camera, adopted ban, but want to be sure you stay committed to future discussions. Put on agenda. I heard from Assistant Secretary Schrag, and he stated he wanted to wait until after deer season. January 25 is before season, so March 28 is next. I know what regulatory process is like, so maybe a couple seasons before it is changed again. I have spent most of summer talking to several employees of KDWP and fellow hunters in parking lots. I discovered a whole community that doesn't hunt but enjoy getting wildlife photography and photos. I am disappointed by this as well. Really not trying to debate today and I am sure we will have a robust discussion in the future. I did want to mention, the Secretary asked me a couple weeks ago if I was able to find a deer and kill it. I did and I don't need cameras to do that but more disappointing this year. Seen fair amount of conflict on wildlife areas in eastern half of state, managed by parks and Corps of Engineers. Passage of this regulation created conflicting allowances on those two areas. The Corps allowed cameras and that created a rush to put cameras in those areas. Unfortunately, people who were unaware of this had people going around and breaking cameras and stealing cameras and leaving notes that they were illegal. I want to make sure we don't lose sight of that and add to agenda for future meeting. Chairman Lauber – I am the one who committed to reviewing this. I think we should do that after deer season closes. Assistant Secretary Schrag – In regard to Corps issues, we will reach out to them, they try to follow suit, but not always the case. It is property-by-property, and we will reach out to them to get standardization between us and Corps partners. I will follow up with Sean as well.

Andrew Clark – Deer hunting considerations, I am in northwestern Kansas. I put down a lot of miles this year and have concerns about whitetail and mule deer populations. I am looking at whitetail unit map and it looks like Units 6, 8, 9 and 10 have only one whitetail-only permit, but much of northwest Kansas still five per season. Given what I saw I am asking you to consider following suit with those other units and go back to one. The population is down out there and needs help. Another consideration, I mentioned in Garden City that mule deer needs to go to lottery draw to keep eye on those. Being able to buy over the counter with archery or muzzleloader tag is not keeping a good eye on that. The population is suffering in west half of the state. Want straight lotteries for all methods of take. I ran into a lot of nonresident deer hunters on public ground, a lot of them seeing not much sign of anything. We need to set up a quota on nonresident tags, potentially making two tag types, where 90% of tags are allotted to private ground; and 10% be open tags where you can hunt WIHA and public ground. Then maybe we will be able to control pressure on public access.

Commissioner Sporer – Does Levi want to address doe deal Andres is talking about? Levi Jaster, big game program coordinator – We are having discussions about this. Big thing in northwest Kansas is the high prevalence of CWD and that is one of our tools we have. Looking at deer harvest versus hunters and changing to one deer tag probably isn't going to change the harvest. It might make people happy, but it does take away some of the little bit of additional harvest we may get in CWD area. The reason we have kept those tag numbers higher is the CWD and rather

than trying to incur significant cost of culling deer in places we have left doe tags. It is also another opportunity to get meat. Commissioner Sporer – What about mule deer? Jaster – We are having discussions about draw for all mule deer tags. Also, possibility of research on that and where things are good and bad.

Travis Burch, youth director for Kansas Bass Nation – I know you have been discussing limiting tournament lakes to one per day and possibly raising the fee. I want to say that is a good idea. We are seeing three to five tournaments a day on lakes, and it is getting ridiculous. If there is any way to have a centralized location to fill out permit, then you could control from one location rather than the cluster it is now. The Black Bass Pass, is there any way, as youth director have seen ups and downs of kids' faces, to adjust black bass pass creel limit to allow kids, or general tournament angler in general, to bring in a smaller fish? Bring in 13 or 14 inches or sometimes 12 inches like Oklahoma. On creel limit, why are we not protecting best class of fish? Chairman Lauber – Our people will look into that. See good and bad.

Zach Parent – In favor of lottery draw for mule deer tags. I am a resident and bow hunt. I am glad to have an opportunity to hunt them here instead of having to go to another state. In favor of tags going to residents. Back in March a comment was made about non-hunters and their piece of the pie on public lands. Having a fee to be on that land. You phrase it as non-consumable, but they are consuming something on the land. Use word like a roadblock but need to make them pay their share. Curious on that? Is there progress on making non-hunters buy a license or have a fee to go mushroom hunting or whatever? Assistant Secretary Schrag – We are having those conversations internally. Some of the roadblocks you are referring to is what we have identified as additional fees for public lands and converts into program income. We use federal funding and how we match that is a major consideration on how we balance and manage those federal grants and any additional revenue. No significant progress has been made but conversations are continuing.

V. DEPARTMENT REPORT (continued)

B. Secretary's Remarks

1. Agency and State Fiscal Status Report – Assistant Secretary Stuart Schrag, presented this update to the Commission. Park Fee Fund (PFF), derived from entrance fees, camping fees and annual vehicle passes to state parks. So far for fiscal year through October was \$4 million, similar average as recent years. Cabin revenue is from parks and public land cabin rentals, total revenue through October was approximately \$416,000, increase from previous year of 29%. Wildlife Fee Fund (WFF) is derived from sale of hunting and fishing licenses, big game permits and tags, to hunters and anglers. WFF revenue through October was \$4.8 million, about average. Between August through November, hunting license permit category sales were up around \$250,000, so encouraging. The Boat Fee Fund (BFF) is derived from boat registrations and with this money we provide boating safety, education, and access infrastructure to protect and support the boating public. Revenue through October was \$457,000, similar to previous years. The agency budget for 2025 has been submitted to the Division of Budget and we have had some back and forth with them. They have had questions we needed to clarify. Once we hear back from them, we will update the commission on any potential changes. Commissioner Sill – You said our deer permit sales were up \$250,000? Assistant Secretary Schrag – All hunting

categories. There is an increase in resident deer permits represented in that. That has been an area of decline. I would have to look at that as I didn't get specific break downs. The new fees aren't in effect. Commissioner Sill – I believe it is going down in past years. That was why I was asking if that was representing a slight increase. Assistant Secretary Schrag – This wasn't one specific permit class this was overall hunting licenses in the hunting category from August. In other notable news. This September we hosted the 50-year anniversary of our SASNAK program. SASNAK stands for Surging Ahead with Skippers, Nimrods and Anglers of Kansas and is also Kansas spelled backwards. We hosted a gathering for that and had a pretty good turnout, about 82 people and it was good to see old faces. A lot of people reminisced about the good old days. I was glad to be a part of that. The program hired roughly 65 new employees into the agency, mostly biologists, 31 fisheries and 20 wildlife as well as some other random people. SASNAK has a lot of historic significance within the agency. Also, back in September, Linda Lanterman received the Distinguished Director Award at the National Association of State Park director's annual conference in Lake Tahoe, Nevada. Congratulations Linda. In October, the Kansas chapter of The Wildlife Society also celebrated 50 years. They are a great organization, and it is notable to reach 50-year mile marker. I want to also recognize people who are transitioning to a new phase of their life and retiring. I wanted to publicly recognize them for their dedicated years of service. Debbie Rosacker our Human Resources director for the past nine years with KDWP but has worked for the state for 37 years. Pete Szabo is our management analyst planner and has been with the state for 28 years, 10 with KDWP. Alan Stark, one of our parks regional supervisors has been with the agency 40 years, Steve Adams has worn several different hats for the agency, he has been the environmental guy in regard to water issues and the last couple years as our budget analyst. He is leaving with 34 years of service. I just wanted to acknowledge their dedication and thank them for their service. I would also like to introduce Ashley Beason, our new legislative liaison. We have never had a designed person before, in the past the Secretary, budget people and legal staff filled that, and we felt we had a need for this position. She is well qualified and has experience in this field and will be dealing with any legislative issues. She will be working in the background all year long talking to the people. Ashley Beason – I began my job one month ago. I hit the ground running. My background is, I was a middle school teacher for 13 years; earned my doctorate in 2016, which started path toward research and policy, so I have been working for the state and advocating for nonprofits for the past few years and doing lobbying and advocacy work. I am excited to be with the agency and I will be traveling around the state to learn about what everyone does. Please contact me if there is anything you need in terms of advocacy in the legislature. Assistant Secretary Schrag – Ashley is already working hard on one legislative initiative. We will be going into the 24th session on the land acquisition in Jewell County near Lovewell and she has already made a trip out there and met with staff. Having her in this position will be a great benefit. One other person I forgot to mention, Joy Duncan, our chief fiscal officer, who has been with the state for 15 years, went over to the Department of Health and Environment. So, we have open positions we are discussing internally and how we fill those.

C. General Discussion

1. Wildlife Research and Survey Update – Rich Schultheis, assistant wildlife division director, research (PP - Exhibit K). Welcome back to Emporia, where we have our research and survey office where most of the statewide coordinators that talk about the regulations are housed.

At the last commission meeting we talked about harvest surveys and today I am going to talk about population surveys. The information utilized for management of wild species is broad and there are several data streams we consider. We utilize harvest surveys and how we utilize that is we collect it, by best method possible. Today talk about abundance and population surveys, which is the second one we consider in our management decisions. During last commission meeting, spent fair amount of time on census and survey differences and why we rely on survey process to collect harvest survey information. Primarily when talking about populations the same type of limited population, small scale, so using surveys where counting using methodology that allows us to count specific areas, specific individuals and extrapolate that out and come up with reliability indicators we are confident in. Population surveys are our most common technique and add the idea of an index that we utilize for wildlife populations. In some species a survey is a difficult process to follow through with. An index is documenting measures, other than actual abundance or density of individual population. We are talking about population estimations for these surveys a lot of time that encompasses both survey and index. The question becomes why we choose one over the other. It has to do with limitations, difficult to document individual counts and detectability and having a reliable survey to complete it and cost associated with it. There is only so many staff in the state we can rely on for surveys. We think about the species and what we need to know as far as scale precision timing, like time of year, and when you put that all together it helps us make the decision on survey rather than a census. The list of surveys we do on a regular annual basis is staggering. An example is the population indices, show up in annual upland bird forecasts, pheasant/crow/bobwhite whistle counts, similar procedures but happen at different times based on biology of the bird. We are talking about almost 80 routes that are happening throughout a large part of the state. Commissioner Gfeller – Do you do them at the same time of day every day? Schultheis – Yes, same time of day with some little differences, like length of the duration of the stop and how long we are listening, the number of stops and the same idea applies. Instead of saying we are estimating the number of individuals there is an index. We record data on a sheet, count number of calling males per stop, count individuals per stop and compare areas over time. Trends change and if you are a manager you use the information to make decisions about harvest seasons or those types of things. Use Rural Mail Carrier Surveys, and we ask them to report what they see when they run their mail routes. It is a standardized process, number of individuals they see per 100 miles driven. One of the nice things about this survey is it applies to several species. Same survey used for turkeys, later in the year, we use information as an index of adult abundance on the landscape and then later in the year the number of young versus adults, which gives idea of production. A lot of surveys and indices are used for multiple purposes. The roadside furbearer survey is done within in the agency and is wildlife personnel during normal duties and activities, keep track of what they are seeing, whether alive or dead and this is a realizable index for furbearer abundance. It isn't an index but a roadside index and is not an absolute abundance estimate, more a density estimate. A spotlight survey is done while driving around at night with spotlights and how we keep track of deer abundance. Those are done in all deer management units and on wildlife areas. It begins 30 minutes after sundown. Commissioner Gfeller – How does distance figure into this? Schultheis - You find a deer on rangefinder, estimate the angle from where you are and the distance and that allows us to use procedure and methodology to come up with deer densities. If you have enough observations, it is a more useful, functional and reasonable estimate. Routes vary in length, shorter on wildlife areas and a bit longer outside those areas. We rely on public roads and try to overlap with peak deer activity. We avoid firearm season. What we produce is deer management

unit figures for density of deer. Levi takes the information and uses it for estimated number of deer in the state on annual basis. We are not collecting information on how many individuals are out there. For some species we have ability to do so. We manage for the male and female populations differently, so it is good to have an estimate of both. Another is the aerial survey, with an airplane. It needs to be low, 45-foot to 500-foot range, so a little skill involved. Flying one square mile units, cell to cell, looking for Canada geese (or other species) when they are initiating nesting. We use stratified sample of habitat metrics to decide where they are and look for the presence of water. We do 150 aerial surveys a year in April, that coincides with peak nesting. We take examples from urban and rural areas and utilize information to get an annual population estimate. Our most elaborate survey design, to locate prairie chickens on the landscape, is a helicopter survey. We fly transects randomly in selected cells that are 15 km and 50 km looking for abnormally large prairie chicken areas. The survey occurs March 15-April 15, during lekking period, a morning survey. It relies on similar distance sampling, and we also mark recapture technology baked into the process. This came through the range-wide conservation plan for lesser prairie chickens, and we have since adopted it for greater prairie chickens. The range-wide plan involves five states in the prairie chicken region and has been conducted every year since 2012, except for 2019 because of Covid. The greater prairie chicken survey occurs primarily in Kansas and a small part of Oklahoma on every three-year basis. Lesser prairie chicken surveys are done every year. Our population estimate with confidence intervals are broken down by region and we produce estimate for each eco-region. Techniques we utilize for a particular species group has a lot to do with management decisions and things like feasibility reliability, when it has to happen or what time of year and we have to be able to afford the survey methods. We can use multiple survey efforts for some species. We have an extensive calendar of surveys we do, and it falls on statewide coordinators, wildlife biologists, public land managers, law enforcement and fisheries biologists. We use information to make harvest management decisions, habitat conservation and prioritization, for status assessment and lots of other things as well. We continue to assess the best methodology and look at new technologies as well, like thermal optic cameras, drones, satellite imagery and analytical techniques are constantly changing. We are using the best technology and providing the best information. In the last 4-5 years we have either funded or participated in research projects specifically meant to address our surveys and we can improve them. We use the best technology and best information because we want the best results. All of our surveys are available on our website, so publicly available. One component of the folks that coordinate the research and survey work here in Emporia, and most employees who work for the agency, is helping with these surveys in some way. Applaud them and their work.

Unknown – Are spotlight surveys done on main roads or other roads? Schultheis – We try to stay away from main roads with a lot of traffic, use best back roads with least issues of disturbing people. At times they need to be adjusted because of development in an area, especially in eastern and northeastern Kansas. Those areas are where we are looking at utilizing thermal technology to avoid conflicts with landowners and residents. Commissioner Sporer – I question the rural mail carrier survey because none of the ones I have talked to participate in the survey. Do we have information on how many are out there and how many do the survey? Schultheis - Kent has that information. Kent Fricke – Historically we have run the mail carrier survey since 1960s, and we have had tremendous input. We have had about 100 to 110 responses each year, for each of the four times a year we do the survey, sometimes only around 90. There are a lot

who don't participate. It is a voluntary program. There have been no increases in variation. If we saw a drastic increase in variance we would have concerns, but it is relatively consistent participation, and we have confidence in the results. Commissioner Sporer – None at my local post office do it. So, that is my red flag. Fricke – We can talk to them and tell them how data is used if you wish. Commissioner Escareno – Have we ever considered putting cameras on rural mail carrier vehicles, then we don't have to rely on them to provide the information? I believe we don't get participation because of time it takes to do job and do survey. Schultheis – We looked at camera technology and use of AI and other programs to help with that problem. We rely on cameras for a lot of surveys, but the problem is they produce an exorbitant amount of information, and it takes time to go through all of that data. We continue to consider technology like that but at this point that is not something we discussed. We can consider that option as well as other technology as it develops. We appreciate comments. Commissioner Escareno – How often do we use drones for surveys? Do we own a drone? Schultheis – A dozen or so. We have licensed drone pilots in the agency and have used them for multiple purposes. Law enforcement activities is probably the highest utilization of drones. Some of the difficulties with drones are line of sight and capacity to go long distances, which are limiting factors for use on surveys. There are a couple times of where we have used contractors for surveying for prairie chickens in wind energy areas. Sometimes the issue of scale comes up when trying to survey an area, with limited capabilities and they are cost prohibitive to use.

Break

2. Emporia Fisheries Research – Jeff Koch, assistant fisheries division director, research (Exhibit L, PP – Exhibit M). Handed out a blue folder with our annual report in it (Exhibit N). Have nine full time fisheries employees in Emporia. Talking about 10 different projects. Talk about effects of sonar, heard good conservation earlier and talked to Jim at break. Talk about stocking evaluations, walleye and saugeye, freshwater drum, human dimensions and cross over with invasive species projects and finish up with invasive species updates. We did a small survey of our own, conducted by Ben Neely, did in a controlled setting and some boats used live sonar, and some didn't. Ben gave a report at a previous meeting about that. One of the shortcomings of the crappie project is we ignored social considerations when it comes to live imaging sonar. I will talk about our blue catfish project, which is a mirror image, we had a bunch of people fishing, some with live image sonar and some without, done at Milford Reservoir. We wanted to study the perception of live imaging sonar by users and review the crappie study and effect on the casual weekend angler. We don't really have any evidence that live image sonar has any negative effects on our crappie population, they grow fast and have high natural mortality. The biology says that harvest restrictions, especially on large reservoirs are not needed and it is mainly a sociological issue. We altered the study design a little for the blue catfish experiment, catch metrics were similar and teams using sonar averaged about used 32 kilograms per angling period compared to 37 ½ for those not using it. So, no evidence that it affects the catch. Anglers with live imaging sonar spent more time looking for locations than those without, not groundbreaking. We did quantify that anglers with sonar said they would expect similar catch than those who didn't, but the ones who didn't have it thought they would do better with it. So that sheds a little light on psychology of live scope. Both studies are published in peer-reviewed literature, one in fisheries magazine and one in North American Journal of fisheries management. The second project, percids, or walleye and saugeye. We take walleye mother and

sauger father and cross them to make hybrid saugeye. Walleye love big reservoirs with good water quality and good habitats, and we don't have a lot of those in Kansas, and they don't live well in turbid waters. The hybrid saugeye do well, especially in small impoundments so we stock them across the state instead of walleye on eight federal reservoirs. As fisheries management agencies we need to think about what we can do to make those populations better and stocking hybrids could be a solution. We did a study; the objective was to stock 50% saugeye and 50% walleye and see what happens. We picked Clinton, Melvern and Pomona and stocked 6-10-day old fry, spawned on same day they were stocked, so everything was controlled. We looked at what happened using fall night electrofishing data, so age zero in the fall, hybrids did well in the reservoirs and excited about how those are growing. Those fish have been in there for three years, some saugeye up to 20 inches. Fresh water drum, on species preference list from licensed angler survey those at the top are largemouth bass, crappie and channel catfish and freshwater drum is not on there. So, why do research on this fish. There is a movement in fisheries professional to look at some of these non-traditional sport fish. We don't know much information about them. Recently, in Minnesota some scientists started looking at big mouth buffalo and we have them in Kansas as well. They found out they can live over 100 years, and they are not recruiting at regular spaced intervals, so might get spawn every 10-20 years. One of those things in nature of conservation we need to examine. We had an opportunity to do a study, so shift in paradigm of fisheries management throughout North America, to investigate rough fish populations to see if something we need to protect them in the future. Otolith of freshwater drum at Lovewell, aged it at 41 years old, it was seven pounds. If we can get some information in front of anglers next time they are fishing for walleye and get upset when they bring in a drum that might be older than them or their kids, they might have a little more appreciation for the species. Trends show, when good periods at Glen Elder they are good at Tuttle Creek and when bad the same at either one. Fisheries biologists and conservationists think that gives insight of broad climatic or other factors or whatever and some of these long-lived fish give insight into native fish conservation. What might be good for drum might be good for walleye or catfish, etc. so, studying ecosystems, a little more holistically. I have a couple university studies we are collaborating on. One is at Kansas State University graduate student, where he has implanted 120 acoustic transmitters into fish at Milford and Tuttle Creek with objective of to give anglers a good idea where blue catfish, channel catfish, walleye and saugeye are at in these reservoirs. This is overlap of species with blue catfish on the horizon. Milford has had blue catfish for 30 years, but we don't understand how they might affect channel catfish or anything like that, so using telemetry data. We also have a sister study to this examining food habits of blue catfish and if they are having negative or positive impact on some of these other fisheries. At Milford and Tuttle Creek, we catch the fish, put a small surgical incision and blue tag them. So, if you catch one of those, we want the tag back. We are collaborating with the University of Nebraska, Lincoln, to do human dimensions project to examine holistically if catfish angler attitudes and preferences are the same throughout the state and the way people are using them and prefer to use these fish is a mystery. Survey started last year and is going on for the next three or four years to examine where catfishing is important to anglers, what preferences might be, where people might be fishing for them. If you get a survey, please fill it out. Another human dimensions project is on our trout program. Since 2011, trout permits have tripled and quadruples and revenue has stayed consistent because costs are going up, so something has got to give. Objectives of the study is to inform palatable solutions to rising costs of our stocking program. What we did, with great participation from our division, was put boots on the ground

and talked to 500 trout anglers throughout the state. First, they wanted to know how we prioritized stocking locations. Said we should prioritize near population centers and around unique opportunities. Something different, like seep streams or outlet streams. We also got information on frequency and timing of stockings in the future, with emphasis on January and February, or November and December. Most people said November/December was hunting time. Last we asked size of trout people want. We can give a few cheaper trout, a few small, or lots of small or a few big trout. They wanted fewer bigger fish so we can take that into account. Another human dimensions study is a Kansas River user survey, from the dam to the mouth of the river. We don't have a lot of information, especially as it relates to people's perceptions on invasive carp. This study was funded by a USFWS grant to look at perception from anglers and we tacked on some other objectives. That stretch of river has a diverse user base, it is comprised of traditionally under-represented user groups. About 50% were non-white and 20% were non-English speaking, which is important. We asked their perception of invasive carp and 90% of white people were aware of the issue but the non-white users only 40% were aware. So, we need to take that information and tailor our outreach about those invasive species to the community using the river. We did survey on a boat and there are three access points where everybody was and hardly anyone in between those. We could improve safe access in that area and move the needle. Trends relating to people's perceptions of invasive carp are mixed 50/50, some use them for bait, and some like to see the fish jump out of the water. It gives us a lot of information to study and ways to tailor outreach. On our aquatic invasive species outreach and preventions have some novel things we are doing right now. You might have been fishing at some of these locations and either got interviewed by technicians or they were examining your boat for invasive species in attempt to educate the public. We have solitary units we put on trailers, called CD3, we put them out on the reservoirs, they are solar powered and have a vacuum in them so they can suck the water or aquatic plants or mussels or whatever off your boat. They are self-sustaining and we can move them around to different spots. These programs will continue for the next few years. We were fortunate to get grants for invasive carp research for 3-4 years. We hired a couple of term invasive carp personnel who are doing awesome things. First, they are working on the Bowersock Dam, where silver carp are trying to get up it. Fish try to get upstream to thrive, but this is a physical barrier, but not a lot of evidence. If we have another flood like 1993, it will be another story. One thing we are looking at is the physical deterrent and looking at acoustic barriers, because they don't like annoying noises, so possibly scare the fish away. Trying to put a simple barrier that prevents large body fish from jumping over in high flows but allows smaller native fish. That is still in planning process. We have removal crews out there who have removed 40,000 pounds of invasive carp from the Bowersock Dam to WaterOne Dam in a little over a year, so making a dent. I want to note the Neosho Basin Telemetry removal project. There is a small population of big head carp in Grand Lake that migrate into Kansas through the Neosho River. Occasionally paddlefish snaggers will catch one from 70 to 110 pounds. We need to get a handle on this population, so they don't have a chance to spawn. It does seem like there is limited recruitment and so far, it hasn't exploded like the Kansas River. We want to get our hands on some adults and put transmitters on them so we can follow them around so we can make informed decisions on removal of that population. I would like to note our excellent employees here who make all these programs work. Commissioner Sporer – What is downside to saugeye in all reservoirs in Kansas? Koch – There are a few philosophical arguments. We need pure walleye brood stock in some of those in order to make those saugeye.

There is some uncertainty around the genetic implications to downstream populations or native sauger or walleye populations, so there are a couple of concerns.

3. KAR 115-25-7 Antelope; open season, bag limit and permits – Matt Peek, furbearer research biologist, presented this regulation to the Commission (Exhibit O). First time for this regulatory process. We have had a pronghorn season since 1974 and a four-day firearm season since 1990. The firearm season has traditionally started the first Friday in October. The archery season was nine days long from 1985 to 2004 and ran through two weekends prior to the firearm season. In 2005, archery season was reopened on the Saturday following the firearm season and continued through the end of October, but this extended season was eliminated in 2023 season to reduce harvest pressure. A muzzleloader season was initiated in 2001 and begins immediately after the archery season on that Monday and runs through Thursday. So, muzzleloader only the first four days and the second four days overlap with the firearm season. With the exception of eliminating that extended archery season, this regulation has been stable over time and consistent with no major changes. Permit numbers for this 9-day season this year can no longer double dip in terms of applying for a firearm permit or getting a preference point and an archery permit during the same year. Our permits dropped by 28% this year so it did have some impact. As populations have declined, we have had more complaints about high archery pressure in certain areas of the state. This, over time, will address some of those social issues that archery hunters are concerned about. Some of them have requested going to limited draw, which might be the next step. The pronghorn reproduction has been better this year, after five to six years of poor reproduction due to drought. Hopefully better weather and hope we don't go down the path of having to limit hunters any further. We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents. Firearm and muzzleloader permit allocations will be determined following winter aerial surveys. Season dates were established in a durable format, actual season dates will be September 21-29, 2024, for the archery season; September 30-October 7, 2024, for the muzzleloader season; and October 4-7, 2024, for the firearm season. Commissioner Sill – Do you have many of the landowner/tenant allocation that does not get used that makes them available to others? Peek – All are used. There may have been a rare case in muzzleloader permits in Unit 17 that didn't get taken one time, but most get used every year.

Unknown – What is archery success ratio, and do you break it down between conventional archery and crossbows? Peek – I do and if you look online, you can find specific information on archery. Total archery success has increased 18%, traditional equipment is 5-7% lower than crossbow users. It is hard getting within 50 yards of the animal, so there is little difference in success. Detailed information is in harvest report available on our website.

4. KAR 115-25-8 Elk; open season, bag limit and permit – Matt Peek, furbearer research biologist, presented this regulation to the Commission (Exhibit P). Elk were first reintroduced on Fort Riley in 1986, and we have had a hunting season since 1990. Fort Riley is where most of the elk are hunted but we have elk scattered around the state, with a few exceptions including parts of southwest Kansas where there are some good size herds. We have allowed liberal harvest opportunities, but we continue to protect elk around Fort Riley and Cimarron National Grasslands, which is closed to hunting. History has been to protect elk until crop damage complaints became a problem and those populations were depleted. Current harvest

management system has been in place since 1999, expanding season dates and permit availability to allow elk causing crop damage and other problems to be harvested. We have protected elk to a higher degree around Fort Riley and Cimarron areas, which seems counterintuitive. What we have done now is to effectively promote them. Landowners know that there is a benefit for them to maintain a few elk because they have the ability to hunt them and want to next year so they can't kill them all this year. With liberal opportunities on private land, have confidence they have ability to control if they think the population is too high, so they can find someone to hunt on their land and maintain elk at tolerable numbers. The net result is elk have increased on private lands the last 15-20 years. So, there is good population in good condition. We don't currently anticipate any changes to season structure, bag limits or permit types. The season dates are durable and provided in briefing book. Typical permit options, elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants for limited draw permits on Fort Riley. The Unit 2 permit recommendations will be determined at a later date when we know what success rate was on the Fort. Also, sometimes Fort Riley conducts an aerial survey and that weighs into our considerations as well as crop damage complaints around the Fort. We will be back with permit recommendations at a future meeting. An unlimited number of hunt-on-your-own-land antlerless-only and either-sex elk permits will also be authorized in Units 2 and 3. An unlimited number of general resident and landowner/tenant antlerless-only and any-elk permits will be authorized in Unit 3. Commissioner Sill – In Unit 3, landowner/tenant tags, are they resident only? Peek – Nonresident tenants can get permits, by statute, they are not necessarily classified as a nonresident. If a tenant, by law tenant is not nonresident but general nonresident as well as nonresident landowners.

5. KAR 115-25-9a Military deer seasons – Levi Jaster, big game coordinator, presented this regulation to the Commission (Exhibit Q). Introducing now to get jump on regulation promulgation issues we have been dealing with. We address all deer seasons on military subunits under one regulation. Personnel at Smoky Hill Air National Guard, Fort Riley and Fort Leavenworth are typically contacted in December to provide initial information on the season dates that they would like to adjust to any training actions they may need to work around. So, I will bring recommendation to next meeting.

D. Workshop Session

1. Deer 25-series big game regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit R). Durable regulation has been set up and we so no change to this. The season dates for deer hunting during 2024-25 season, following the regulation are: Youth and Disability, September 7-15, 2024; Muzzleloader, September 16-29, 2024; Archery, opens concurrently with muzzleloader season on September 16, 2024, and runs through December 31, 2024; Pre-Rut Whitetail Antlerless-Only (WAO), October 12-14, 2024; Extended Pre-Rut WAO (only in DMU 12), October 15-20, 2024, since need for additional doe harvest in that unit; Regular Firearm, Wednesday after Thanksgiving, December 4-15, 2024; 1st Extended WAO, January 1-5, 2025; 2nd Extended WAO, January 1-12, 2025; 3rd Extended WAO, January 1-19, 2025; Extended Archery (DMU 19 only), January 20-31, 2025. There is not any change we will be bringing forward. Would it be okay to not bring this back to upcoming meetings? Chairman Lauber – It is okay.

2. Big Game permanent regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit S). These are 115-4 regulations. Only considering change to equipment regulation, 4-11. Comes about because of muzzleloader materials that projectile can be made of. Currently the language is, tumble-on-impact, hard-cast solid lead, conical lead, and sabot bullets. There is concern this does not allow for non-toxic options, since it specifically mentions lead. We are leaning towards striking the word “lead” from the regulation. I wanted to ask the Commission if they thought that was enough to allow non-toxic bullets or if we need to dive deeper into the wording. Not sure if we want to say, non-toxic projectiles or leave it up to deer group to decide what they want to do. Chairman Lauber – Leave it up to deer group to decide. Commissioner Sill – What other options out there that may not be included? Jaster – There are a couple of non-toxic round balls not widely available. The main concern was brought up that it specifically mentions “lead.” Commissioner Sill – What bullets do we want to exclude? Jaster – Not aware of any. I am not aware of many we want to exclude, unless you know of something that is not going to hold up to killing a deer, we trust our hunters to use sharp broadheads. Most people are going to want to use the appropriate gear to shoot their deer and not just wound them. Chairman Lauber – Leave to deer group to decide.

3. Carcass Movement Regulation – Levi Jaster, big game program coordinator, presented this update to the Commission (Exhibit T). Working with Dan on language for regulation. He brought up several concerns. So, we need to do more in depth dive into what other states have done as far as how they have implemented it. As far as Kansas, there are other regulations and statutes involved so we have got to do some work on this. We also have to define several things like wild cervid and such, because that is not necessarily in our regulation right now. I will continue to work with Dan and get things ironed out so we can go forward with this so it would accomplish the goals of the regulation and be enforceable. We have carcass movement exemptions, and we went through those a lot as to what can legally be moved. Chairman Lauber – What is reason we have chosen 30 miles to take to a processing plant? Why not 40-mile circle to encompass more potential users? It doesn’t defeat the purpose and it might enable people to get to their processor more effectively. Jaster – One of the issues Dan pointed out was enforceability of a buffer like that. Plan presented a couple years ago was to limit to within the units. Chairman Lauber – Is it possible to say, transport to licensed processors? Help them while they are still around. We don’t want processors to withdraw from processing deer with more restrictions. Jaster – That was part of reason why we put in 30 miles. Chairman Lauber – So, 40 miles wouldn’t matter in the big scheme of things. Jaster – Looking at several cases but we kept hitting municipal areas and 30 miles fell into the level of movement without having restriction. It wouldn’t make any real difference because we get to a point that 100 miles, in some cases, you won’t be in the same unit or even the neighboring unit. Commissioner Sill – Does direction of movement make much difference, west to east was more problematic in the past, if going west, does it matter as much? Jaster – Less concern if going into positive CWD area, but still concern moving around like that. There are some different strains of CWD that as deer develop it there is some resistance to it, which means they live longer but still die in the end. A new strain can come in and if we completely ignore resistance because it is affected differently, it gets into some genetics. Also differences within different strains, so there is concern about taking something into a new area. Chairman Lauber – Your game plan is to refine this and bring to future workshops. Jaster – Yes, that is the plan.

4. K.A.R. 115-2-3 Camping, utility, and other fees – Linda Lanterman, parks division director, presented this regulation to the Commission (Exhibit U, PowerPoint – Exhibit V). Go over this one more time. Proposed changes for camping regulation, keep in mind we have not raised any camping rates since 2016. In 2019, we had historic flooding and then Covid. We try to look at this regulation every three years. The daily camp is at \$10, all our neighbor states are at \$15 or higher. We propose \$15. We want to do away with the annual camp, the average night stays are less than 60 days and that makes the value of it less \$5 a night. We are the last state in the nation to have that. We would like to increase the 14-day, want to keep \$2 a night value for individuals. That will put it at \$182. We want rent-a-camp for \$15 to \$25. Our seasonal camping program will increase to \$100 a month across the board. Keep in mind those individuals have to buy an annual camp permit and we won't have that anymore so they will have \$100 a month increase, so not as much as it seems. The seasonal camping permit, approved by Bureau and Corps of Engineers, an individuals can stay for 30 days at a time with a contract from April to November. We are just finishing up that program and I have El Dorado's numbers but no one else. They are the highest at \$606 a month, now proposed \$706 a month. That is because they have private industry competition around them, and we don't want to undercut them. We need to move this forward. We are going live in December with regular fees and will change these once they are approved. Dan Riley, Chief Counsel – Do you authorize moving this to promulgation process? Chairman Lauber – Absolutely.

5. Public Lands Regulation KAR 115-8-26 – Ryan Stucky, acting public lands director, presented this regulation to the Commission (Exhibit W). We have been presenting this regulation since April. The nonresident waterfowl access regulation would restrict nonresident hunters to waterfowl hunt on KDWP department lands and waters on Sundays, Mondays and Tuesdays. At Garden City we mentioned we were going to present the actual written regulation, but due to some of the language on some leases we asked Terry Bruce to come in and help us with federal regulation codes on federal lands. We also looked at WIHA and iWIHA areas with a little over a million acres in Kansas, with iWIHA having a little over 26,000 acres. We had concerns with implementing those areas within this regulation and so did the wildlife division. We got together and decided to leave those areas out of this regulation. So, now only looking at department lands and waters with our federal partners but excluding WIHA and iWIHA. This also does not count during the spring snow good conservation order. We had calls recently about who would be considered nonresidents when it comes down to the nonresident active military, nonresident lifetime license holders and nonresident college students, they would all be considered as residents, which would follow suite with other privileges the department has. This proposed recommendation will have the least negative impact compared to other potential restrictions we vetted for the last several years and earlier in 2023. We looked at several other states and didn't feel we wanted to do what they are doing to restrict nonresidents. We want to look at three-day restriction which allows them to hunt every week of waterfowl season and felt that way they could get here when the migrations are heavy, and the hunting was best. Charman Lauber – So, you will workshop again? Stucky – We are going to workshop this again and then come back with written regulation. We have to meet with the U.S. Fish and Wildlife Service, Bureau of Reclamation, and Corps of Engineers in the next month or so. Commissioner Sill – Can you give a brief explanation of why you are excluding WIHA and iWIHA? Did you get any input from cooperators? Stucky – When we were visiting with the wildlife division their concerns were how it was written and those contracts and who was allowed on what different

hunts on those specific properties. They didn't have concern with the over-pressure on some of those with goose hunting but felt it was reasonable to exclude those properties because of potential increase. Commissioner Sill – Some of that pressure could create issues. Stucky – It could, and we won't know what it would mean, so we will get through a season and see. Commissioner Sporer – You mentioned in the past, do you plan to request that the Kansas legislature amend the waterfowl habitat stamp regulation and fee to establish a nonresident migratory waterfowl habitat stamp at a higher fee than residents? What is deadline to get this done to get into action for next season? Stucky – That is why we need to get action at January meeting and into promulgation process. Commissioner Sporer – Deadline? Riley – Not hard and fast deadline, because it takes different amounts of time depending on the regulation, depends on how much economic impact and that adds another level of review to the process. This regulation will catch some heat in terms of the trip before JCARR committee in the legislature because of potential economic impacts and fact that it involves nonresidents hunters, a hot button. It will not make it through the process very fast. Commissioner Sporer – That is what concerns me. Riley – We will get it done as soon as we can but want to get it done right. Would like to have for 2024/2025 season. It is a balancing act. We can't change it after we put it into the promulgation process. Chairman Lauber – Get right and quick. Assistant Secretary Schrag – In this process we started looking at certain things on department owned property. When we started asking federal partners to follow suite and agree to this regulation, we have to look at all the code of federal regulations and varies from the Bureau of Reclamation to the U.S. Fish and Wildlife Service. We feel we vetted that internally where we are now ready to have those conversations. We feel we are on good ground when it comes to the proposed regulation and hopefully our partners will buy-in. That has delayed this process because of that code of federal regulations. We had Terry look at it and had a lot of Zoom conversations. We feel in a good place right now. Stucky – Terry, thanks for your help. Commissioner Escareno – I want to know, on WIHA and iWIHA properties, you mentioned contracts with those individual landowners and language in those contracts. Do we pay landowners for that WIHA and iWIHA for access for hunters to go on those properties? Chairman Lauber – We do pay. Assistant Secretary Schrag – We pay them, some variability in the rates depending on whether it is pre-qualified as premium habitat or basic. We pay annual payments on the renewal of contracts on private land. Commissioner Escareno – Is it a standard fee or negotiable with each landowner? Jake George, wildlife division director – Rates vary, depends on part of the state and how hard to acquire access in the area, premium paid in eastern portion of state versus western. Variation with the per-acre rate based on type of habitat, type of opportunity it provides. Properties are assessed by biologists who work with the landowner to establish the contract.

Chairman Lauber – We have six pending regulations that we don't discuss anymore.

6. Pending Regulations (Exhibit W) – Dan Riley, legal counsel –

- K.A.R. 115-4-11 Big game and wild turkey permit applications
- K.A.R. 115-7-3, 7-2, 7-9, 7-10 Aquatic Invasive Species Regulations
- K.A.R. 115-25-14 Fishing (Reference Document)
- K.A.R. 115-5-1 Furbearer regulations
- K.A.R. 115-25-11 Furbearer Regulations
- K.A.R. 115-8-1 Public Lands regulations (Reference Document)

- K.A.R. 115-30-4 Fire Extinguishers; Requirements
- K.A.R. 115-30-10 Personal Watercraft; Definition, Requirements and Restrictions

VII. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Commissioner Sporer – Deer baiting, and the thought of not feeding wildlife is set back at the moment. I realize after we went through that there is an aspect of fair chase I didn't consider. Where we have feeders on timers, we have cameras that go to cell phones and feeders out there that open up during the day and close at night. Is there any interest in the commission or staff to pursue fair chase in deer hunting? Chairman Lauber – There is interest but don't know how to go about it. Assistant Secretary Schrag – It is at the discretion of the Commission to have those conversations. Commissioner Sporer – I have an interest in doing it. Chairman Lauber – I like staff to make the recommendations only because they are the people who are hands-on and can give us their best thoughts. Assistant Secretary Schrag – From personal standpoint and being with the agency for 30 years. It seems like state agencies are leery about talking about fair chase and fair chase issues. That is unfortunate and we should be able to have those conversations. In the North American model of wildlife conservation, fair chase is a big part of that. I don't think we should be afraid to discuss fair chase. Commissioner Sporer – It is evident listening to debate on banning baiting, I didn't realize you can't kill a deer unless it is over a bait pile. I didn't realize real hunting that is not real anymore, just bait them and figure out what time they are there and go shoot them. The start would be what other states are doing. Nebraska has a regulation that you can't shoot over bait piles within so many days of so many feet. I know there are other places have that. I am interested in pursuing that. Need to look at that. Commissioner Sill – Fair chase is extremely important to maintaining hunting in a means that is going to be acceptable to nonhunting public. Outdoors men and women are in the minority, and we need to be cognizant of fair chase. I will be happy to engage in conversations outside of this meeting, however those conversations might be better held in collaborative conversations like public education in the form of hearing input versus commission discussions. From recent experience this is not a great place to have back and forth conversations that are well heard. It is difficult to hear one another when we are concerned about being on social media and taken out of context. Supportive of state agency sharing, teaching and educating about fair chase. I'm not sure commission is the place for that to happen. There are other states like Arizona and Michigan, where some of their regulations say they are related to fair chase, and probably other states as well. As a commissioner, I am supportive of ongoing conversations. As an agency we are negligent if we don't. Who else can we count on to talk about ethics and fair chase and hunter education in programs. We will not always agree, but it needs to be in positive format. Not sure commission is place that should happen. Chairman Lauber – I'd be willing to have future discussion with Stuart and consider public meetings and round table discussions. The biggest item right now is baiting, and we have a posture going forward and still analyzing information. Nadia sent a response to a constituent that said the same thing, we are trying to get information to do that. Some people said good for deer hunting, other people say it is fair chase and I don't know how to go about it. Stuart, maybe in a week or so we can talk on the phone. Commissioner Sporer – Is it fair for me, as a commissioner, to give paid staff direction that at the next meeting I would like to hear what surrounding states or doing about harvesting over bait? If that is

appropriate, I would be happy to wait. Chairman Lauber – Let Stuart take our thoughts and comments and run with it. Assistant Secretary Schrag – I would be happy to have that conversation. Commissioner Sporer – I see a huge problem with fair chase in Kansas and shooting deer over bait piles. Why is there a federal regulation where you can't bait waterfowl, but we can bait deer? Chairman Lauber – We are going to leave it here. There will be more discussion in the future. Appreciate your comments, Troy.

Chairman Lauber – Had discussion with Dan about meeting during deer season but there were some things we needed to get done at this meeting done. In the future, towards end of month, but not during deer season, it is a bad look for the agency. Law enforcement can't be here because it is their busiest week of the year. Like to have more staff here to interact with the constituents.

VIII. OLD BUSINESS

None

IX. OTHER BUSINESS

A. Future Meeting Locations and Dates

January 25 – Sabetha

March 28 – Topeka

April 25?? Salina

X. ADJOURNMENT

Adjourned at 3:48 p.m.

Administrative

**Rules and
Regulations
Public
Hearing**
(pursuant to KSA 77-421)

Public Hearing
No items in this section

Secretary's Remarks

Agency and State Fiscal Status

No briefing book items – possible handout after the meeting

Legislative Update

No briefing book items – possible handout after the meeting

General Discussion

Commission Permits Update

Background

K.S.A. 32-970 allows the Kansas Wildlife, Parks and Tourism Commission to issue up to seven Commission Big Game Permits each year to raise money for conservation. One elk permit, one antelope permit, or up to seven any deer permits may be issued through a lottery draw to qualifying conservation organizations. The first permits were awarded in January 2006, when seven conservation organization applicants drew one elk and six deer permits.

Only nonprofit conservation organizations and local chapters based or operating in Kansas that actively promote wildlife conservation and the hunting and fishing heritage are eligible. An organization or chapter can receive a permit only once in a three-year period. Winning organizations can then sell the permits to the highest bidders. Once sold, the cost of the permit is subtracted, and 85 percent of the proceeds are sent to KDWP, along with a conservation project proposal. The organization retains 15 percent to spend at its discretion. After the conservation project is approved, the money is sent back to the organization to complete the project.

Since 2006 over \$1.43 million has been raised for conservation. That first year, 59 applications were received and the permits sold for \$49,000; in 2007, there were 119 applicants and permits raised \$26,974; 2008, 113 applied and \$24,200 was raised; 2009, 111 applied and \$34,951 was raised; 2010, 108 applied and \$47,000 was raised; 2011, 100 applied and \$41,700 was raised; 2012, 104 applied and \$41,811 was raised; 2013, 93 applied and \$53,200 was raised; 2014, 101 applied and \$57,515 was raised; 2015, 164 applied and \$53,826 was raised; 2016, 138 applied and \$64,550 was raised; 2017, 142 applied and \$72,850 was raised; 2018, 154 applied and \$77,600 was raised; in 2019, 176 applied and \$83,450 was raised; 2020, 209 applied and \$146,080 was raised; 2021, 208 applied and \$218,000; 2022, 176 applied and \$304,500 was raised; and in 2023, 203 applied and \$321,000 was raised.

In 2023, seven deer permits were issued to six Ducks Unlimited Chapters, Salina, Derby, Western Kansas, Smoky Hill, NCK Shooters and Marais des Cygnes and one Rocky Mountain Elk Foundation, Tri-River/Salina chapter. Those permits sold for a record average of \$45,857, with the highest one sold for \$51,000.

The highest price ever bid on a deer permit was \$55,000 in 2022, and an elk permit sold for \$23,000 in 2006. Antelope permits have only been awarded in two drawings, and both were traded for a deer permits. Organizations have spent the money on projects such as “Bring Back The Bottoms,” the Pheasant Initiative, youth sport shooting programs, and youth special hunt programs.

This year we changed the program a little to require chapter presidents/chairmen to apply for their chapter(s), rather than regional staff. Also asked for a completed list of events.

Kansas Department of Wildlife & Parks Briefing Item
Webless Migratory Game Bird Regulations
January 25, 2024

Background

The U.S. Fish and Wildlife Service (USFWS) develops frameworks annually, from which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state specific migratory game bird seasons. General stability in federal frameworks allows the inclusion of webless migratory bird regulations, bag limits, and season dates in KDWP permanent regulations, summarized below.

Species	Regulation	Regulation Summary
Crow	KAR 115-25-16	Open season, bag limit, and possession limit
	KAR 115-20-1	Legal equipment, taking methods and possession
Dove	KAR 115-25-19	Management unit, hunting season, shooting hours, and bag and possession limits
	KAR 115-20-7	Legal equipment, taking methods, and possession
	KAR 115-20-2	Exotic doves legal equipment, taking methods, possession, and license requirement
Sandhill Crane	KAR 115-25-20	Management unit, hunting season, shooting hours, bag and possession limits, and permit validation
Snipe, Rail & Woodcock	KAR 115-25-21	Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits

Discussion

Federal frameworks for webless migratory game birds are unchanged for the 2024-25 season. No changes are currently being proposed for webless migratory game bird regulations, but final staff recommendations will be presented at the March commission meeting. A summary of seasons and bag limits currently included in regulation follows.

Proposed 2023-24 Webless Migratory Game Bird Bag Limits and Season Dates

Species	Bag/Possession Limit	Season Dates
Crow	no limit	November 10 – March 10
Migratory Dove	15/45	September 1 – November 29
Exotic Dove	no limit	year-round
Sandhill Crane	3/9	West Zone; October 19 – December 15 Central Zone; November 6 – January 2
Snipe	8/24	September 1 – December 16
Rail	25/75	September 1 – November 9
Woodcock	3/9	October 12 – November 25

KANSAS DEPARTMENT OF WILDLIFE & PARKS BRIEFING ITEM
2024-25 KANSAS WATERFOWL SEASON DATES, BAG AND POSSESSION LIMITS

January 25, 2023

BACKGROUND

The U.S. Fish and Wildlife Service (USFWS) annually develops frameworks from which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state-specific migratory game bird seasons. The following is pertinent background material and USFWS frameworks with which Kansas may establish Kansas' 2024-25 waterfowl hunting seasons.

SEPTEMBER TEAL SEASON - Blue-winged teal are one of the earliest migrating waterfowl, with most migrating through Kansas from August through October, often prior to the opening of general duck seasons. Green-winged teal are also early migrants but are commonly found in Kansas throughout the fall and winter. Cinnamon teal are occasionally found mixed with flocks of blue-winged teal in Kansas. Special teal seasons were initiated to provide additional harvest opportunities for blue-winged and green-winged teal when their populations are above certain thresholds. States can offer a 9-day September teal season when the blue-winged teal breeding population index (BPI) is above 3.3 million and a 16-day season is permitted when the blue-winged teal BPI exceeds 4.7 million. The most recent blue-winged teal BPI allows for a 16-day season for 2022. In the High Plains Unit of Kansas (west of Highway 283), the liberal package framework allows for 97 days of general duck season. Coupled with two youth hunting days, the addition of a nine- or 16-day teal season would exceed the Migratory Bird Treaty Act's (MBTA) maximum allowance of 107 annual hunting days for any one migratory species. Thus, when the liberal package for the regular duck season is available and a teal season can be held, it is necessary to either reduce the High Plains Unit teal season to eight days or reduce days in the High Plains Unit general duck season to 96 days in order to not exceed 107-day MBTA limitation. For the past 10 seasons, a nine-day teal season coupled with a 96-day regular duck season has been selected in the High Plains Unit to satisfy this criterion.

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

- Liberal Alternative

- Season Length: 74-day Low Plains Season, 97-day High Plains Season

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

GOOSE SEASONS - Harvest prescriptions for the Central Flyway's goose populations are based on population and harvest objectives as specified in population specific management plans.

YOUTH WATERFOWL HUNTING DAYS - States may select two days per duck-hunting zone, designated as "Youth Waterfowl Hunting Days," in addition to their regular duck seasons. Youth waterfowl hunting days do not count against framework season dates but the total hunting days for any one migratory species cannot exceed 107 hunting days.

VETERANS AND ACTIVE MILITARY WATERFOWL HUNTING DAYS - States may select two days per duck-hunting zone, designated as "Veteran and Active Military Waterfowl Hunting Days," in addition to their regular duck seasons. Veterans and active military waterfowl hunting days do not count against framework season dates but the total hunting days for any one migratory species cannot exceed 107 hunting days.

EXTENDED FALCONRY SEASON - In addition to general waterfowl seasons, falconers may take migratory game birds during the special "extended" falconry season. The combined total number of days of take (i.e., teal season, general waterfowl season, and falconry) cannot exceed the Migratory Bird Treaty Act imposed maximum allowable 107 annual hunting days for any one migratory species. This generally allows for additional 15 hawking days for waterfowl in Kansas Low Plain zones.

2024-25 WATERFOWL FEDERAL FRAMEWORKS

SEPTEMBER TEAL SEASON

- *Season Dates*: Between September 1 and September 30
- *Season Length*: Not to exceed 16 consecutive days
- *Daily Bag Limit*: 6 teal (any combination of teal)
- *Possession Limit*: Three times the daily bag limit
- *Shooting Hours*: One-half hour before sunrise to sunset
- *Zones/ Split*: No zones or splits options

DUCK, MERGANSER, AND COOT SEASONS

- *Season Dates*: Between the Saturday nearest September 24 (September 21) and January 31.
- *Season Length*:
 - *High Plains Mallard Management Unit*: not to exceed 97 days. The last 23 days must run consecutively and may start no earlier than the Saturday nearest December 10 (December 7).
 - *Low Plains Unit*: not to exceed 74 days
- *Daily Bag Limit*:
 - *Duck and Merganser*: any combination of 6 ducks and/or mergansers, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females), 3 wood ducks, 2 redheads, 2 canvasbacks, 1 pintail, and 1 scaup.
 - *Coot*: 15 coots
- *Possession Limit*: Three times the daily bag limit.
- *Shooting Hours*: One-half hour before sunrise to sunset
- *Zones/ Split*:
 - *High Plains* – no zones and up to two segments
 - *Low Plains* – Three zones with each having up to two segments or no zones with three segments Ducks zones are visited every five years. Next zone configuration window will be in 2026.

GOOSE SEASONS

- *Season Dates*:
 - *Dark Geese* (all geese except Ross's and snow geese): Between the Saturday nearest September 24 (September 21) and the Sunday nearest February 15 (February 16).
 - *Light Geese* (Ross's and Snow): Between the Saturday nearest September 24 (September 21) and March 10.
 - *Light Goose Conservation Order*: Between January 1 and April 30. (KAR 115-18-16).
- *Season Length*:
 - *Dark Geese*:
 - *Canada geese or any other dark goose species except white-fronted geese*: not to exceed 107 days

- *White-fronted geese*: states may select either a season of:
 - Option A: 74 days with a bag limit of 3
 - Option B: 88-day season with a bag limit of 2
- *Light Geese*: not to exceed 107 days
- *Light Goose Conservation Order*: Must be held outside of all other waterfowl seasons

Daily Bag Limit:

- *Dark Geese*:
 - Canada geese (or any other dark goose species except white-fronted geese) 8 geese
 - White-fronted geese - states may select either a season of:
 - Option A: 74 days with a bag limit of 3
 - Option B: 88-day season with a bag limit of 2
- *Light Geese*: 50 light geese
- *Light Goose Conservation Order*: No daily bag limit

Possession Limit:

- *Dark Geese*: Three times the daily bag limit
- *Light Geese*: No possession limit
- *Light Goose Conservation Order*: No possession limit

Shooting Hours:

- *General Goose Seasons*: One-half hour before sunrise to sunset
- *Light Goose Conservation Season*: One-half hour before sunrise to one-half hour after sunset

Zones/ Split:

- *General Goose Seasons*: No zones and up to two segments
- *Light Goose Conservation Season*: No zones or splits

SPECIAL YOUTH AND VETERAN/ACTIVE MILITARY PERSONNEL WATERFOWL HUNTING DAYS

- *Season Dates*: The Youth Waterfowl Hunting Days must be held outside any regular duck season on weekends, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate. Both sets of days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.
- *Season Length*: may select two days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” and two days per duck-hunting zone, designated as “Veterans and Active Military Personnel Waterfowl Hunting Days.” The days may be held concurrently or separately.
- *Daily Bag Limits*: The daily bag limits may include ducks, geese, swans, mergansers, coots, moorhens, and gallinules. The daily bag limits are the same as those allowed in the regular season frameworks except in States that are allowed a daily bag limit of 1 or 2 scaup during different portions of the season, in which case the bag limit is 2 scaup per day. Flyway species and area restrictions would remain in effect.
- *Shooting Hours*: One-half hour before sunrise to sunset.

- *Participation Restrictions for Youth Waterfowl Hunting Days:* States may use their established definition of age for youth hunters. However, youth hunters must be under the age of 18. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day. Youth hunters 16 years of age and older must possess a Federal Migratory Bird Hunting and Conservation Stamp (also known as Federal Duck Stamp).
- *Participation Restrictions for Veterans and Active Military Personnel Waterfowl Hunting Days:* Veterans (as defined in section 101 of title 38, United States Code) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than for training), may participate. All hunters must possess a Federal Migratory Bird Hunting and Conservation Stamp (also known as Federal Duck Stamp).

EXTENDED FALCONRY WATERFOWL SEASON

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

KDWP Season Setting Decision Process - The setting of waterfowl seasons is a bio-political process, balancing not only biotic factors but also social implications. Season dates are a preference for where, when, how, and what one hunts. The season setting objective is to align season dates that allow greatest opportunity for participation and harvest for Kansas' diverse waterfowling. When developing waterfowl seasons, KDWP evaluate a variety of considerations. deriving their season date recommendations on spatial and temporal distribution of waterfowl abundance, timing of potential high hunter participation, peaks of harvest opportunity, climatic factors, as well incorporating hunter feedback. With stabilized federal frameworks over the past 27 years, KDWP is striving to establish consistency in its season date selections. Beginning in 2021, KDWP has been incorporating decision tools to assist in the season setting process by identifying important season date parameters for each of Kansas waterfowl seasons. This process is to develop season selection stability, reduce bias, and add transparency in the season date selections. Below are season date parameters in order of priority.

September Teal Season – Where 16-day season is permitted, open the second Saturday of September and end on the last Sunday of September. Where 9-day season is permitted, open the third Saturday of September and end on the last Sunday of September.

Youth, Veteran, Active Military Waterfowl Hunting Days – To be held 1 week prior to the opening day of duck season in each of the respective Kansas duck zones.

Early Zone Duck Season – Where 74-day season is permitted, to open the second Saturday of October, end the season the Sunday on or after January 1st, split the season whereas the first segment 58 days and the second segment has 16 days.

Late Zone Duck Season – Where 74-day season is permitted, end the season on the last Sunday of January, open the season on the last Saturday of October, split the season with first segment having 65 days and last segment 9 days, and the season split to be 19 days.

Southeast Zone Duck Season – Where 74-day season is permitted, end the season on the last Sunday of January, split season where the first segment ends on the Sunday on or after January 1st, open the season the Saturday closest to November 8th.

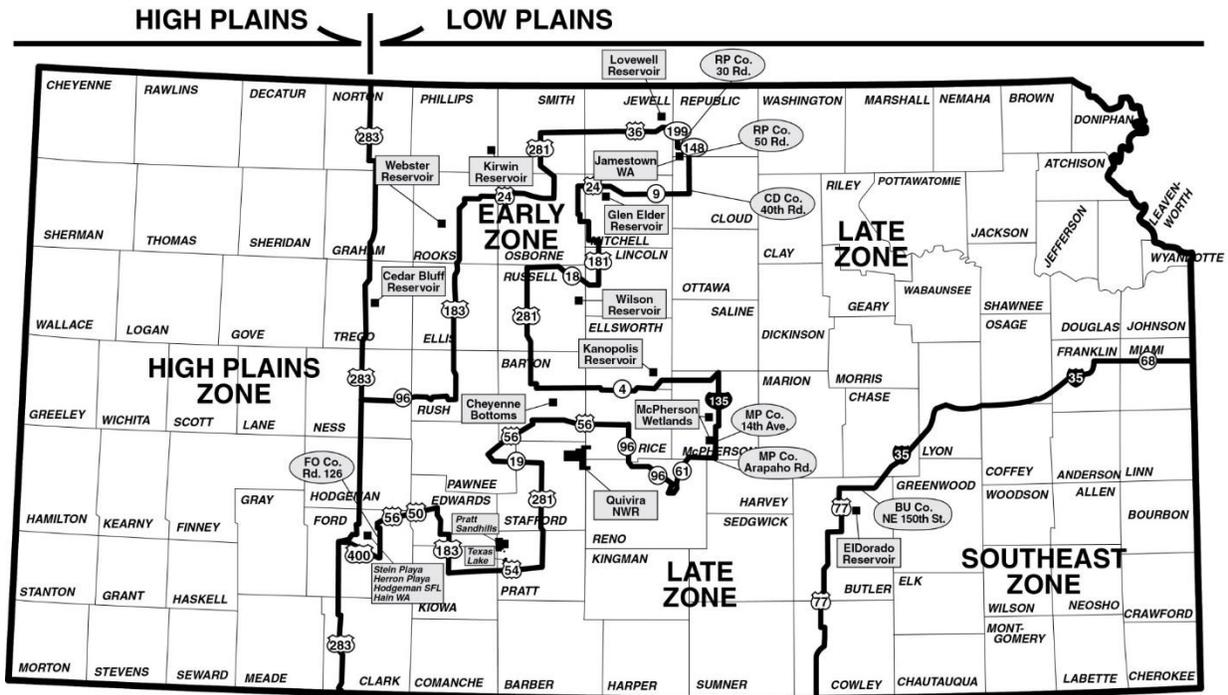
High Plains Duck Unit Season – Where 97-day season is permitted, end the season on the last Sunday of January, open the season on 2nd Saturday of October, split season with first segment closing on the Sunday closest to or on January 1st and last segment 10 days.

White-fronted Goose Season – Where 88-day season is permitted, open with the Late Zone Duck Season, close the season on the Sunday closest to February 15th, split the season with the first segment ends on the Sunday closest to January 1st.

Canada and Light Goose Season – Where 107-day season is permitted, open with the Late Zone Duck Season, close the season on the Sunday closest to February 15th, the second segment to be 103 days and the first segment to have 2 days.

Extended Falconry Waterfowl Season – to be held 15 days ending the season on March 10th.

Figure 1. Kansas Duck Hunting Zones



Workshop Session

KAR 115-25-7

Antelope; open season, bag limit and permits

Background

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for pronghorn antelope.

Western Kansas pronghorn antelope populations have supported a hunting season since 1974. The firearm pronghorn season has been four days long since 1990, starting on the first Friday in October. The archery pronghorn season was nine days long from 1985 to 2004 and included the two weekends prior to the firearm season. In 2005, the archery season was reopened on the Saturday following the firearm season and continued through the end of October but this extended season was eliminated last season (2023) to reduce archery harvest pressure. A muzzleloader season was initiated in 2001. It has begun immediately after the archery season and ran for eight days, the last four overlapping the firearm season. Mean success rates over the past five seasons have been 19% (archery), 67% (muzzleloader) and 72% (firearms).

Discussion & Recommendations

In response to declining pronghorn populations, the Department has taken steps with both limited and unlimited permits to reduce harvest in recent years. However, reproduction improved this year, and no changes to season structure or permit types are anticipated.

We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents. Firearm and muzzleloader permit allocations will be determined following winter aerial surveys.

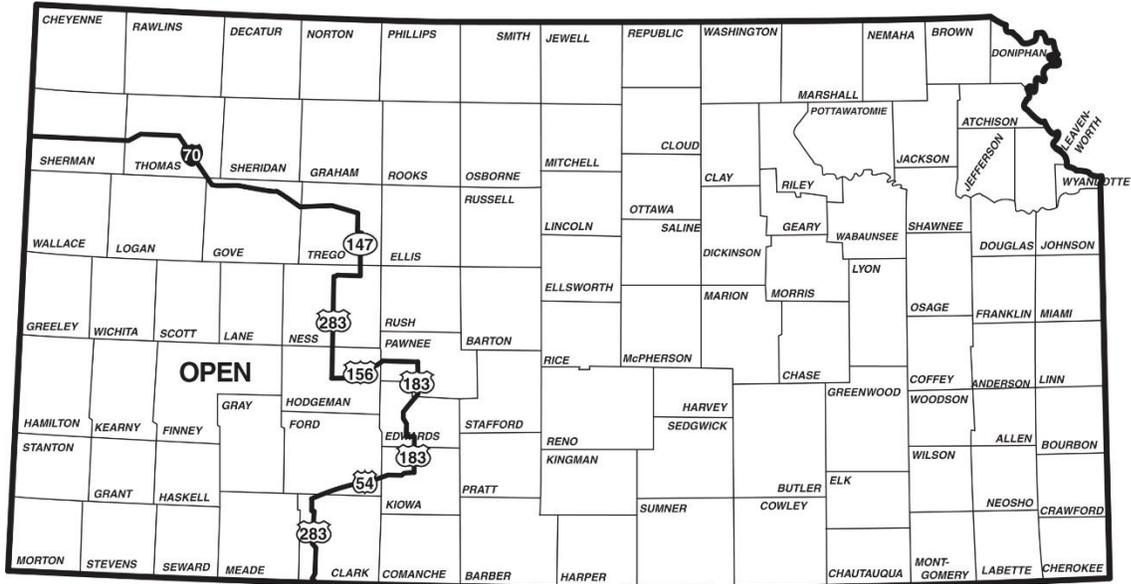
The season dates now established in this regulation will be:

September 21-29, 2024 for the archery season.

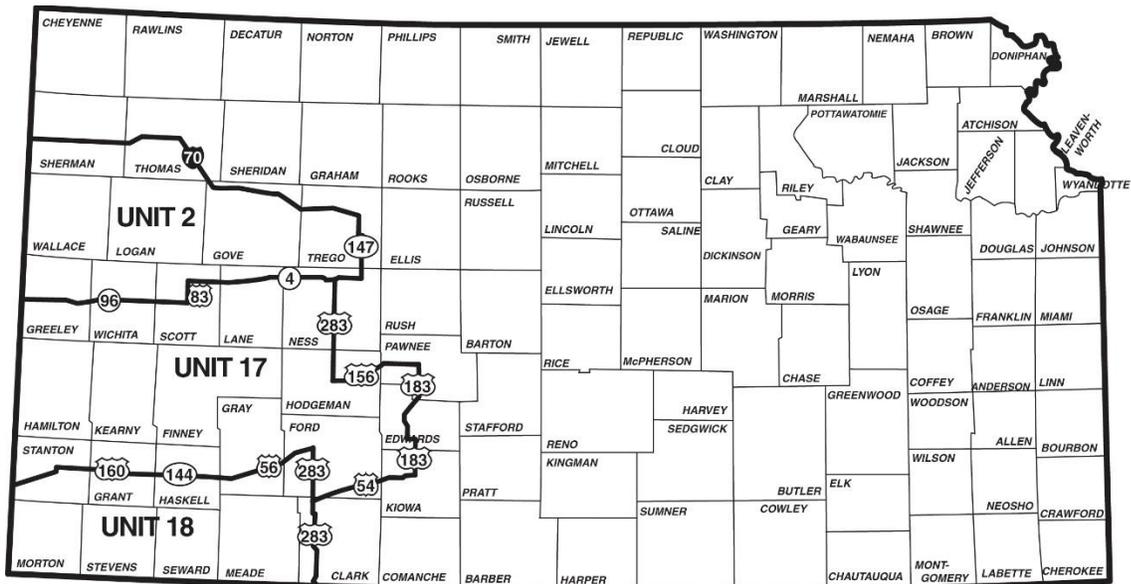
September 30-October 7, 2024 for the muzzleloader season.

October 4-7, 2024 for the firearm season.

Archery Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



KAR 115-25-8

Elk; open season, bag limit and permits

Background

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for elk hunting.

Elk were first reintroduced onto Fort Riley in 1986, and a hunting season was initiated in 1990. Most of the hunting opportunity in the state occurs on the Fort. However, elk do exist on private lands, though unpredictably in most of the state, with parts of southwest Kansas being the main exception. Elk also occur in the vicinity of Cimarron National Grasslands, but these elk are primarily found in neighboring states, and the Grasslands have been closed to elk hunting since 1995, following several years of heavy harvest pressure.

Since 1999, longer seasons and less restrictive permitting options have been authorized except near Fort Riley and the Grasslands. This framework is intended to allow for elk that may be causing crop damage or other conflicts on private land to be harvested, and for landowners to have the opportunity to maintain elk at desirable numbers on their own property while at the same time allowing the Fort Riley and Cimarron herds to be maintained.

Discussion & Recommendations

We do not currently anticipate any changes to season structure, bag limits or permit types.

Unit boundaries are defined in K.A.R. 115-4-6b. Units 2 and 3 will be open to hunting.

Durable season dates are now established in this regulation. The season dates on Fort Riley will be:

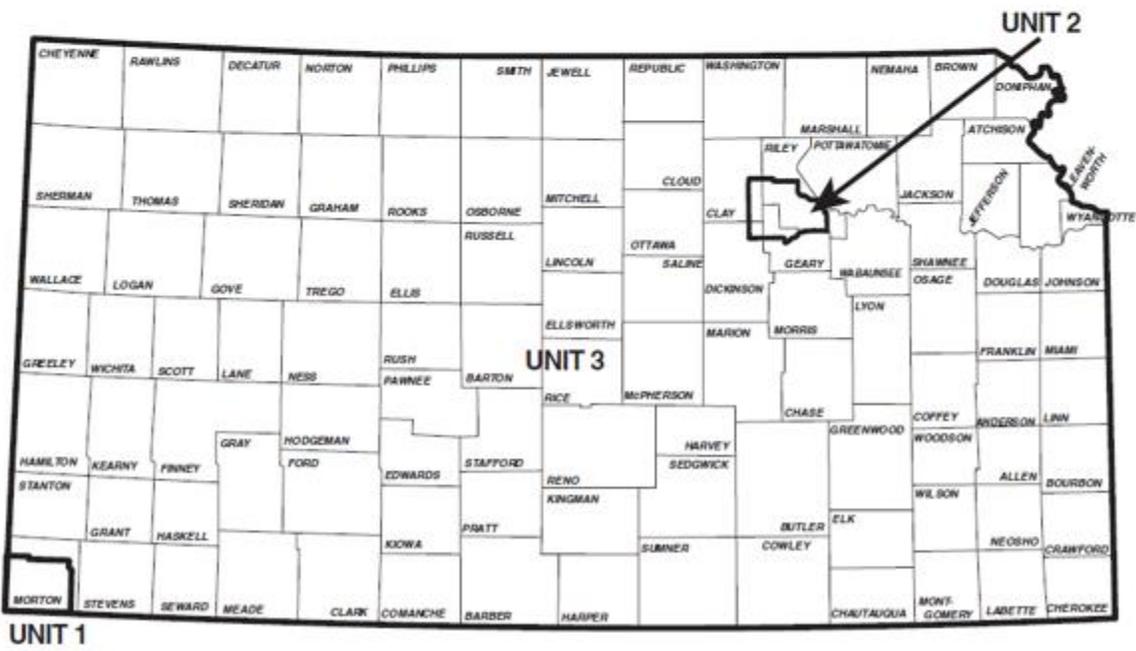
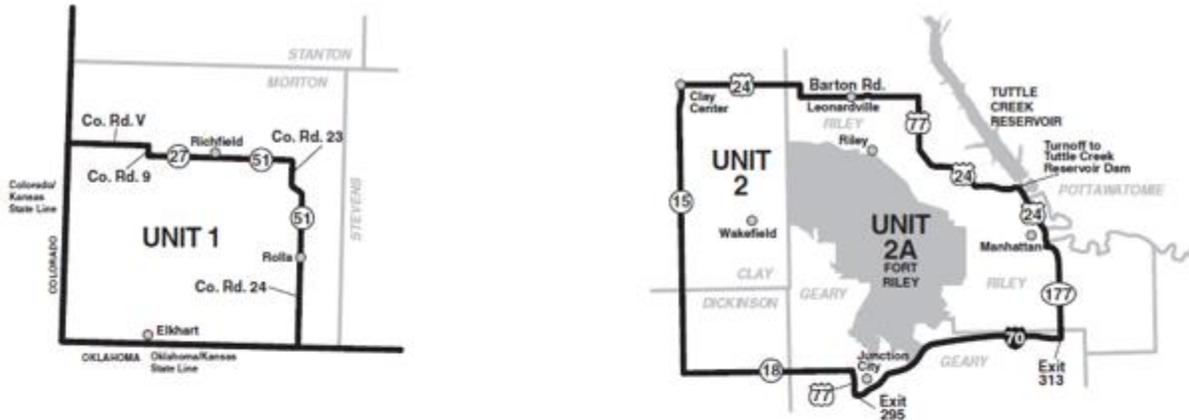
- a) September 1-30, 2024 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2024 for the firearms season.
 - a. Any elk permits are valid during all three months.
 - b. One-third of the antlerless only permits valid during each of the following segments:
 - 1) First segment: October 1-31, 2024.
 - 2) Second segment: November 1-30, 2024.
 - 3) Third segment: December 1-31, 2024.

The season dates outside the boundaries of Fort Riley will be:

- a) September 1-30, 2024 for the muzzleloader season.
- b) September 16-December 31, 2024 for the archery season.
- c) August 1-31, 2024, December 4-15, 2024, and January 1-March 15, 2025 for the firearms seasons.

Elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants. Unit 2 permit recommendations will be determined at a later date. An unlimited number of hunt-on-your-own-land antlerless-only and either-sex elk permits will also be authorized in Units 2 and 3. An unlimited number of general resident and landowner tenant antlerless-only and any-elk permits will be authorized in Unit 3.

Elk Units



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

Background

This regulation has typically been brought to a Public Hearing in June. This later period to finalize the seasons on the Kansas military subunits is necessary as the schedules for military training activities are occasionally unknown at the time KAR 115-25-9 is approved. The regulation has also been used to address legislative actions pertaining to deer hunting that were made after KAR 115-25-9 was approved.

Discussion

We shall address all deer season on military subunits under one regulation. Personnel at Smoky Hill ANG, Fort Riley and Fort Leavenworth have been contacted and we have received preliminary information on the season dates that they prefer.

The proposed regulation:

115-25-9a. Deer; open season, bag limit, and permits; additional considerations; military subunits. (a) In addition to the pre-rut antlerless white-tailed deer only season specified in K.A.R. 115-25-9, in the Fort Riley subunit 8A an additional antlerless white-tailed deer only season shall also be November 29, 2024 to December 1, 2024.

(b) In the Fort Riley subunit, the open firearm season for the taking of deer shall be December 14, 2024 through December 22, 2024. A deer hunter may use only one white-tailed antlerless-only permit in Fort Riley.

(c) Five additional antlerless-only white-tailed deer permits shall be valid in subunit 8A.

(d) In the Fort Leavenworth subunit 10A, the open firearm season for the taking of deer shall be November 16, 2024 through November 17, 2024; November 23, 2024 through November 24, 2024; November 28, 2024 through December 1, 2024; December 7, 2024 through December 8, 2024; and December 14, 2024 through December 15, 2024.

(e) In the Fort Leavenworth subunit, the extended firearms season for the taking of antlerless-only white-tailed deer shall be January 1, 2025 through January 19, 2025.

(f) In the Fort Leavenworth subunit, the extended archery season for the taking of antlerless-only white-tailed deer shall be January 20, 2025 through January 31, 2025.

(g) In the Smokey Hill subunit, the open firearm season for the taking of deer shall be December 4, 2024 through December 15, 2024.

(h) Five additional antlerless white-tailed deer permits shall be valid in subunit 4A. This regulation shall have no force and effect on and after March 1, 2025. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-937.)

Recommendation

To accommodate both the U.S. Armed Forces' mission needs and deer hunting on the Kansas military subunits, adopt the proposed regulation providing for adjustments to the Kansas statewide deer seasons at those subunits.

VI. DEPARTMENT REPORT

D. Workshop Session

4. Big Game 4-Series Permanent Regulations.

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

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

Background

This regulation contains the following items:

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

Discussion

Recently, questions regarding the materials allowable muzzleloader projectiles may be made from have arisen. Currently the allowable projectiles include only: tumble-on-impact, hard-cast solid lead, conical lead, or sabot bullets. The regulation as written may not allow bullets made from modern nontoxic materials.

Recommendation

Proposed Regulation Change:

115-4-4. Big game; legal equipment and taking methods. (a) Hunting equipment for the taking of big game during a big game archery season shall consist of the following:

(1) Archery equipment.

(A) No bow or arrow shall have any electronic device attached to the bow or arrow that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include lighted pin, dot, or

holographic sights; illuminated nocks; rangefinders; film or video cameras; locking draws; and radiofrequency location devices.

(B) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter

using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not

used to take or attempt to take big game animals.

(2) Crossbows using arrows that are equipped with broadhead points incapable of passing

through a ring with a diameter of three-quarters of an inch when fully expanded.

(A) A big game hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

(B) No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include

lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and

radio-frequency location devices.

(b) Hunting equipment for the taking of big game during a big game muzzleloader-only season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a); and

(2) muzzleloading rifles, pistols, and muskets that can be loaded with bullets only through the front of the firing chamber and are .40 inches in diameter bore or larger. Only tumble-on-impact, hardcast solid ~~lead~~, conical ~~lead~~, or sabot bullets shall be used with muzzleloading rifles, pistols, and muskets.

(c) Hunting equipment for the taking of big game during a big game firearm season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a);

(2) muzzleloader-only season equipment as authorized in subsection (b);

(3) centerfire rifles and handguns that are not fully automatic, while using only tumble-on-impact, hard-cast solid lead, soft point, hollow point, or other expanding bullets; and

(4) shotguns using only slugs.

(d)(1) Each individual hunting deer or elk during a firearms deer or elk season and each individual assisting an individual hunting deer or elk as authorized by K.A.R. 115-4-2 or K.A.R. 115-

18-15 during a firearms deer or elk season shall wear outer clothing of a bright orange color commonly

referred to as daylight fluorescent orange, hunter orange, blaze orange, or safety orange. This bright

orange color shall be worn as follows:

(A) A hat or other garment upon the head with the exterior of not less than 50 percent of the bright orange color, an equal portion of which is visible from all directions; and

(B) at least 100 square inches of the bright orange color that is on the front of the torso and is visible from the front and at least 100 square inches that is on the rear of the torso and is visible from the rear.

(2) Lures, decoys except live decoys, and nonelectric calls shall be legal while hunting big game.

(3) Any individual may use blinds and stands while hunting big game.

(4) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy may be used.

(5) Any range-finding device, if the device does not project visible light toward the target, may be used.

(6) Devices capable of dispensing lethal, debilitating, or immobilizing chemicals to take big game animals shall not be used.

(e) Shooting hours for deer, antelope, and elk during each day of any deer, antelope, or elk hunting season shall be from one-half hour before sunrise to one-half hour after sunset.

(f) Horses and mules may be used while hunting big game, except that horses and mules shall

not be used for herding or driving big game.

(g) Firearm report-suppressing devices may be used.

(h) Handguns may be possessed during all big game seasons. However, no handgun shall be used to take deer except as legal equipment specified in subsection (c) during a big game firearms season.

(i) Dogs may be used to retrieve dead or wounded big game animals if the following requirements are met:

(1) Each dog shall be maintained on a handheld leash at all times while tracking the big game animal.

(2) An individual tracking big game animals outside of legal shooting hours shall not carry any equipment capable of harvesting the big game animal.

(3) Each individual harvesting a big game animal shall be limited to the equipment type for the permit and the season that is authorized.

(4) Each individual participating in the tracking of the big game animal shall have a hunting license, unless the individual is exempt by law or regulation. (Authorized by and implementing K.S.A.

2020 Supp. 32-807 and K.S.A. 2020 Supp. 32-937; effective June 1, 2001; amended April 19, 2002;

amended April 22, 2005; amended June 2, 2006; amended April 13, 2007; amended April 11, 2008;

amended May 21, 2010; amended April 20, 2012; amended April 19, 2013; amended Sept. 4, 2014;

amended April 26, 2019; amended May 22, 2020; amended July 23, 2021.)

Carcass Movement Regulation

Discussion

Movement of carcasses and improper disposal has been identified as a potentially major cause of the spread of CWD to new areas, often far from endemic areas and infected herds. Although all deer contracting CWD die, new strains of CWD have also been shown to increase prevalence in existing endemic areas as natural genetic resistance in that area may not affect the new strain, such that bringing new strains of CWD to an area is also a serious concern. Best management practices to slow the spread of CWD include limiting both interstate and intrastate movement of carcasses or the most infective parts.

Interstate Movement

Potential Language:

Importation of wild cervid carcasses into Kansas is prohibited except for:

- Whole carcasses after a “not detected” CWD test is received from a test performed by an accredited laboratory;
- Quarters with all spine and head materials removed;
- Deboned meat;
- Cut and wrapped meat;
- Hides with excess flesh removed;
- Clean skulls;
- Clean teeth;
- Skull plate (cap) with antlers attached and cleaned of soft tissues;
- Antlers without skull plate (cap) attached;
- Finished taxidermy products and tanned hides;
- Heads and capes with not more than 6 inches of neck attached or antlers attached to uncleaned skull plate (cap) if they are submitted to a taxidermist within 72 hours after entry;
- Tissues for use at a diagnostic or research laboratory;
- Tissues for research, not being used at a laboratory, with prior approval by KDWP

Hunters must still maintain proof of sex as required by regulations.

Intrastate Movement

Potential Language:

Movement of wild cervid carcasses more than 30 miles, or within any contiguous municipal area that intersects the 30-mile limit, outside of the deer management unit from which the carcass was obtained is prohibited except for:

- Whole carcasses after a “not detected” CWD test is received from a test performed by an accredited laboratory;
- Quarters with all spine and head materials removed;
- Deboned meat;
- Cut and wrapped meat;
- Hides with excess flesh removed;
- Clean skulls;
- Clean teeth;
- Skull plate (cap) with antlers attached and cleaned of soft tissues;
- Antlers without skull plate (cap) attached;
- Finished taxidermy products and tanned hides;

- Heads and capes with not more than 6 inches of neck attached or antlers attached to uncleaned skull plate (cap) if they are submitted to a taxidermist within 72 hours;
- Tissues for use at a diagnostic or research laboratory;
- Tissues for research, not being used at a laboratory, with prior approval by KDWP

Hunters must still maintain proof of sex as required by regulations.

115-8-26. Nonresident waterfowl hunting. (a) During any established hunting season for migratory waterfowl, a nonresident shall be restricted to Sundays, Mondays, and Tuesdays for the hunting and taking of migratory waterfowl at the following locations:

(1) department lands and waters;

(2) federal lands and waters owned by the United States and administered by the Secretary of the Army, U.S. Army Corp of Engineer at the following reservoirs: Big Hill, Clinton, Council Grove, El Dorado, Elk City, Fall River, Hillsdale, John Redmond, Kanopolis, Marion, Melvern, Milford, Perry, Pomona, Toronto, Tuttle Creek, and Wilson; and

(3) federal lands and waters owned by the United States and administered by the U.S. Department of Interior, Bureau of Reclamation at the following reservoirs: Cedar Bluff, Cheney, Glen Elder (Wakonda Lake), Lovewell, Norton (Keith Sebelius Lake), and Webster.

(4) federal lands and waters owned by the United States and administered by the U.S. Fish and Wildlife Service at Flint Hills National Wildlife Refuge, Quivira National Wildlife Refuge, Marais des Cygnes National Wildlife Refuge, and Kirwin National Wildlife Refuge.

(b) The following definitions shall apply to this regulation:

(1) "Migratory waterfowl" shall have the same meaning as K.S.A. 32-1008(a)(2), and amendments thereto.

(2) "Nonresident" shall have the same meaning as K.S.A. 32-701(1), and amendments thereto, but it shall not include:

(A) a nonresident lifetime license holder, pursuant to K.S.A. 32-930(a)(2), and amendments thereto;

(B) a nonresident active-duty military personnel, pursuant to K.S.A. 32-980(b)(1), and amendments thereto;

(C) an active-duty military personnel and the immediate family members domiciled with such individual, pursuant to K.S.A. 32-980(b)(2), and amendments thereto; or

(D) a nonresident full-time student, pursuant to K.S.A. 32-930(b)(3), and amendments thereto.

(3) "Department lands and waters" shall have the same meaning as K.A.R. 115-1-1(a)(14)

(c) These restrictions shall not apply to the spring snow goose Conservation Order season.

(d) These restrictions shall not apply to property enrolled and designated as either a walk-in hunting access (WIHA) area or an integrated walk-in hunting access (iWIHA) area.

(e) These restrictions shall not apply to the navigable rivers in Kansas which are the Kansas, Missouri, and Arkansas rivers.

Pending Regulations (the items listed below will have no presentation, they have been presented multiple times – regulation included in briefing book for your convenience)

- **K.A.R. 115-7-3, 7-2, 7-9, 7-10 Aquatic Invasive Species Regulations (at AGs office)**
- **K.A.R. 115-25-14 Fishing (Reference Document) (At AGs office)**
- **K.A.R. 115-8-1 Public Lands regulations (Reference Document) (awaiting edits)**
- **K.A.R. 115-30-4 Fire Extinguishers; Requirements (at AGs office)**
- **K.A.R. 115-2-3 Camping, utility, and other fees (waiting on edits)**

2024 Aquatic Invasive Species Regulations

KAR(s)??? Require completion of an ‘AIS Affirmation’ prior to participating in these KDWP licensed activities that have a high risk of spreading AIS:

Operating a boat registered in Kansas in Kansas waters

The ‘AIS Affirmation’ would be a short summary to educate and raise awareness of what AIS are, their impacts, and how they are spread.

Potentially KAR 115-17-3? Require successful completion of ‘AIS Certification’ (<https://programs.ksoutdoors.com/Programs/Aquatic-Nuisance-Species-Certification-Course>) of applicants for a Commercial Fish Bait Permit.

KAR 115-7-3: Replace the word “nuisance” with “invasive” in all four instances in which it occurs.

KAR 115-7-2: Replace the word “nuisance” with “invasive” in all three instances in which it occurs.

KAR 115-7-9: Replace the word “nuisance” with “invasive” in the one instance in which it occurs.

KAR 115-7-10: Replace the word “nuisance” with “invasive” in all ten instances in which it occurs. Replace “ANS” with “AIS” in the one instance in which it occurs. Add Willow Lake and the Riley County portion of the Kansas River to the Kansas Aquatic Nuisance (Invasive) Species Designated Waters list.

2024 Fishing Regulations

Reference Document Proposed Changes for Special Length and Creel Limits:

- Clinton Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Glen Elder Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- John Redmond Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Melvern Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- El Dorado Reservoir – Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Elk City Reservoir - Change to a 10/day creel limit, including only 1 30" or longer, on Blue Catfish
- Milford Reservoir - Change to a 10/day creel limit, with a 28" to 40" slot length limit, including only 1 fish 40" or longer, on Blue Catfish
- Graham County – Trexler Lake – Change to a 5/day creel limit on Channel Catfish
- Graham County – Trexler Lake – Change to a 2/day creel limit and 18" minimum length limit on Walleye
- Great Bend – Veteran's Lake – Change to a 21" minimum length limit on Saugeye
- Sherman County – Smokey Gardens - remove the 2/day creel limit on Channel Catfish
- Sherman County – Smokey Gardens - remove Catch and Release Only on Largemouth Bass
- Marquette - Eisenhower Park Pond - Add a 2/day creel limit and 15" minimum length limit on Channel Catfish

Remove Neosho Falls Dam, Erie Dam, and Oswego Dam on the Neosho River, Coffeyville Dam on the Verdigris River, and Ottawa Dam on the Marais des Cygnes River, from the list of Paddlefish Snagging Locations.

Workshop Session – Pending Regulations

Public Lands Reference Document

January 25, 2024

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

Background

Subsection (e) of this regulation covers the Department’s Public Lands Division Special Use Restrictions. This reference document within the regulation is reviewed annually for revisions.

Discussion

The issue of excessive pressure on our public waterfowl hunting areas and concern over the negative impacts on waterfowl and resident hunter satisfaction has prompted additional action by the Department.

Recommendations

I.) Access Restrictions

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

Region 1

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

Region 2

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

Region 3

- Grand Osage WA – Access by Special Permit Only
Access Through Main Gates Only
- Maxwell Wildlife Refuge-access restricted to main road, area closed to all activities, except during special events
- ~~-Neosho WA—no access into the wetland before 5:00AM and must exit wetland by one hour after sunset~~
- No access into a wetland before 5:00AM and must exit the wetland within one hour after sunset
- Neosho WA
- McPherson Valley Wetlands
- Slate Creek Wetlands
- Byron Walker WA
- Perry WA Wetlands

Section VI. Boating Restrictions:

a.) No Motorized Boats

Region 1

- Cheyenne Bottoms WA and Jamestown WA-motorized watercraft permitted only during the waterfowl seasons. No boats permitted from 4/15 through 8/15. No out of water propeller driven watercraft permitted at any time.
- Cheyenne Bottoms WA – Pool 3A
- Cheyenne Bottoms WA – Pool 4A after 1:00PM only
- Jamestown WA- Pintail, Puddler, Buffalo Creek, and Gamekeeper West Marshes
- Talmo Marsh

Region 2

- Milford WA-no motorized boats are allowed in any wetland areas except Mall Creek/Peterson Bottoms
- Perry WA -motorized watercraft permitted in wetlands only during waterfowl seasons

Region 3

- Elk City WA-Widgeon, Simmons, Housemound Marshes
- McPherson Valley Wetlands
- Neosho WA-motorized watercraft permitted only during waterfowl seasons. No motorized watercraft in Pools 4A and 4B. No out of water propeller driven watercraft permitted at any time

Add subsection (d) No vessels allowed

-Cheyenne Bottoms WA = vessels permitted only during waterfowl seasons

Vessel = watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel (USCG)

XII.) Refuges

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

a.) Refuge Area Closed to All Activities Year Round

Region 1

- Cedar Bluff WA (Operations Area East of Dam)
- Cheyenne Bottoms WA-Pool 1
- Lovewell WA (designated land area)

Region 2

- Benedictine WA
- Jeffrey Energy Center-Area #3
- Marais des Cygnes WA

Region 3

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

-
- Byron Walker WA; around headquarters and archery range
 - Cherokee Lowlands WA (Perkin's east and Bogner center tracts)

XV. Daily Hunt Permits

The Department is recommending adding all Public Lands properties (state fishing lakes and wildlife areas) into the electronic check-in/check-out system. This requirement would be for hunting activity only.

Electronic ~~D~~daily use permits are required ~~on the following properties~~ through the department's licensing system for hunting activity on the following properties:

Statewide

-All Department managed lands and waters (Wildlife Areas and State Fishing Lakes)

*Excluding Maxwell Wildlife Refuge, Big Basin Prairie Preserve, and all State

Parks

-iWIHA properties

Region 1

~~-Cheyenne Bottoms WA In addition to daily hunt permit, trapping permit is required from the manager to trap~~

~~-Glen Elder WA~~

~~-Isabel WA~~

~~-Jamestown WA In addition to daily hunt permit, trapping permit is required from the manager to trap~~

~~-Lovewell WA In addition to daily hunt permit, trapping permit is required from the manager to trap~~

~~-Talmo Marsh~~

~~-Texas Lake WA~~

Region 2

~~-Benedictine Bottoms~~

~~-Blue Valley WA~~

~~-Bolton WA~~

~~-Clinton WA~~

~~-Dalbey WA~~

~~-Douglas SFL~~

~~-Elwood WA~~

~~-Hillsdale WA~~

~~-Jeffrey Energy Center WA Area # 2~~

~~-Kansas River WA~~

~~-La Cygne WA~~

~~-Lyon SFL~~

~~-Marais des Cygnes WA~~

~~-Melvern WA~~

~~-Milford WA~~

~~-Oak Mills WA~~

- Perry WA
- Tuttle Creek WA

Region 3

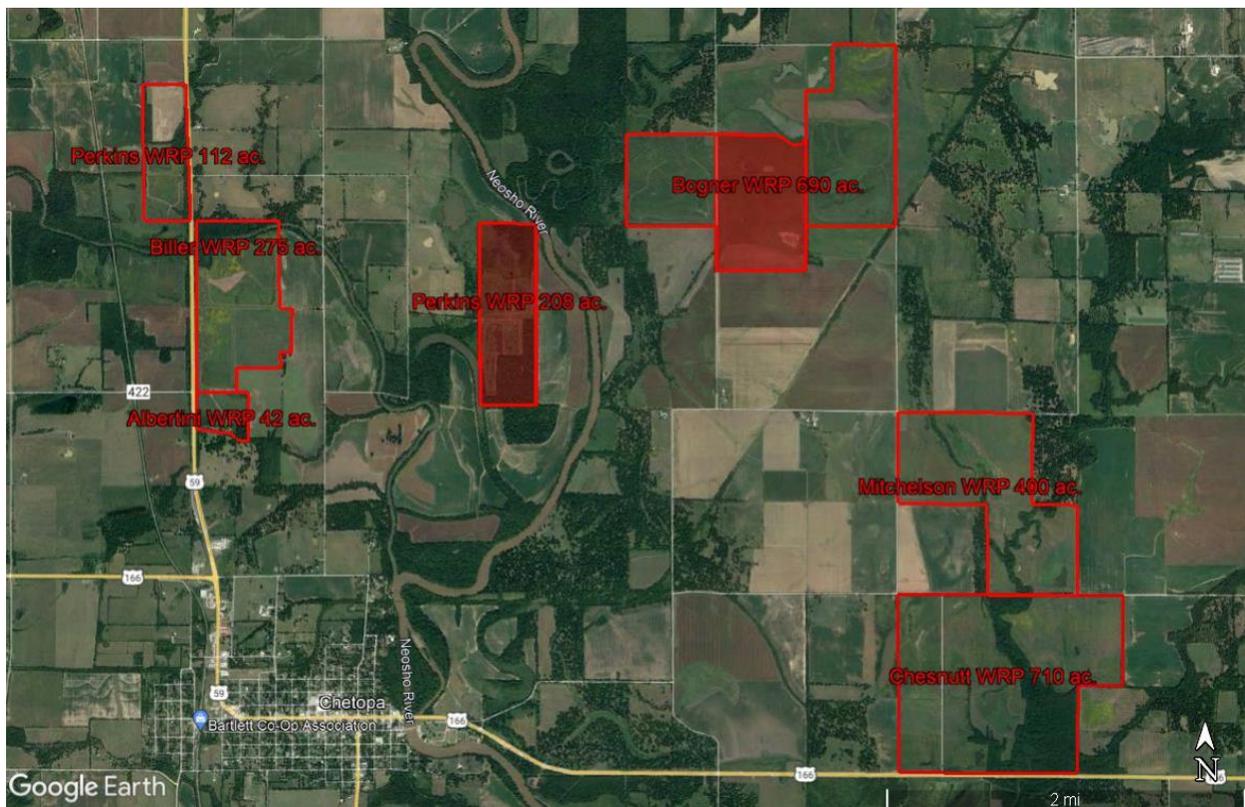
- Berentz/Dick WA
- Marion WA
- McPherson Wetlands
- Neosho WA
- Slate Creek Wetland

XVI. Daily Use Permits

Electronic Daily use permits are available required electronically through I-Sportsman e-permit the department's licensing system for ALL activities.

Region 2

- Buck Creek WA
- Noe WA



Boating Regulations Changes

#2 K.A.R. 115-30-4 (Current Regulation)

115-30-4. Fire extinguishers; requirements. (a) United States coast guard approved hand portable fire extinguishers of type B, size I or type B, size II or both shall be carried on board each motorboat as determined by the following classes:

(1) Class A: at least one type B, size I fire extinguisher shall be carried if any one or more of the following conditions exist:

(A) an inboard engine;

(B) closed compartments under thwarts and seats where portable fuel tanks may be stored;

(C) double bottom construction not sealed to the hull or not completely filled with flotation materials;

(D) closed compartments in which combustible or flammable materials are stored; or

(E) permanently installed fuel tanks. Fuel tanks that cannot be moved in case of fire or other emergency or if the weight of the fuel tank precludes movement of the tank by an individual on board shall be considered permanently installed.

(2) The provisions of subsection (1) shall not apply if the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(3) Class 1: at least one type B, size I fire extinguisher shall be carried, except the provisions of this subsection

not apply if the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(4) Class 2: at least two type B, size I fire extinguishers or one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least one type B, size I fire extinguisher.

(5) Class 3: at least three type B, size I fire extinguishers or one type B, size I fire

extinguisher and one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least two type B, size I fire extinguishers or one type B, size II fire extinguisher.

(b) Each vessel, including each motorboat having an approved built-in or affixed fire extinguisher in the motor area, that has enclosed living spaces or galleys shall carry at least one United States coast guard approved type B, size I or type B, size II fire extinguisher in the living space or galley. (Authorized by and implementing K.S.A. 1989 Supp. 32-1119; effective Jan. 1, 1991.)

USCG REGULATION CHANGE (REQUIRES UPDATING REGULATION)

Fire Protection for Recreational Boats

New regulation goes into effect on 04/20/2022

Start Here

Is Fire Extinguisher
Readily Accessible?

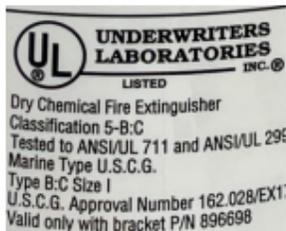
- ✓ Marine Type U.S.C.G.?
- ✓ Correct Classification (Note 1)?
- ✓ Not > 12 years old (Note 2)?

Good & Serviceable?
(Note 3)

- Note 1** –
- a. Extinguishers **UL Classified 5-B:C/10-B:C** (or greater) meet carriage requirements for ALL recreational vessels regardless of vessel age.
 - b. Extinguishers rated as **Marine Type USCG Type B:C, size I or size II** are only acceptable on vessels built model year 2017 or earlier.
(Model year means the period beginning June 1 of a year and ending on July 31 of the following year and being designated by the year in which it ends.)
 - c. Ratings that include higher numbers or more letters are acceptable.
 - d. One 20-B extinguisher may be carried to replace two required 5-B extinguishers.
 - e. There are special rules for vessels built prior to 1952.
- Note 2** – Make sure disposable fire extinguisher is not more than 12 years old from date stamp on bottle. Must be removed from service on 31 December of the 12th year.
- Note 3** – See Good & Serviceable meaning below.

[Link to Federal Register Notice: 2021-22578.pdf \(govinfo.gov\)](#)

Label example



Date Stamp Example



Good and serviceable working condition means:

- (i) If the extinguisher has a pressure gauge reading or indicator it must be in the operable range or position;
- (ii) The lock pin is firmly in place;
- (iii) The discharge nozzle is clean and free of obstruction; and
- (iv) The extinguisher does not show visible signs of significant corrosion or damage.

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Published in Federal Register – to be voted on in March (no presentation, they have been presented multiple times)

- **K.A.R. 115-4-11 Big game and wild turkey permit applications**
- **K.A.R. 115-25-11 Furbearer Regulations**
- **K.A.R. 115-30-10 Personal Watercraft; Definition, Requirements and Restrictions**

VI. DEPARTMENT REPORT

D. Workshop Session – Published in the Federal Register

KAR 115-4-11 Big game and wild turkey permit applications. FY2023 big game regulation review cycle.

b) K.A.R. 115-4-11.

Background

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

Discussion

During the 2021-2022 review cycle this regulation was changed to limit pronghorn antelope hunters to receive either a draw permit, preference point or over-the-counter permit each year as opposed to being able to get a preference point and an over-the-counter permit in the same year. Some additional modification of the language in this regulation is needed to clearly define the limitations set forth in this regulation regarding acquiring pronghorn antelope permits or preference points in the same year.

Recommendation

Adopt the changes in language needed to clearly state the action of the regulation regarding acquiring pronghorn antelope permits or preference points.

CURRENT TEXT

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(9) Each nonresident applicant for a regular deer permit shall have purchased a nonresident hunting license before submitting the application or shall purchase a nonresident hunting license when submitting the application.

(c) antelope permit applications. In awarding antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining an antelope permit.

(2) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual wants to apply for a preference point for an antelope permit that and does not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(6) Applications for resident permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through October 30.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) Any applicant unsuccessful in obtaining a permit through a drawing may apply for any permit made available during an extended application period, or any other permit that is available on an unlimited basis. If the applicant receives a permit made available during an extended application period or on an unlimited basis, that individual shall not receive a preference point in the same calendar year as the calendar year in which the individual received that other permit.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a random draw system, an elk permit that allows the taking of an elk.

(ii) If an individual fails to make at least one application or purchase one bonus point within five consecutive years, all earned bonus points shall be lost.

(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.

(iv) If an individual **wants** to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.

(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.

(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.

(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.

(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in June.

(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.

(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to **submit** at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual **wants** to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) Fall wild turkey permits for unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags for unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations,

WITH TECHNICAL EDITS

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(9) Each nonresident applicant for a regular deer permit shall have purchased a nonresident hunting license before submitting the application or shall purchase a nonresident hunting license when submitting the application.

(c) antelope permit applications. In awarding antelope permits allocated in a limited number, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual applies unsuccessfully for an antelope permit.

(2) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual wants to apply for a preference point for an antelope permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as that in which the individual is applying for a permit.

(6) Applications for resident permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through the last day of the season.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) An individual may not purchase a preference point or apply for a limited permit and obtain an unlimited permit during the same calendar year.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a random draw system, an elk permit that allows the taking of an elk.

(ii) If an individual fails to make at least one application or purchase one bonus point within five consecutive years, all earned bonus points shall be lost.

(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.

(iv) If an individual **wants** to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.

(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.

(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.

(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.

(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in June.

(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.

(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to **submit** at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual **wants** to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) Fall wild turkey permits for unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags for unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations,

Furbearer Regulations

KAR 115-5-1; Furbearers and coyotes; legal equipment, taking methods, and general provisions. KAR 115-25-11; Furbearer seasons.

Background:

Two primary subjects were reviewed by the Department during this regulatory session. After 3 years of the night vision coyote hunting season, the Department has reviewed the components of this season. The Department has also reviewed various aspects of raccoon and opossum harvest and biology. The raccoon population has been on a long-term increase in the state, which is believed to be having a detrimental impact on some species indirectly as a disease vector and possibly directly through predation. They are also responsible for various agricultural and property damage. Average harvest of these two species has declined by over 50% since 2015 due to low pelt prices, which are not predicted to recover in the near future. The biology of these species would allow for a substantial increase in harvest prior to any detectable impact, and there are few furharvesters (~12%) who oppose a proposal to extend the harvest season for these species beyond the traditional fur season.

- The specifics of the coyote night hunting season are described in K.A.R. 115-5-1.
- Furbearer season dates are established in K.A.R. 115-25-11.

Discussion and Recommendations:

- The Department recommendation is to leave most aspects of this season unchanged. We have considered eliminating the permit requirement for the night vision coyote hunting season. Many of the proponents of an expansion of this season have indicated damage control was a primary motive. Laws and regulations currently allow property owners and licensed Wildlife Control Permit holders to address damage with this equipment, and all other legal hunting and trapping techniques would be available to licensed hunters and furharvesters. Thus, many options for damage control already exist. Coyote harvest will continue to be monitored as a component of the annual Small Game Harvest Survey, and we will revisit various aspects of this season in a couple more years.
- The Department recommends extending the raccoon and opossum harvest season to year-round, but that traps used outside the existing furbearer harvest season would be limited to cage and foot-encapsulating (dog-proof) traps. The Department will monitor harvest that occurs during this new season through the annual Furbearer Harvest Survey. If the pelt market and related harvest for these species recovers in the future, we will revisit this open season with strong favor towards the opinion of furharvesters who are making use of the harvested animal.

Boating Regulations Changes

#1 K.A.R. 115-30-10 (1)

1. Personal Watercraft; definition, requirements, and restrictions.

15-30-10. Personal watercraft; definition, requirements, and restrictions. (a) Personal watercraft shall mean any vessel that uses an inboard motor powering a jet pump as the vessel's primary source of propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than the conventional manner of sitting, standing, or kneeling inside the vessel.

(b) Personal watercraft shall be subject to all applicable laws and regulations that govern the operation, equipment, registration, numbering, and all other matters relating to vessels whenever a personal watercraft is operated on the waters of this state, except as follows:

(1) A personal watercraft shall not be operated unless each person aboard the personal watercraft is wearing a ~~type I, type II, type III, or type V~~ United States coast guard-approved personal flotation device.

(2) Each person operating a personal watercraft equipped by the manufacturer with a lanyardtype engine cutoff switch shall attach the lanyard to the operator=s person, clothing, or personal flotation device, as appropriate.

(3) A person shall not operate a personal watercraft between sunset and sunrise.

(4) Each person shall operate a personal watercraft at no-wake speeds of five miles per hour or less when within 200 feet of the following:

- (A) A dock;
- (B) a boat ramp;
- (C) a person swimming;
- (D) a bridge structure;
- (E) a moored or anchored vessel;
- (F) a sewage pump-out facility;
- (G) a nonmotorized watercraft;
- (H) a boat storage facility; or
- (I) a concessionaire's facility.

(5) A person shall operate a personal watercraft in a reasonable and prudent manner. Maneuvers that endanger life, limb, or property shall be prohibited. This prohibition shall include weaving through congested vessel traffic or jumping the wake produced by another vessel at an unsafe distance.

(6) A person shall not operate a personal watercraft unless the person is facing forward.

(7) A person shall not operate or use a personal watercraft to tow a person on waterskis, kneeboards, inflatable crafts, or any other device unless the personal watercraft is designed to accommodate more than one person.

(8) No person in possession of a personal watercraft shall permit another person to operate the personal watercraft unless that person has met the boater education requirements as specified in K.S.A. 32-1139 and amendments thereto.

(c) A boat livery shall not lease, hire, or rent a personal watercraft to, or for the operation by, any person who has not met the boater education requirements as specified in K.S.A. 32-1139 and amendments thereto.

(d) The provisions of paragraphs (b) (4), (5), (6), and (8) shall not apply to a person participating in a regatta, race, marine parade, tournament, or exhibition that has been authorized or permitted by the department or is otherwise exempt from this authorization or permit requirement.

(e) This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 32-1103 and K.S.A. 2006 Supp. 32-1119; effective June 13, 1994; amended June

11, 1999; amended Jan. 1, 2008.)