

**KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING MINUTES FOR
Thursday, June 24, 2004
Johnson County Community College, 12345 College Blvd, Overland Park**

Subject to
Commission
Approval

I. CALL TO ORDER AT 1:30 p.m.

The June 24, 2004 meeting of the Kansas Department of Wildlife and Parks Commission was called to order by Chairman John Dykes at 1:32 p.m. at the Johnson County Community College, Overland Park. Chairman Dykes and Commissioners John Fields, Lori Hall, James Harrington, Kelly Johnston, and Doug Sebelius were present.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

IV. APPROVAL OF THE APRIL 22, 2004 MEETING MINUTES

Commissioner Fields moved to accept minutes, Commissioner Johnston second. (Minutes - Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Robert Fallon, Oak Tree Meadows Home Owners Association President, commented on Johnson County Community College (JCCC) trying to acquire Stoll park, which adjoins the housing area (Exhibit C). The association feels 84-acre Stoll Park should remain as it was dedicated. The College Board of Trustees did vote this week and decided not to acquire it, but the association is still concerned. Chairman Dykes asked if the proposal involved a swap of property. Fallon said it did but that the association objected to that because of the strategic location of Stoll Park. Dykes asked if the department's interest was because of Land and Water Fund. Park Division assistant director Linda Lanterman said it was and that the park is protected by the 6F boundary.

Dan Pickerd, Ottawa, commented on the Prairie Spirit Trail, added that he used that trail all the time. He asked KDWP to have more involvement in trail development. He liked rail trails because of they are easy to use. He referred to an article that appeared in the Topeka Capital Journal two years ago that had Kansas ranked 47th in the amount of physical activity they get. Last week, Governor Holden in Missouri signed a bill that specifically stated that landowners beside rail trails can not be held liable for people who stray from the trail onto private property. Commissioner Sebelius asked Pickerd where he found the physical activity statistic for Kansans. Pickerd said it was in a Topeka Capital Journal article from two years ago and he offered provide

Commissioner Sebelius with a copy.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. FY 2005 Budget - Dick Koerth, Assistant Secretary of Administration, presented this report to the Commission (Exhibit D). At the April 22, 2004 meeting of the Commission, material was provided on the status of the Kansas Department of Wildlife and Parks (KDWP) budget at that point during the 2004 Session of the Kansas Legislature. The information provided included references to several issues that were unresolved and to a request submitted to the Governor for several budget amendments. The approved budget totals \$43,233,692 for FY 2005, of which \$4,844,000 is for capital improvements with \$100,000 for development and planning of State Park #24, as submitted by the Governor, to be financed from the Park Fee Fund. There are plans to get that name changed next month. Other items the Governor had amendments on were the funding for the Almena Irrigation District agreement, \$120,000 divided equally between Wildlife, Parks and Boating fee funds; an \$80,000 increase for Hunter Education; and \$42,960 to reimburse KDWP for the vehicles sold by the state. The Legislature approved \$266,000 from the SGF to reimburse KDWP for free hunting and fishing licenses and annual park vehicle permits issued to National Guard members for calendar year 2005 only. As mentioned to the Commission at the last meeting, the 2004 Session of the Legislature directed the KDWP to obtain a loan from the Pooled Money Investment Board (PMIB) to finance the new campground at Tuttle Creek State Park. The U.S. Army Corps of Engineers (COE) will reimburse the Department for the cost of the new campground in order to mitigate for damages to current campgrounds as a result of repairs to the dam at Tuttle Creek Reservoir. KDWP has requested a loan in the amount of \$1,263,800 which has been approved by the PMIB and State Division of the Budget, a little more cost than anticipated. Approval of the State Finance Council has been requested and the Council will review the item on June 23, 2004. The KDWP has created an internal task force to review potential long-term revenue sources for the Department. The task force is still in the process of reviewing options and is scheduled to provide recommendations to Secretary Hayden by August 1, 2004. Chairman Dykes asked if there was money in the budget for trails. Parks Division director Jerry Hover said that there was \$800,000 available. Koerth commented that there were some caveats to that.

B. General Discussion

1. Wildscape Projects in the Overland Park Area - Hank Booth, Wildscape Executive Director, presented this report to the Commission (Exhibit E). Submitted a report of 44 sites for 2004 OK Kids events, adding that Wildscape anticipates to have over 200,000 people involved in events this year. Tuttle Creek State Park manager Todd Lovin is expecting cabin pieces by mid-July, and the plan is to have four cabins at Tuttle Creek open by September. Now, Wildscape is waiting for Jerry Hover to direct where the next four cabins will go because the funding is there. Just held 8th annual Governor's Fishing Classic. The number of boats was down, but it was still a successful event. Kids received their essay awards from Gary Sebelius and Mike Hayden. The association with Coffey County Lake for the past 8 years has been wonderful, but plans are to move the event to Milford State Park next year -- June 9 and 10.

This is the principle fund raiser for Kansas Wildscape Foundation. Booth thanked the Coffey County folks because of their great participation, but plans including moving the event to other lakes around the state.

Ken Corbett, Topeka, asked if Wildscape planned any youth shooting programs along with fishing programs. Booth said Wildscape was open to any ideas.

2. T&E and SINC Species Regulations - Ed Miller, nongame wildlife biologist, presented this report to the Commission (Exhibit F, PowerPoint presentation - Exhibit G). Every five years, Kansas Department of Wildlife and Parks conducts a review of wildlife species included on the state Endangered, Threatened, or Species In Need of Conservation (SINC) lists. If a species is on the federal list, it is on the state list automatically. The state list does not include plants. There are 24 species on the Kansas endangered list, nine of which are also on the federal lists. Sixty-seven percent are aquatic species. There are 36 species on the Kansas threatened (species which are expected to be threatened in the future) list, four of which are on the federal list, are 75 percent aquatic. SINC is the watch list. Petition forms and directions are mailed out to individuals, organizations, agencies, and university personnel with knowledge and expertise in wildlife populations. A Threatened and Endangered Species Scientific Review Committee (William Busby, Kansas Biological Survey; Mark Eberle, Fort Hays State University; Elmer Finck, Fort Hays State University; Tom Mosher, Kansas Dept. of Wildlife & Parks; Dan Mulhern, U.S. Fish and Wildlife Service; Bryan R. Simmons, Kansas Dept. of Wildlife & Parks; and Edwin J. Miller, Kansas Dept. of Wildlife & Parks) then screens the petitions and supporting documents to determine if sufficient evidence is presented to continue the process. Two petitions on Black sandshell mussel were received this year. This is a species thought to be gone, not seen since 1930, but one male 50 years old was found this year. This was determined not to be a viable species, so the petition was thrown out. If a species is in trouble, survey and research data would need to be provided. Petitions were received for nine species and seven were moved forward by the T&E Task Committee in July 2003. The following changes to the Kansas species list have been published in the Kansas Register. The T&E Task Committee will make its final recommendation after the 90-day review period (ending August 15, 2004). Petitioned changes to the Threatened and Endangered Lists: 1) Silver Chub, a member of the minnow family, has been petitioned as endangered. Its widespread range is in the Mississippi watershed and was once common in the Kansas, Missouri and Arkansas rivers. 2) Brindled Madtom is a small member of the catfish family and is rare in Kansas. In the last twenty-five years it has been documented in the Spring River (Cherokee County) and Cedar Creek (Chase County). This fish has been petitioned to the Kansas Endangered species list. 3) Delta Hydrobe is a gill-breathing aquatic snail. It had been documented only as fossil specimens from the Pleistocene until the discovery of a relic population on Cedar Creek in Chase County. The presence of this animal indicates the high quality of this spring-fed stream. This snail has been petitioned to the Kansas Endangered species list. 4) White-faced Ibis is known to nest in Kansas at Quivira National Wildlife Refuge and Cheyenne Bottoms. Few breeding records are known in Kansas prior to 1962, but the trend in numbers has been increasing since that time. According to the Breeding Bird Survey data, this species has an annual increasing trend of 18 percent from 1980 _ 2002 across its range and this bird has been petitioned for removal from the Kansas Threatened Species List. Two species have been petitioned for removal from the Species-in-need-of-conservation (SINC) List: 5) Eastern Chipmunk does not range far into eastern Kansas, but where it occurs it is a common species. It reportedly is a nuisance species in

some of the suburban areas of Kansas City. The Eastern Chipmunk has been petitioned for removal from the Kansas SINC list. 6) Red-shouldered Hawk is found in bottomland timber habitat. Its distribution covers approximately the eastern one-fourth of the state. Breeding Bird Survey results over the natural range of this hawk show a significant annual increase of 2.6 percent from 1980-2002. This hawk has been petitioned for removal from the Kansas SINC list. 7) Night Snake, because recent surveys reveal this snake to be one of the more common species where it occurs, it has been petitioned for removal from the Kansas Threatened Species List to the SINC list. Its range includes the Red Hills region of south-central Kansas. If substantial evidence is presented in the petitions, the proposed changes are published in the Kansas Register. "After at least 90 days for comment by agencies, governments, individuals and organizations to which the proposed changes are submitted, the secretary shall submit to the commission proposed rules and regulations making any changes that the secretary determines should be made in the listings (KSA 32-960 [d 2])." During the 90-day review period, a numerical rating process is sought from professional biologists and experts from outside KDWP to guide the T & E Task Committee in making final recommendations to Secretary Hayden and the KDWP Commission. Informational meetings, press releases, and notification of proposed changes are sent to surrounding states, other agencies, local governments, and organizations. This item will be workshopped in August and up for vote in October.

3. Land and Water Conservation Fund (LWCF Projects - Linda Lanterman, Parks Division assistant director, presented this report to the Commission (Exhibits H, I). Congress has appropriated funds for the fifth year to the Land and Water Conservation Fund (LWCF) State Grant Program. This program is federally funded and puts a 6F boundary around that park for perpetuity. Maps go to the National Park Service. There were only 17 applications requesting a total of \$1.4 million dollars in matching funds. For Fiscal Year 2004, the total appropriation is \$91.3 million, and Kansas will receive \$1,168,943, subject to matching funds and approval by the National Park Service of proposed projects. The federal appropriations for local communities will be approximately \$500,000 less administrative fees, and the rest will be used for funding state park development projects. Unlike the State Local Government Outdoor Recreation Grant Program (LGORGP), the Department will receive a percent of each apportionment for administrative costs. The LWCF program requires continuous inspection and compliance procedures from the date of award through perpetuity. Funding for this program is primarily derived from Outer Continental Shelf leasing revenues and is appropriated by Congress, pursuant to the Land and Water Conservation Fund Act of 1965. This year's apportionment can be used to assist Kansas in the acquisition of land and the development of public outdoor recreation facilities, which will benefit present and future generations. Each applicant was reviewed on the priorities stated in the State Comprehensive Outdoor Recreation Plan (SCORP) for local communities as required by the National Park Service (NPS). The NPS criteria included points that related to the SCORP including the local park and recreation plan, public support, funding and previous LWCF funding and administration. Project approval was selected by a statewide advisory board. State park projects that have been recommended for approval are: Cedar Bluff State Park new shower house and road improvements for \$188,500; Kanopolis State Park new shower house and road improvements for \$235,000; Lovewell State Park new shower house and road improvements for \$172,500; Wilson State Park for new cabins and road improvements for \$130,000. The local community projects were reviewed on June 22, 2004. The need is there for the projects for state grant funding and these will receive grants: City of

Ottawa for a swimming pool renovation; City of La Crosse for a new ADA restroom in a park; City of Lakin for a new shelter in a park; City of Wakeeney for new playground equipment; City of Shawnee for Swarner Park improvements totaling almost a _ million dollars for local grants. Ottawa and Shawnee are represented here today. Commissioner Fields asked if there was any money available this year for LGORGP. Lanterman said there was not.

4. Hillsdale State Park and Marina - Gary Lucas, Hillsdale State Park manager, presented this report to the Commission (Exhibit J). Hillsdale State Park is located on 4,580-acre Hillsdale Reservoir, a U.S. Army Corps of Engineers project. The lake was completed in 1982 and KDWP entered into a 50-year lease in 1989. The Corps operates a visitor center, nature study area, maintenance facility, dam structure, spillway and an outlet area. All recreational facility development has been done by KDWP. The department also has a lease on the Hillsdale Wildlife Area, which is about 5,000 acres making the total land and water acres about 12,880. Hillsdale State Park operates 160 water/electric campsites; 40 primitive campsites; and a scout/youth camping field. The park has three shower buildings; a trailer dumping station; three reservable large shelter houses and six smaller shelter houses; a swimming beach; a wind surfer beach; 10 lanes of boat ramps; four courtesy docks; 35 miles of multi-use trails including a primitive equestrian campground; six miles of ADA accessible trails; a model airplane flying field; 20 acres of marsh; hunting areas; maintenance shops and out buildings; and a park office and gate house. Hillsdale State Park staff include six full time personnel as well as several seasonal and contract employees. The operating budget is about \$122,000, but utility cost take up about 42 percent. The high visitation was in 2002, 1,631, 270 people, with only 975,938 people in 2003. Revenue for 2003 was about \$482,743. Hillsdale received some Land and Water Conservation monies and was able to complete several projects, some road paving money, and a motor boat access grant of \$80,000 to install a courtesy dock. Hillsdale awarded a contract to Jayhawk Marina, Inc. to develop a new marina. Chairman Dykes asked if Lucas knew what the 2004 revenue would be. Lucas -wasn't sure, but said they could top a million visitors this year. Dykes asked if there were plans for another campground. Lucas said there were, but that it wouldn't be built right away. Dykes asked what the closest Corps campground was. Lucas said Pomona, which is 40 or 50 miles.

Scott Robins, representing the company that was recently awarded the contract to develop a marina on Hillsdale Reservoir - (Exhibits K, L). No marina has been built in Kansas for 17 years. The new Jayhawk Marina will be an 80-slip marina, with plans for 150 more in the future. It will have personal watercraft hydroports, boat and watercraft rentals, a convenience store selling boating and marine supplies, bait and fishing supplies, water recreation and sporting supplies, and camping and RV supplies. There will be a fuel dock and boat maintenance and storage facilities. The website is: www.jayhawkmarina.com. Chairman Dykes asked when the marina would open. Robins said plans were to open Labor Day weekend or week before. Dykes asked if reservations for boat slips were being accepted. Robins said they had about 40 of the slips rented already.

5. Fishing Regulation Changes for 2005 - Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit M). Each year department fisheries biologists monitor fish populations to assess the recreational fishing opportunities of public fisheries. One task is to determine what, if any, special fishing regulations changes could be employed to meet management goals. After sampling fish populations and reviewing other pertinent information such as creel surveys, stocking success, and habitat conditions, recommendations are made for changes in existing creel and length limits. Two new lakes will be added in Bourbon County - Cedar Creek Lake and Elm Creek Lake. Additions and deletions of waters covered by the existing Secretary's Orders are still being considered and won't be finalized until fall sampling efforts are completed. New Proposals to KAR 115-25-14 vary from standard guidelines for length and creel limits and will need to be reviewed by the Special Regulations Committee. The new proposals include: 1) a 20 crappie per day creel limit at Melvern Reservoir (possibly Cedar Bluff, Clinton, Hillsdale and Perry in the future); 2) a 1 Paddlefish per day creel limit for the Chetopa paddlefish snagging fishery. Catch and release of paddlefish would be permitted and the fish must be released back into the water immediately after being caught, unless kept for the daily limit. Paddlefish held in possession must be tagged immediately and cannot be released (no culling). Anglers must stop snagging when a daily limit of paddlefish is taken into possession. When snagging for paddlefish, all hooks must have the barbs removed or completely closed. These proposed regulations are very similar to the regulations in place in Oklahoma on this shared fishery. The season would still be opened by posted notice on the current season dates of March 15 - May 15 and all harvested fish would be required to be tagged. 3) a 35-inch minimum length limit on Blue catfish at El Dorado Reservoir. Zebra mussels were verified in El Dorado during August of 2003 and this marks the first Kansas water body to be infested with this nuisance aquatic invasive species. Since their discovery, methods of control have been investigated and some have been implemented. One method, biological control, has been explored and the blue catfish has been selected as the species for introduction in to El Dorado Reservoir. Although other potential molluscivores, such as common carp, freshwater drum, smallmouth buffalo, and channel catfish, currently exist in El Dorado Reservoir they, except the channel catfish, offer very little to the angler. Blue catfish are capable of reaching sizes substantially larger than that of the channel catfish and could offer higher potential for a trophy fishery, thus providing benefits to the angler directly and also adding to the predation pressure exerted on the zebra mussel population. Blue catfish have been requested for stocking in to El Dorado Reservoir for Fall of 2004 at the recommended stocking rate of 2 per acre (16,000 fish). Blue catfish reach sexual maturity at 6 to 7 years of age. To protect the stockings and allow fish to spawn more than once and also provide for a population approaching trophy status, a minimum length limit of 35 inches is proposed. This length limit is 2 inches below the length that is currently required to obtain a Master Angler Award in Kansas waters. It is hoped that the length limit will provide for a population capable of preying upon small zebra mussels as well as the larger, more mature zebra mussels as larger fish may be able to more effectively prey upon larger zebra mussels. Age and growth data for blue catfish in Kansas reservoirs is limited, especially for larger fish, and results of minimum length limits on blue catfish in other states is not well documented. The 35-inch minimum length limit at El Dorado would allow for catch and release blue catfish angling opportunities while also relaying to that public that the Kansas Department of Wildlife and Parks is dedicated to the task of continued zebra mussel control. The proposed limit would not take anything away from anglers as they are not accustomed to harvesting blue catfish at El Dorado Reservoir. The proposed limit would also allow time for

data collection on the newly introduced species that would provide a better insight to future harvest restriction modifications, including reduction of daily creel limit to no more than five blue catfish per angler per day. Taking into consideration the potential positive biological and sociological impacts of the 35-inch minimum length limit on blue catfish at El Dorado Reservoir, this proposal is being requested to be included in the Secretary's Orders for the 2005 fishing year. Someone in the audience asked if zebra mussels existed in Arkansas River. Nygren said they have been found above Keystone Reservoir in Oklahoma.

6. Federal Legislation and State Law Jurisdiction Pertaining to Exotic Cat Ownership - Kevin Jones, Law Enforcement Division director, presented this report to the Commission (Exhibit N). The enactment of the Captive Wildlife Safety Act, an amendment to the federal Lacey Act, has prompted the review of the of the possession of large cats in the State of Kansas. Discussions have been held with the members of the Governor's Sub-cabinet on Natural Resources, as well as select representatives of the Kansas Department of Health and Environment and the Kansas Animal Health Department. All are in agreement that it would be wise to further regulate and control the possession of these large cats in the state. A small work group of department employees has made an initial review of the Wildlife and Parks regulations and suggested a possible course of action. This would include the rewriting, and possible revocation, of several existing regulations. The end result would broaden the list of animals from the six large cat species listed in the Captive Wildlife Safety Act to include bears, wolves and non-human primates, and provide for a time frame whereby the possession of these animals for simple personal pleasure would be prohibited. Provisions would be developed allowing the continued operation of zoos, and accredited public displays serving the public good, but would eliminate the possession of these animals merely as "pets". Recently the Secretary was contacted by the Secretary of State, who after a brief meeting, requested a meeting of effected interests to further discuss ways to clarify and bring better control over this issue. A meeting is being scheduled among affected federal, state and local governments, legislators and private groups and individuals to further discuss the issue in an effort to find consensus toward resolution.

7. Landowner Deer Management Program - Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit O). The Landowner Deer Management Program (LDMP) is a new approach in deer management in Kansas that will create a contract between a landowner and the department for deer permits. The program will also benefit the public as it will provide access for resident deer hunters on some of the best deer habitat in the state. LDMP was not designed to replace the existing program that allows half of the nonresident deer permits to be obtained by landowners and resold. However, it was created out of a desire to address concerns raised by some landowners that the transferable permit program did not take into account the size of an individual's holding or their deer management and other conservation activities. The bill that authorizes the program restricts who may apply to manage a landowner deer management program. Only a Kansas resident landowner may apply and the permits are restricted to properties they own. The bill would not preclude groups of Kansas landowners from forming deer management associations and designating one Kansas resident landowner to serve as the manager for the combined properties. The bill allows for five projects to be developed as pilots.

This is not an entitlement program that simply guarantees deer permits for a select number of landowners. The program allows the department to select the participants and enter into a

separate contract with each landowner. The landowners will receive deer permits that they may sell or transfer to their clients, however, landowners must compete to be part of the project. Landowners may improve their opportunity to be selected by providing more access and opportunities for the public to benefit from natural resources on private property than the other applicants offered. For example, landowners will select management plans that allow access for deer hunting for randomly selected resident deer hunters. They may also improve their chances of being selected by including in their contract provisions habitat protection and enhancement. Project lands may not be owned by nonresidents, corporations or held in trust. The initial phase of this program is a three year pilot project with five cooperators, one in each KDWP administration region). Recommendations will include a regulation to establish an upper limit to the extent of the state that could be included in LDMP projects, such as no more than 2 percent of each deer management unit be enrolled in the LDMP. That would be approximately 1,000,000 acres statewide. Obviously the smaller the unit size the greater the influence of activities that occur around its border. Deer density and regionally different deer movement patterns also influence the minimum size. Western Kansas has lower deer densities than eastern Kansas and therefore requires larger unit sizes. The proposal suggests that properties in western Kansas (DMU 1, 2, 3, 4, 5, 7, 16, 17, & 18) should be 10,000 contiguous acres, whereas the minimum size in eastern Kansas (DMU 6, 8, 9, 10, 11, 12, 13, 14, 15, & 19) could be 3,000 contiguous acres. These two size differences would allow the average minimum-sized project areas in the east and west to have approximately the same number of deer permits. Since LDMP permits shall be restricted to the landowner's property, it is suggested that each of these permits be valid in any season with legal equipment. Permits issued as client permits to the LDMP manager should be nonresident permits and thus could be transferred to either a resident or nonresident while the permits issued in the public drawing should be resident deer permits. Each permit with its carcass tag should be issued from the Pratt office by the licensing section. Resident permits would be available in the resident draw with an application deadline in mid July. Managers of LDMPs would have until the day before the first day of the early muzzleloader season to supply the big game licensing section with the names and addresses of their clients. Each LDMP permit will have the name of the LDMP area on it and be valid only on that property. LDMP areas will be unique units and not open to hunters with permits valid in the DMU that may surround the area. It is suggested that the regulation implementing LDMP areas require the manager to post the perimeter and normal travel access points. KAR 115-4-6 will need to be amended to exclude LDMP areas. Managers of LDMP properties will be required to prepare a management plan as part of their application proposal. In that plan they submit a proposal for the portion of deer permits they request for their clients and the portion of the permits that may be issued through a random drawing process to resident deer hunters. Our suggestion is to provide 9 option levels for both either sex permits and antlerless only permits that the manager could select. Determining the number of permits that may be used on a LDMP will be an important step in administering the LDMP. Deer permits for a LDMP could be based on the size of the holding, and the average deer harvest density and hunter success rates in the DMU where the property occurs. By knowing those three factors the number of permits a typical area within each unit could support could be calculated. District wildlife biologists should be allowed to review the project lands and documentation provided by the potential cooperator, such as population surveys and history of harvest on the specific property, to determine a deer management factor for the property. The deer management factor would be how the project lands compare to the average for the DMU. The biologist would use these factors to calculate the total number of deer permits that a property

could sustain and provide that information to the LDMP manager during the application process. The LDMP manager would then select (bid) the portion of the client and public permits they would use and place that value in their management plan. Additional criteria should be considered in the selection of LDMP properties. Obviously a key factor will be the number and type of hunting opportunities the LDMP manager will select for the public. However, other factors may be submitted in the management plan, such as habitat protection and enhancements; mentoring activities; and public hunting (other than deer) and fishing opportunities. The selection process is being proposed as a two-stage evaluation. Each application and management plan would be submitted to the regional wildlife supervisor. Each region would assign employees to a review committee, and a community advisory panel may also be selected. The regional review committee will rank the application packages submitted in their area and forward them with their recommendation to statewide selection panel for final review. The statewide panel should consider project distribution, as well as a variety of ecological conditions, and other factors that will make the pilot program most valuable for evaluating the potential of this approach. Similar programs in other states require a periodic evaluation of each property. One purpose of the evaluation is to ensure that public hunters are given adequate opportunities and that public hunters have deer season satisfaction levels comparable to those obtained by landowner clients. Both client and public hunters at a LDMP should have higher satisfaction levels than hunters in the adjacent DMU. Evaluation procedures should include the influence of the area on damage (including deer-related vehicle accidents) caused by deer on adjacent properties. The evaluation should also document completion of provisions of the management plan such as habitat enhancement or special activities. Landowner continuation the LDMP would be contingent upon the evaluation. This will be workshopped this at the August meeting with plans to vote on it in October.

Commissioner Johnston asked if landowners will select management plans for randomly selected deer hunters. House Bill does not mandate what concessions a landowner will have to make to be selected. Fox said bids will be ranked according to opportunities and public benefits provided.

Dykes asked if the program would increase in number of deer permits issued. Fox said it would have a small impact with only five pilot projects. Permits will be in addition to what's allocated but a small number of total permits. A maximum number of DMUs that can go into areas needs to be established. Commissioner Johnston asked if landowners would have to pay something for these permits. Fox said nonresident and resident prices will be the same as current, but restricted to just that property and bag limit, any season with legal equipment. Chairman Dykes asked if contracts would be renewed annually. Fox said, the pilot program is a three year project.

Programs in Colorado are eight-year contracts and harvest is evaluated annually and contract renewal is evaluated at the end of that period. The department has a form that will be ready after the October meeting, and the application will be finalized at that time. Chairman Dykes asked if the Commission could see draft at August meeting. Fox said that would be possible. Keith Houghton, Tipton, asked if two or three landowners could go together to get maximum acres. Fox said that would be permitted. Hayden added that all land would have to be owned by a Kansas resident. Chairman Dykes asked if there was any interest yet. Fox said there was at least one in each of our five regions. Doug Phelps, Manhattan, said that in light of recent restrictions on mule deer it seems like an any deer permit and three-season hunt in western Kansas contradicts what the department is trying to do. Since these permits are going to be locked to that parcel of land and outside the normal allocation will the one antlered deer per hunter limit be maintained. Fox said these programs will act as separate units and will not affect one antlered

deer. On first part we will be taking some land out of the DMU and leaving the same number of any deer permits the same, but very small total. Mike Pearce, Wichita Eagle, asked if this would be workshopped in August. Chairman Dykes said it would be.

Mike Beam, Kansas Livestock Association commented that KLA has been encouraging KDWP to move toward this program on a trial basis. He said he had made some comments on October 23, hoping for pilot projects in 2004 season. He mentioned some issues that need further thought - general public benefit would be a win/win, but keep a broad mind on what would be a public benefit. KLA looks forward to working with the agency.

Steve Swaffar, Kansas Farm Bureau, also supported the department moving forward on this. GH agreed with Beam's comments. He encouraged more flexibility in naming permit recipients prior to the deer season. The availability of depredation permits for one of these pilot projects needs to be clarified. He was also concerned with the time when general resident permits could be used. Don't want to cluster too many folks together if they a landowner has clients they are serving. Keep in mind youth hunts.

C. Workshop Session

1. KAR 115-18-1. Wildlife Rehabilitation Permit; Application, Reporting and General Provisions - Kevin Jones, Law Enforcement Division director, presented this report to the Commission (Exhibit P). Kansas statutes require that any person desiring to provide wildlife rehabilitation services comply with regulations adopted by the Secretary. This regulation has gone through quite a bit of review. After extensive work regulation is on file with Attorney General's Office and we plan to vote on this at August meeting.

3. Park Fees - short-term solution - Jerry Hover, Parks Division director, presented this report to the Commission (Exhibits Q, R, S, T, U). At the April Commission meeting the reduction in the State General Fund allocated to state parks was discussed. Kansas state parks are at a crossroads: user fees must be increased and another source of funding must be obtained or services and facilities will have to be drastically reduced or eliminated. Many necessary commodities such as fuel, propane, electricity, and potable water have doubled in cost over the last two years. Each state park must operate like any other Kansas city or county by providing services such as potable water, sewer, trash disposal, building and grounds maintenance, road and parking lot maintenance, fee collections, administration, and protection of the natural and human resources through an adequate public safety program. Current fees are not adequate to meet the cost of doing business. The FY2005 budget will not allow for an adequate cash balance to continue the state park system into FY2006. The following alternatives have been analyzed: 1) Systematically and incrementally raising all fees for current services; 2) Adding additional fees and charges for certain services; 3) Elimination of specific current services; 4) Elimination of specific parks (legislative); 5) Implementing park by park pricing based on demand rather than statewide pricing; 6) Adjusting specific fees based on demand and cost to provide; 7) Endowments and corporate sponsorship; 8) Removal of annual permits and only provide daily permits (legislative); 9) Change from per vehicle to per person pricing (legislative); or 10) Tax or surcharge dedicated to state parks (legislative). However, to get through the current \$500,000 State General Fund reduction and fuel/utility cost crisis, the following actions will be implemented: 1) Reduce areas mowed and frequency; 2) Increase foot and bike patrols; 3) Charge more miles to AmeriCorps and Trails, and obtain reimbursement; 4) Stop Law

Enforcement commuting as much as possible (double edged sword as these officers are on call 24 hours a day. Commute is no more than 10 miles and we would have to pay them 36 cents a mile to use their private vehicle; 5) Close under-utilized day-use areas and some campgrounds as use drops in the fall (started a year ago and will continue this), this means closed to vehicles not people; 6) Reduce some seasonal salary money and terminate seasonal positions earlier.; 7) Allow only officers and speakers to attend the annual KRPA conference - training provided more in-house; 8) Do not attend Midwest State Park Executives Conference; 9) Limit Capital Outlay purchases to replacement of critical equipment; 10) Reduce or eliminate outside the park assistance to only critical times; 11) Further defer major maintenance projects; 12) Implement long-term camping special-use program; 13) Implement short-term RV parking program; 14) Increase special hunts and charge for use of permanent blinds and specific equipment that is permanently installed; or 15) Increase efforts to obtain a stable funding alternative to SGF. Tried to look at all suggestions and came up with the following items which would have the least amount of impact KAR 115-2-2 and 115-2-3: 1) Change wording in KAR 115-2-3 from \$35 to read \$35 to \$150 per night; price varies according to season, day of week and type of cabin (some operated by Friends Groups, some by staff) will work with legal section to come up with wording; 2) Add wording to KAR 115-2-2 motor vehicle permit: Annual motor vehicle permits are not valid during certain designated special events (current practice for past five years, for events like the Stampede); 3) in-season motor vehicle permit from \$45 to \$50 (16,500 sold in past - will lose some, could raise about \$75,000 (only about 35 percent buy during off season); 4) in season 2nd motor vehicle permit to \$30 and seniors one-half of this rate; 5) add short-term RV parking storage (not in a campground, but in designated areas in park) \$125 per month; 6) Change KAR 115-2-3 by adding long-term camping up to 9 months duration at approximately a 10 percent, plus or minus, daily rate and requires annual camping and motor vehicle permits (comes out to about \$300 a month) limited to 14 days at this time (did some trial programs under special-use permits at El Dorado this past year which were successful; 7) add permanent blind and special hunts \$15 (do not currently charge, essentially a reservation fee) not all parks have these; 8) annual camping \$249 off-season \$299 in-season; 9) 14-night camping \$85 off-season (\$6 a night) \$99 in-season (\$7 a night); and 10) Prime site Friday through Sunday \$5 (not all parks have prime sites, usually waterfront) leave it at \$2 during the week. The Division has estimated an additional \$300,000 in new revenue can be collected in FY05 if the above options are implemented Jan 1, 2005 and \$700,000 collected in FY06. Details of the above possible options will be presented during the Commission meeting. Commissioner Johnston asked if no changes were proposed to day rates. Hover said that the public has asked the department not to. Chairman Dykes asked if it was conceivable to charge \$150 for a cabin per night. Hover said that at El Dorado the current price is \$130. Chariman Dykes asked how much might be raised by chargeing for blinds and special hunts. Hover said it might raise about \$4,500. Dykes asked if most of those were youth hunts. Hover said they were but they were costly to the parks.. Donovan Hale, Girard, asked if the Governor and Legislature didn't realize the impact hunting, fishing and camping. Cabela's is the largest attraction in this state. He recommended adding sales tax for parks. Several friends have moved to federal parks or other states if fees keep raising. Higher fees force them to reduce camping days at the state parks. Expect more effort from Commissioners to solve this\ this problem. Chairman Dykes said he hoped staff would look carefully at charging for youth hunting blinds and compare the benefit of public relations. Commissioner Fields asked for an explanation of tables in the handout. Hover said tha what is sold at offices does not necessarily mean all that is sold because there are a lot of state vendors.

Chairman Dykes asked what would happen if the Legislators removed the last senior exemption. Hover said it would conservatively raise \$250,000. Commissioner Sebelius asked if some of the cost cutting items were in ranking order. Hover said they were not. Low usage areas would see cuts faster than higher usage areas. Sebelius said that by closing facilities, the department would be effectively closing a park. Hover said it will take a combination of reduction in spending and fees and a long term solution.

4. Late Migratory Bird Seasons - Marvin Kraft, waterfowl biologist, presented this report to the Commission (Exhibit V). Late seasons are those that generally open after October 1. Late season waterfowl frameworks (maximum bag, possession limits and season length, and earliest opening and latest closing dates) are established annually by the U.S. Fish and Wildlife Service (Service). These frameworks establish the limits which states must operate within when establishing waterfowl seasons. These frameworks are developed and published around August 15, after results from the May Breeding Duck Survey, July Production Survey, and recommendations from Flyway Councils are available. Major changes in the frameworks for geese are not anticipated. Season frameworks and hunting recommendations for these species will most likely be similar to those established last year, with minor adjustment for holidays and calendar shift. However, some moderate changes could result from attempts to "match" opening or closing dates of geese with those of ducks, which could be significantly changed from last year. At this time there is uncertainty regarding the 2004 frameworks for ducks. The May Breeding Duck Survey has not been completed, but early dry conditions on some areas of the breeding grounds resulted in "overflights" of ducks, particularly pintail, which suggests that Breeding Population numbers could be down from last year. Years when significant overflights occur usually result in below average production. Some areas did eventually get good precipitation, and should benefit late nesting species such as gadwall. Packages are influenced by pond numbers and mallard numbers. Expect the liberal package. At this time, even the regulatory packages include the following: 1) Liberal package - 74 day season (LP), 97 days season (HP), with bag of 6 ducks, 5 mallards, including no more than 2 hens (package selected since 1997); 2) Moderate package - 60 day season (LP), 83 days season (HP), with bag of 6 ducks, 5 mallards, including no more than 1 hen; 3) Restrictive package - 39 day season (LP), 51 day season (HP), with bag of 3 ducks, including no more than 1 hen mallard. Could expect reduced teal numbers. Zones and splits we have one more year, will be reopened in 2005.

Donovan Hale, Girard, asked about netting some of the problem geese and giving them to shelters for food. Kraft said he has heard of other states talk about that but it is costly because of health issues. KDWP has netted some and moved them to western Kansas, held them for a while to deprogram them and then released them. Any time birds are killed it becomes controversial.

VII. RECESS AT 4:45 p.m.

VIII. RECONVENE AT 7:00 p.m.

Welcomed former Commissioner Al Ward.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

Presentation of plaque and card to Lori Hall.

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Doug Phelps, Manhattan, extended invitation to Commissioners and staff to have an archery experience at the Great Bend Bowhunter's Club.

Carrie Moles, Shawnee, commented on park fees to generate revenue. She said they have vacationed at Melvern Lake for the last 16 years. Raising fees will drive away people from the parks. State Parks best kept secret in Kansas, but they need more promotion. There are no signs on I-35 only on K-75. The Missouri side is advertised heavily and Kansas needs to advertise. She did not want to see parks close. Dykes asked about putting up signs. Hoover said that the Kansas Department of Transportation controls the signs.

Charles Zimmerman, Olathe, agreed with the lady that the signs were not there. Parks do need to be marked better.

Carrie Moles commented that she liked idea of storing camper on a monthly or yearly basis. With price of gas, it doesn't make sense to drive it back and forth.

XI. DEPARTMENT REPORT

D. Public Hearing

Attorney General's office comments (Exhibit W).

1. KAR 115-3-2. Rabbits, hares and squirrels, legal equipment, taking methods and possession - Roger Applegate, wildlife research biologist, presented this report to the Commission (Exhibit X). He covered the three regulations as one, even though the Commission will need to vote separately. These regulations are being opened in order to clean up inconsistency between rabbit/hare regulations and the furbearer regulations covered under 115-25-11. For a number of years, zones were defined for the running of furbearers and rabbits/hares. Several years ago the zones were eliminated for furbearers, but not for rabbits/hares. Since there is no rationale for continuing zones for running rabbits/hares, it is recommended that 115-3-2, 115-25-2 and 115-25-3 be modified to eliminate the zone designation. Commissioner Hall asked why Kansas doesn't have a set season on rabbits. Several surrounding states are closed during breeding seasons. She expressed a concern with the jackrabbits and closing the season would give them a little bit of a boost. Applegate said that until recently, there hasn't been a season in the states Hall mentioned. Commissioner Hall commented that people have mentioned they would like to see more jackrabbits at previous meetings. Applegate said that it is typically weather and habitat that limit jackrabbit numbers. Jackrabbits do well in a drought. There is quite a large number of jackrabbits on Rock Road in Wichita. Chairman Dykes asked Commissioner Hall if she would like to offer an amendment. She said not at this time.

Commissioner Johnston moved to approve KAR 115-3-2 as proposed. Commissioner Harrington seconded.

The roll call vote on KAR 115-3-2 was as follows (Exhibit Y):
Commissioner Dykes **Yes**

Commissioner Fields	Yes
Commissioner Hall	Yes
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Absent

The motion to approve KAR 115-3-2, passed 6-0.

2. KAR 115-25-2. Rabbits, open season, bag limit and possession limit - Roger Applegate, Wildlife Research Biologist, presented this report to the Commission (Exhibit Z). See Item 1.

Commissioner Johnston moved to approve KAR 115-25-2 as proposed. Commissioner Harrington seconded.

The roll call vote on KAR 115-25-2 was as follows (Exhibit Y):

Commissioner Dykes	Yes
Commissioner Fields	Yes
Commissioner Hall	Yes
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Absent

The motion to approve KAR 115-25-2, passed 6-0.

3. KAR 115-25-3. Hares, open season, bag limit and possession limit - Roger Applegate, Wildlife Research Biologist, presented this report to the Commission (Exhibit AA). See Item 1.

Commissioner Johnston moved to approve KAR 115-25-3 as proposed. Commissioner Harrington seconded.

The roll call vote on KAR 115-25-3 was as follows (Exhibit Y):

Commissioner Dykes	Yes
Commissioner Fields	Yes
Commissioner Hall	Yes
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Absent

The motion to approve KAR 115-25-3, passed 6-0.

4. KAR 115-25-1. Game birds; open seasons, bag limits, and possession limits. (Quail) - Roger Applegate, wildlife research biologist, presented this report to the Commission (Exhibit

BB). This proposal would change the opening and make it statewide to more fully utilize the quail resource and provide increased hunting opportunity. It is recommended that, beginning in 2005, quail season would open statewide on the first Saturday in November (one weekend before pheasant hunting). This would eliminate the Eastern and Western quail zones. Currently, the quail season opens on the second Saturday in November in the Eastern Zone and the third Saturday in November in the Western Zone. Surveys of Kansas quail hunters, showed not much interest in zones or staggered quail openers in eastern and western Kansas. Closing date for the quail season will continue to be January 31. Bag limits will remain the same. Chairman Dykes asked if this was the regulation that had been discussed at past meetings. Discuss this and possible amendments. Commissioner Johnston asked if there would be one vote or three votes for quail, prairie chicken and pheasant. Chris Tymeson, department attorney, said that there would be one vote plus others if there is an amendment. Chairman Dykes asked for questions and comments.

Dan Vidrickson, Salina (Quail Unlimited), commented that he had been before the Commission at earlier meetings. He said that QU members he talked with were in total opposition to this and felt it should remain the same. There is no support from the public.

Bob Robel, Manhattan, commented that he was opposed to liberalization of this hunting season, but that he was very much in favor of hunting quail. Populations have declined in Kansas. He said that as the habitat has changed hunting can become additive mortality, rather than compensatory mortality. He referred to a three-year study in Riley and Geary County published a KDWP article that stated that there is additive mortality late in the season. He felt there might be some benefit to moving the season ahead and curtailing the season at the end of January.

Liberalizing the season when there is a declining population is a public relations hand grenade.

Dan Ward, executive director of Kansas Wildlife Federation, said that he was not in favor of the proposed change and expressed concern about the impact on pheasant season. Would like all seasons to begin on Saturday. He said that he had not heard from any of KWF members in support of this.

Barth Crouch, Pheasants Forever, expressed opposition to the proposal.

Commissioner Fields asked if there was talk about a possible amendment on the quail. Chairman Dykes said there was and asked Applegate for some amendment options. Commissioner Johnston asked at the last meeting for some options. There are four possible amendments to the zones and seasons for quail (Exhibit CC). Amendment number 1 would change the opening season of quail to the first Saturday in November for the western zone, using the current quail zone map. Amendment number 2 would change the opening season of pheasant to the first Saturday of November and quail to the second Saturday of November, and use the current quail boundaries, statewide. Amendment number 3 would change the boundary from U.S. Highway 281 to Kansas Highway 14, the rest of the boundary would remain the same. Also, this would change the quail season to the first Saturday in the eastern portion of the state. Chairman Dykes asked if the only difference between 1 and 3 would be the boundary line. Applegate said that was correct. Amendment number 4 would leave the quail seasons as they currently are. This one would not change the amendment. Commissioner Fields asked if he could propose a fifth amendment and change the closing to December 15. In the past quail seasons never went past December 15. No other changes to existing (same as amendment 4 except for closing date).

Commissioner Johnston said he was opposed to current proposal, but was open to one of these amendments. He added that he really hadn't had time to look them over. He liked number 1 and 2 and was in favor of shortening the season, but wasn't sure about December 15. To make changes,

this needs to be studied more. Secretary Hayden said that amendments 1 - 3 would not take effect until August 1, 2005. Commissioner Hall asked Dr. Robel what he suggested. Dr. Robel recommended closing the season on January 15 or before. Applegate said he would be inclined to a more liberal season than Dr. Robel -- more interested in January 15.

Vidrickson said he was an avid hunter and in January he doesn't see many birds. He did support a Jan. 15 closing date, but was still opposed to changing the opening dates. He agreed with Commissioner Johnston that this should be discussed further. Chairman Dykes asked if Vidrickson was not opposed to ending the season early. Vidrickson said that speaking for himself, he was not.

Al Ward, Topeka, said he enjoyed January hunting because there are not many hunters out. He said he started late and end early and if the weather is bad he doesn't go. The sportsman is not going to be out there busting birds if the weather is bad. Keep it as it has been.

Dan Ward said that a lot of people on KWF's board who are a lot smarter than he would like a chance to review this before it is voted on.

Randy Rodgers, wildlife biologist, presented this report to the Commission (Exhibit). Proposed changes to prairie chicken hunting season structure. In 1995, the Kansas Wildlife and Parks Commission altered the structure of the prairie chicken season in the region of the state where lesser prairie chickens occur. This action was taken in response to a petition to have lesser prairie chickens listed as "Threatened" under the Endangered Species Act. The ultimate finding by The U.S. Fish and Wildlife Service indicated the petition was "warranted, but precluded" by higher priority species. Also, back in 1995, we had range-wide (five state, not just Kansas) lesser prairie chicken populations that were unusually low at that time. Concern existed that the early opening day (first Saturday in November) of the lesser prairie chicken season created the possibility of localized over-harvest. Kansas lesser prairie chicken populations have subsequently recovered from the mid-1990s low and have expanded their range in west-central Kansas in response to added habitat provided by Conservation Reserve Program (CRP) grasslands. Significant numbers of lesser prairie chickens have been located north of the Arkansas River by Kansas Department of Wildlife and Parks staff since 1999. These birds are utilizing areas where CRP grasslands are found in close proximity to native rangelands in the Pawnee, Walnut, and Smoky Hill watersheds almost as far north as Interstate Highway 70. Recently completed research has documented the heavy use and high value of CRP grasslands to lesser prairie chickens in west-central Kansas. All the lesser prairie chickens in the Smokey Hill watershed and some of those in the Walnut watershed are located north of K-96 where the current hunting season opens the first Saturday in November and the daily bag limit is two. Kansas greater prairie chicken population indices have been essentially stable in the Flint Hills and north-central Kansas over the past decade, but have declined in areas east of the Flint Hills. This species has increased in northwest and west-central Kansas over the same period. The proposed season in the Southwest Unit would move the opening date to November 1, creating a continuous season of 92 days with bag and possession limits remaining the same. In that the area between K-96 and I-70, which would become part of the Southwestern Unit, daily bag limit would be reduced from the current 2 to the proposed 1, and the season opener would change from the first Saturday in November to November 1. These changes would primarily involve lesser prairie chickens, but greater are present north of K-96. In the Northwest Unit the only change would be for the season opening to begin November 1 instead of the first Saturday in November, except in the area between K-96 and I-70, as noted under the Southwestern Unit. This would create a 92-day season for this unit

as well. Only greater prairie chickens are found in this unit. In the East Unit we plan to run a continuous season September 15 - January 31, with a daily bag limit of 2, possession limit of 8, leaving out the gap between the current special early season and the current regular season. This would create a continuous open season of 138 days on greater prairie chickens in the East Unit. Essentially 6-22 days longer than what we currently have.

Dan Ward said the KDF is opposed to extending the seasons on prairie chickens. KWF members are proud that there is a rebound of the species, but that does not warrant a longer season.

Bob Robel, Manhattan, said he was an avid proponent of hunting, but didn't feel the lengthened season was a good idea. Studies have looked at nesting, nesting success and mortality and found that mortality exceeded productivity by 15 percent. Lek counts have shown a slight increase over the last few years. He reviewed a manuscript on lesser prairie chickens put out by Oklahoma and they expect a 95 percent chance of extinction in the next five years. He was concerned about the public perception of lengthening a season and a declining species. In 2003, population estimates at 30,000, now 10,000 - 20,000. This change is ill conceived unless some effort is made to document what is being harvested. This is a public relations disaster as well as a biological disaster.

Ron Klataske, Kansas Audubon Society, said he felt that the proposal being made is indefensible and provided a written statement (Exhibit EE).

Chairman Dykes asked if there were any amendments proposed on this portion of the regulation. Commissioner Johnston said he felt the boundary should be moved as proposed, but change length of season. Chairman Dykes asked if there were any changes to pheasant portion of this regulation. Applegate said there were not, other than how it is mentioned in Amendment 2, no actual change. Chairman Dykes asked for a motion to bring regulation before the Commission. Attorney Tymeson clarified that the regulation needed to be brought up, vote on amendments, then on original proposal. Then we need a second. Chairman Dykes - Quail, no change to bag limit, move forward opening day one week and eliminate boundary that divides east and west boundary and opening date. Briefing book regulation for prairie chicken would divide state into three parts moving the west boundary to I-70 capturing lesser prairie chickens to a southwest range. Move season opener. Commissioner Johnston asked if a lack of second ended the discussion. Commissioner Sebelius asked what Fields' amendment would be called. Chairman Dykes suggested the Fields amendment.

Commissioner Johnston moved to bring KAR 115-25-1 forward for discussion (not because he supports it, but to bring forth discussion. Fails for lack of a second (Exhibit FF)).

5. Early Migratory Bird Seasons - Marvin Kraft, wildlife research biologist, presented this report to the Commission (Exhibit). The U.S. Fish and Wildlife Service annually develops frameworks for migratory bird seasons. These frameworks establish the most liberal seasons that will be allowed on a particular species or group of species. States may always adopt more restrictive regulations than those allowed in the frameworks, but they may not adopt seasons more liberal than allowed in the frameworks. At this time we will discuss recommended seasons, but not frameworks. No significant changes from last year. No change for September Canada goose. Teal - High Plains and Low Plains - start September 26 and count forward with whatever days are left, one exception would be an 8-day season, then it would start September 25. Dove regulations are now set by KAR 115-25-19, rather than annual Commission approval. Kansas is allowed a 15 day season in September for Canada Goose, because of liberal Canada

Goose season we recommend a 10 day season around Kansas City, Lawrence, Topeka and Wichita. The seasons would begin one half hour before sunrise to sunset. Commissioners concurred. It will be some time before we get frameworks.

6. KAR 115-25-19. Dove, management, hunting season, shooting hours, and bag and possession limits - National Dove Plan and Kansas banding status - Helen Hands, waterfowl biologist, presented this report to the Commission (Exhibit HH). The department recommends that the first segment runs for 44 days and ends on October 14, and the second segment opens November 1, and runs for 16 days. It is unknown whether harvest and hunting days during the 3-day November dove season were low in 2002 because hunters were unaware of the season; were not interested in hunting doves in November; or there were insufficient doves in most places to make hunting worthwhile. Moving some of the hunting days from October to November is unlikely to significantly increase or decrease the harvest. Because there are so many hunters pursuing upland game birds in November, the incidental take of doves might become substantial, at least in the southern portions of Kansas. Utilization of a November dove season is also likely to vary annually based on weather patterns and food supplies, which affect migration. Commissioner Hall asked if a plugged shotgun would still be required. Hands said it would be. Commissioner Hall asked what if a hunter was hunting pheasants. Hands said that having a plugged shotgun was a basic aspect of migratory bird hunting.

Commissioner Fields moved to approve KAR 115-25-19 as proposed. Commissioner Sebelius seconded.

The roll call vote on KAR 115-25-19 was as follows (Exhibit II):

Commissioner Dykes	Yes
Commissioner Fields	Yes
Commissioner Hall	Yes
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Absent

The motion to approve KAR 115-25-19, passed 6-0.

7. KAR 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirements, and restrictions - addition of zebra mussels, quagga mussels and round goby to prohibited species list - Doug Nygren, chief of Fisheries Section, presented this report to the Commission (Exhibit JJ). Invasive species concerns continue in Kansas. These three species are coming in through the Mississippi basin. These are established in the Midwest River systems and could find their way here through intentional transport as bait or aquarium specimens. It is proposed the zebra mussels, round gobies, and quagga mussels be added to the Prohibited Species List (this regulation) to clean up the list.

Commissioner Fields moved to approve KAR 115-18-10 as proposed. Commissioner Harrington seconded.

The roll call vote on KAR 115-18-10 was as follows (Exhibit KK):

Commissioner Dykes	Yes
Commissioner Fields	Yes
Commissioner Hall	Yes
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Absent

The motion to approve KAR 115-18-10, passed 6-0.

8. KAR 115-25-14. Fishing: creel limit, size limit, possession limit, and open season - add Pratt Centennial Pond to the designated trout waters and add Pratt Kid's Pond and Pratt Centennial Pond to list of waters - Doug Nygren, chief of Fisheries Section, presented this report to the Commission (Exhibit LL). This proposal would allow the Centennial Pond at the Pratt Operation Headquarters to be added to locations receiving rainbow trout during the trout season. This pond would be operated as a "catch and release" trout fishery throughout the trout season of October 15 through April 15. At the end of trout season harvest would be allowed to ensure the harvest of the majority of trout prior to lethal summer water temperatures. Changing the requirement for a trout permit on this water for taking and possession of trout will be discussed. There is a need to require all anglers to have the trout permit regardless of their intent to harvest. As a result of internal department comment as well as a rapidly developing opportunity with the City of Topeka in relation to this regulation, the department suggests that the following amendment be made to the version of the regulation submitted for public comment (Exhibit MM). Amend proposed subsection (b) to read as follows: (b) Pursuant to KAR 15-18-12, a trout permit shall be required to fish for and possess trout on the following waters during the specified time periods: (1) October 15 through April 15: (U) Pratt Centennial Pond.; (V) Topeka Auburndale Park.

**Commissioner Harrington moved to bring KAR 115-25-14 forward for discussion.
Commissioner Sebelius seconded.**

Commissioner Johnston moved to amend KAR 115-25-14. Commissioner Hall seconded.

The roll call vote to amend KAR 115-25-14 was as follows (Exhibit NN):

Commissioner Dykes	Yes
Commissioner Fields	Yes
Commissioner Hall	Yes
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Absent

The motion to approve KAR 115-25-14, passed 6-0.

The roll call vote on the amended KAR 115-25-14 was as follows (Exhibit):

Commissioner Dykes	Yes
Commissioner Fields	Yes
Commissioner Hall	Yes
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Absent

The amended KAR 115-25-14, passed 6-0.

11. Proposed Secretary's Orders for Pratt Centennial Pond and Pratt Kid's Pond - Doug Nygren, chief of Fisheries Section, presented this report to the Commission (Exhibit OO). A draft Secretary's Order was presented to the Commission. Two ponds located adjacent to the Pratt Operations Headquarters have been renovated and opened to public fishing. These ponds along with the Pratt Backwaters make up significant fishing opportunities for Pratt County. This order would establish the hours open to fishing. Fishing would be allowed year round from 6 a.m. - 10 p.m. on all of the areas. The Kids' Pond, opened last year, has been a big success. To encourage participation, adults accompanying children may fish this year. Asking kids under 16 years of age to be accompanied by an adult. The creel limit would be two fish, of any size or species, per day. The Centennial Pond would be open to public fishing under a catch and release program for warm water fish. The pond is also being considered for a designated trout water (this regulation) in which mandatory catch and release of stocked trout would occur during the trout season. After April 15, trout would be legal for harvest (two per day) prior to water warming to lethal temperatures. Commissioners concurred.

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

The next meeting is scheduled for August 26, 2004 at the Highland Hotel and Convention Center (formerly Holiday Inn), 3017 10th Street, Great Bend.

October 28, 2004 at Atchison. Secretary Hayden - New ramps just put in - maybe we could get a boat ride on the Missouri.

January 20, 2005 at Memorial Hall Auditorium, Topeka, Luncheon in Capitol Building, 2nd Floor Rotunda.

XIV. ADJOURNMENT

Commissioner Sebelius moved, Commissioner Harrington second to adjourn.

The meeting adjourned at 8:40 p.m.

(Exhibits and/or Transcript available upon request)