

REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING AND PUBLIC HEARING
Thursday, January 6, 2011
The Dole Institute
2350 Petefish Drive, Lawrence, Kansas

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE October 14, 2010 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. 2011 Legislature (Chris Tymeson)**
 - B. General Discussion**
 - 1. Commissioner Permit Update and Drawing (Mike Miller)**
 - 2. Kanopolis Trapping Update (Kevin Jones and/or Matt Peek)**
 - 3. Mountain Lion Sighting Update (Matt Peek)**
 - 4. Outdoor Recreation Management System (ORMS) Update (Karen Beard and/or Linda Lanterman)**
 - 5. Kansas Wildlifer Challenge Program (Charlie Black, Wildscape)**
 - 6. Natural Resource Planner Demonstration (Eric Johnson)**
 - 7. Magazine Capacity Request (Lloyd Fox)**
 - C. Workshop Session**
 - 1. KAR 115-25-5. Turkey; fall season, bag limit and permits. (Jim Pitman)**
 - 2. KAR 115-25-7. Antelope; open season, bag limit and permits. (Matt Peek)**
 - 3. KAR 115-25-8. Elk; open season, bag limit and permits. (Matt Peek)**
 - 4. 115-25-Series Deer Regulations (Lloyd Fox)**
 - 5. Big Game Permanent Regulations (Lloyd Fox)**

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

C. Workshop Session (continued)

6. Potential Regulation Changes to Address Aquatic Nuisance (Jason Goeckler)

7. KAR 115-16-5. Wildlife control permit; operation requirements (Kevin Jones)

8. KAR 115-2-2. Motor vehicle permit fees (Linda Lanterman)

9. KAR 115-2-3. Camping and utilities fees (Linda Lanterman)

D. Public Hearing

1. Free Park Entrance and Free Fishing Days by Secretary's Orders (Linda Lanterman)

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on January 6, 2011, to reconvene January 7, 2011, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment.

If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911.

The next commission meeting is scheduled for Thursday, March 10, 2011 at the KDWP Region 2 Office, 300 SW Wanamaker Rd, Topeka, KS.

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
Goodland Elks Lodge
1523 Arcade, Goodland, Kansas**

Subject to
Commission
Approval

Wednesday, October 13 - 11:00 am MDT - Tour Arikaree Breaks, South Fork and St. Francis WAs

Thursday, October 14 - 8:00 am MDT - Tour Sherman SFL and Smoky Gardens

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

The October 14, 2010 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Kelly Johnston at 1:30 p.m. at the Goodland Elks Lodge, Goodland, Kansas. Chairman Johnston and Commissioners Debra Bolton, Gerald Lauber, Frank Meyer, Doug Sebelius, Robert Wilson and Shari Wilson were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – The agenda in the briefing book has been revised from the agenda sent out in the mail. Jerry Hover is unable to be here, so Commissioner Shari Wilson will be presenting item five under General Discussion, and Linda Lanterman will be presenting item two under the Public Hearing this evening. We have also added items seven, eight, and nine to the afternoon general discussion and moved item 10.

IV. APPROVAL OF THE August 12, 2010 MEETING MINUTES

Commissioner Debra Bolton moved to approve the minutes, Commissioner Frank Meyer second. Approved. (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Tom Halstead, USDA Wildlife Service, Manhattan – We are requesting an exception, or exemption, to use firearm suppressors for APHIS WS employees conducting official duties. Beneficial examples: prairie dog control in Logan County (around black-footed ferret introduction site) and deer management at various statewide airports (have MOU with FAA). Letter of support from USFWS Mike LeValley, partner on Logan County project with KDWP was presented (Exhibit C).

Chairman Johnston – What method would we have to use to get this passed? Amy Thornton – We could make an exemption, but we'd have to meet federal criteria, and it could be for individuals also. Need to amend a couple of regulations to make this exemption. Chairman

Johnston – Regulatory process would take how long? Thornton – General discussion in January and bring draft in March. Mark Rankin – Covered under statute 1033 (listed several regulations that could, or would, need to be changed depending on what is allowed); 115-16-5 (d) animal damage; methods of take and allow suppressors, for anyone doing animal damage work. Under federal regulations, need suppressor, and would have to go through a different procedure. Debra Bolton – What is different from the person who asked to use suppressor on coyotes while bowhunting? Rankin – This would not affect general hunting, only damage control. Thornton – They would need federal permit. Halstead – We have a statewide nuisance permit. When we deal with deer, it is a case-by-case basis for the airports. Chairman Johnston – Will that work? Halstead – Sounds okay to me. Rankin – It can be written into big game permit; for small game, it will need to be written into 115-16-5. Commissioner Sebelius – Isn't there a safety issue; how would you cover notification factor without being able to hear the gun? Halstead – Don't foresee using it anywhere else, but could. Commissioner Shari Wilson – Is this method of last resort? Halstead – They are expensive, so we only use them where we see it being most effective or for being more discreet. Commissioner Shari Wilson – Airport people know, but public doesn't necessarily know when you are doing damage control on an airport? Halstead – Correct. Chairman Johnston – Is there a potential safety hazard to your people if not wearing safety orange? Commissioner Lauber – Don't see you doing it during firearms deer season. Discretion is the best way. Suppressor doesn't mean silent like in movies, it just makes it more quiet and peaceful. Halstead – Efficiency is the most important issue. Chairman Johnston – Not indicating opposition, just concern with safety. Halstead – In context, we are removing 20 deer a year. Commissioner Robert Wilson – It would help with prairie dogs because they are not hearing the shots. Halstead – Efficiency, trying to help landowners who don't want prairie dogs because of problems with toxicants. Commissioner Shari Wilson – It is not groups like yours that have permits already, but opening it up to individuals I need to hear more about. I am concerned with opening a door to other public. Chairman Johnston – Consider that when we have language available. Halstead – We are a federal agency, and we'll coordinate with KDWP. Our employees go through federal training; if you want to open up to other people, that is up to you. Commissioner Lauber – I'd like to see this move forward for animal nuisance. Thornton – Would you like staff to come forward with language and information? Chairman Johnston – Yes.

Paul Babcock, Hoxie – (read parts of letter regarding concern with unregulated magazine capacity of semi-auto centerfire rifles – Exhibit D). I am asking you to consider taking steps to limit rounds to three for semi-automatic rifle magazines. Chairman Johnston – Do our laws have no limits? Mark Rankin – Three shots on migratory birds is federal restriction, no other restrictions on any other game. Chairman Johnston – Could consider doing that for next year, too late for this year. Commissioner Lauber – As a kid we could put 21 .22-caliber shorts and then traded for rifle that held 15. There could be people out there with extended magazines, but I don't see this as something to change. Babcock – As a hunter education instructor, I feel it is necessary to have a limit on rounds in the magazine. Commissioner Lauber – How would you eliminate those, with plugs or what, the 1022 has cylindrical clip? Babcock – I'm asking for a limit on big game calibers, not small game because more power and more likely to cause a fatal wound. Commissioner Robert Wilson – It would be restricting a small amount of equipment, mostly illegal caliber already. I don't see a need to address that. Commissioner Bolton – Why would you need more than four bullets while out deer hunting? Commissioner Lauber – I only have three in my gun, easier to unload the gun when I get into the vehicle. Don't know of anyone

who has shot that many times. Semi-automatics that are used to hunt deer may have 10 rounds, but I don't think it is an issue. There is no real need to carry more than three, but legally it would have to change the regulation to handle that. Commissioner Meyer – I agree three rounds is plenty. I we will limit small number of people, let's go ahead and regulate it. Don't see this as more complicated, so I think this is something we should do. Chairman Johnston – I don't think the Commission is agreeing to change it. I suggest general discussion at next meeting. Doug Phelps, Manhattan – This would affect a small percentage of people, from personal experience, but I also know people who have emptied the clip into a deer. I concur with Paul. We have an issue and need to start stressing to hunting public.

Chairman Johnston – Like to recognize former Commissioner John Mickey who is here today.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Dick Koerth, assistant secretary of administration, gave this report to the Commission (Exhibit E, F). Handed out CI requests handout discussed at an earlier meeting. The revised FY 2011 budget submission includes two major items for supplemental authority. The first item is for an amount of \$3.8 million to construct a new water supply line to the Cheyenne Bottoms Wildlife Area funded from the Wildlife Fee Fund (WFF) using matching federal aid funds. The second item is for an amount of \$473,000 to connect the Pratt Operations Office to the City of Pratt sewer plant funded from WFF, Park Fee Fund (PFF), and Boating Fee Fund (BFF). For FY 2012, we requested a budget of \$66 million, of which \$6.6 million is from the SGF. The budget request provides operation expenditures of \$56 million and capital improvements of \$9 million, which includes \$1.5 million from SGF for parks capital improvements, which is in addition to the FY 2012 budget allocation and is considered to be an enhancement. The request includes the use of just over \$1 million from the Road Fund, transferred from KDOT and \$170,000 from the Cabin Revenue Fund (CRF) to support the current operations of the Parks division. The FY 2012 enhancements include: minimum pool agreement for Webster Reservoir; creation of a KDWP marketing program; Lovewell Reservoir entrainment reduction project; acquisition of new amphibious backhoe for Cheyenne Bottoms Wildlife Area; expansion of aquatic nuisance control program; and operating funds and 1.0 FTE for Parsons Wildlife Area. The state budget rules require KDWP to request vehicle replacements as an enhancement and we are requesting the replacement of 40 vehicles: 5 are for Parks, 15 for Law Enforcement, and 20 for Fisheries and Wildlife divisions. The status of the two major special revenue (fee) funds continues to be monitored by the department. If the requested enhancements are approved, the estimated fund balance in the PFF at the end of FY 2012 will be \$136,476 or 2 percent of requested expenditures. For the WFF, the estimated ending balance will be \$2.5 million or 9 percent of requested expenditures. In addition, expenditures from this fund will exceed revenues by approximately \$4 million. KDWP has maximized the use of the CRF and the estimated ending balance at the end of FY 2012 is \$5,623. Chairman Johnston – What is status of Parsons Ammunition Plant? Thornton – Received 518 acres from the Army and expect another 480, for approximately 1,000 acres. Expect another 2,000 but there is a law suit on the property, which we are trying to get excluded so we can continue with negotiations. Chairman Johnston – Open next fall? Thornton – Already led special youth hunt and plan others this fall on

the 1,000 acres. Secretary Hayden – Have special deer hunts scheduled on the property. Commissioner Shari Wilson – The federal fee fund has 2010 actual and sportfish restoration lists? Koerth – We had to break out federal fee fund for SMART.

B. General Discussion

1. South Fork and St. Francis WAs - Cris Mulder, public land manager, presented this update to the Commission (PowerPoint - Exhibit G). I am stationed at Norton Wildlife Area and work out of the Norton Area Office. Areas of responsibility include Norton Wildlife Area, Sheridan State Fishing Lake (east of Hoxie) and the St. Francis and South Fork Wildlife Areas (Cheyenne County). On the tour yesterday of the Arikaree Breaks we saw the South Fork and St. Francis wildlife areas. St. Francis is 3 miles west and 2 miles south of St. Francis. South Fork is 12.5 miles northeast of St. Francis. St. Francis was acquired in 1972 has 480 acres: 240 acres of short grass rangeland, 160 acres riparian habitat, 65 acres cropland, and 15 acres water (Republican River and two sand pits). Hunting opportunities are mostly turkey and whitetail deer with limited pheasant and quail hunting. They are small areas, so upland birds get pushed off area with hunting pressure. Also, there is some opportunity for waterfowl hunting. Area management includes managed grazing and noxious weed control (primarily Canada thistle). On 65 acres of cropland, we have established food plots, planted by a farmer we contract with locally. The remainder of the cropland remains fallow. There are two sandpits on property, one on the north and one on the south side of the river, that provide some fishing opportunity. South Fork was acquired in 1991, and it includes 1,000 acres and the Republican River, which runs through the southeast area. The habitat is diverse, mostly short grass and breaks, some croplands and wetland slews -- 636 acres of shortgrass rangeland and breaks, 231 acres of cropland, 85 acres of riparian habitat along the Republican River, and 48 acres of CRP grass. Management strategies are similar to the St. Francis area. A planted tree break runs along the county road. Food plot establishment is contracted through a local farmer and are good areas for turkeys. We plant sunflowers for insects and cover for upland game. The Water for Wildlife program started in early 2000s, and Kent (Hensley) installed a concrete tank, well and solar power unit, which has been updated a little by creating a shallow depression and sealing it with bentonite to provide a water source attractive to doves. Management challenges include littering and off-road drivers, which distract from aesthetics and destroys habitat. Leonard Hopper, retired biologist who is now a temp, is really helping us out there taking care of noxious weeds. The rewards are what our constituents experience when they visit the areas. It gives us a great deal of satisfaction as a manager and as a department. Commissioner Meyer – I want to thank Cris for interesting tour.

Kent Hensley, public land manager presented a talk on Sherman Wildlife Area (PowerPoint – Exhibit H). I am stationed at Cedar Bluff and have been managing Sherman for 15 years. It is located on the north fork of the Smoky Hill River, 10 miles south and 2 miles west of Goodland. Sherman is a dry lake, so it's not really a state fishing lake. Petition was made to purchase property in 1961. The dam was built in 1965, and it was opened to fishing in 1967. The hydrology of the area has changed, and the lake has only filled once (last in 1994). The river has only flowed in three or four times. We get two years of use when the lake fills before it is dry again. We did a study and found that 2,400 acre feet of water was seeping through the dam, and 700 acre feet were evaporating, which is a lot for a lake that is only 236 acres. The positive aspect is that Sherman acts as upstream spring for Smoky Gardens, which is a county lake and

we try to manage the fishery there. We raised the height of the spillway, and talked about breaching the dam and managing flows by leaving gate open to help out Smoky Gardens, but there has been no water for 15 years, so management is directed toward terrestrial species. Since inception, there have been seven managers on the property, and we are fortunate to have the assistance of Leonard Hopper, a seasonal worker, who managed the area in the past before the reorganization. When Leonard retired in 2003, he came back as a temp to help manage the area. Management strategies include: food plots which we do ourselves (5-6 8-acre food plots); solar and windmill water developments (overlooked in western Kansas), solar unit funded by Water for Wildlife. We have applied for five and gotten all of them. We utilize windmill for dove hunting. We are also battling Canada thistle, and have worked 8-10 years to get it under control. Then we get water and have to start over again because water brings in seeds. It's almost eradicated right now – down to only 3-5 acres. The grass has been grazed 8-10 times in early intensive program -- 35-90 days with two-animals per acre. We see a good responses the following year. Fire isn't used out west much. We burned 450 acres. Had some wild fires started by lightning or electrical. We're working on a burn plan for some smaller burns. We did a survey in 2007/08 and found out that a majority of use was from hunters and non-consumptive use was minimal. Hunting accounted for about 65 percent in 07 and 80 percent in 08, mostly in November/December, days and weeks with high use. Demographics of Sherman hunters included 66 percent from Kansas (30 percent CO, expected higher), not surprisingly most are from Sherman County. A lot of the use is in November by archery hunters. This is one of few places in the county to set up deer stands. We direct management to pheasants and deer. Francis Wachs WA is managed by Michael Zajic, and we see mostly nonresidents using that area. In the future we plan to maintain food plot/habitat for deer and pheasants; Canada thistle control; continue to minimize vandalism such as littering and off-road use; and improve hunter/harvest satisfaction and success. Commission Bolton – How do you control Canada thistle? Hensley – Mostly by chemicals. Commissioner Meyer – I am often asked why we grow weeds, but I keep trying to educate the public. Babcock – Smoky Gardens is good place to camp. John Mickey – Still stock trout in Smoky Gardens? Hensley – It is dry too, since Sherman is dry. Secretary Hayden – Do we have any water rights at Sherman? Hensley – Can't answer that. How aggressive are we at getting walk-in near there? Hensley – Josh is very effective at that.

2. The Arikaree Breaks - Josh Williams, wildlife biologist, presented this update to the Commission (PowerPoint - Exhibit I). Private lands biologist from Colby with responsibilities in Cheyenne, Sherman and Wallace counties. Our tour was blessed with having Tobe Zwiegardt along to talk about the history of the area. We visited Three Corners and South Fork (showed pictures of tour). Two fundamental aspects: soils and hydrology. I am not a geologist, but will try to explain how breaks were formed. First there was the settling of clay particles (Pierre Shale), late Cretaceous; elevating the Rockies (Ogallala Formation), Tert. Pliocene; loess deposition (Sandborn Formation), Pleistocene; carving the breaks (through water and wind erosion), in present time. History of landscape, 40,000 acres of this aggressive terrain; very dry, many dams to catch any water; arid climate with mean temperature of 52°F, High of 111°F and Low -28°F, 160 day gs, with 18" annual precipitation; mostly mid-short warm-season grasses. Current land use is grazing; 5-6 landowners on 40,000 acres, no ability to water efficiently out there and aggressive terrain makes it very hard to fence. Not beneficial for most of the wildlife species so there is minimal disturbance. Roughly 2-7 miles of water pipes to feed water tanks, mostly gravity fed with a few windmills in the bottom. There are few options for wildlife enhancements

because of minimal ground disturbance, large parcels, decreased burning opportunity and uneven grazing because of lack of water. Elevation is 3,317 feet, lowest point in Colorado, visited Mount Sunflower, highest point in Kansas at 4,049 feet. There are 19 rare plant species isolated to that drainage. Terrestrial wildlife species include: mule deer; white-tailed deer; coyotes, kangaroo rat, black-tailed prairie dog, burrowing owl, golden eagle, ring-necked pheasant, wild turkey, prairie falcons, bald eagle, American kestrel, western meadowlark, ferruginous hawk, rock wren, and greater prairie-chicken. Commissioner Shari Wilson – Add my thanks for the last two days of tours, were instructional and fun, appreciate time and effort spent to put this all together.

3. Lake Atwood Renovation and Fishing Opportunities in NW Kansas - Dave Spalsbury, fisheries biologist, presented this update to the Commission (PowerPoint-Exhibit J). I take care of Sherman County (Smoky Gardens) which is currently dry; St Francis Keller Lake (4 acres) with improved shoreline access; St. Francis WA north pond (2 acres) which has limited access by trail, St. Francis WA south (1/4 acre) pond which has easy access; and Colby-Villa High (2 acres) with channel catfish as primary fishery. The other lakes/ponds are managed for largemouth bass, sunfish and channel cat fishing. I'm here to talk about Atwood Lake. I have been assisting for two years and before me, it was Lynn Davignon who worked with the City of Atwood for many years. Engineers were called in to confirm permeability of lake bottom. We covered bottom of lake with ash, which was finished in 2008. The top of the seal was reached in April 2009 (bottom of rip-rap). Summer rains filled the lake in July 2009, and it looks like lake holds below seal, but leaks out of rip-rap, so overall it was fairly successful. Fishery reestablishment was done prior to July 2009 inflow. An immediate fishery was established with 1,980 adult fathead minnows, 552 adult bluegill, several green sunfish hybrids, and 276 half-pound channel catfish. An influx of undesirable fish species occurred during July 2009 inflow which necessitated stocking a full complement of sportfish: largemouth bass, flathead catfish, bluegill, saugeye and palmetto bass. Annual fish population sampling initiated during fall 2009. Progress showed common carp remain abundant, but little recent production was noted. No crappie or shad sampled, but common carp are detrimental. We received fish from lakes down south and stocked lake with intermediate catfish, bluegill, saugeye and wipers this year. Black bullhead abundance remains low. Did standard sampling, fall netting and electrofishing, and found good numbers of largemouth bass, high numbers of minnows, channel catfish, sunfish and saugeye stocking successful. Our challenge are common carp, 8-12 inches long, which are causing water quality and clarity problems. We keep hammering on them to get rid of them and not seeing very many small ones, which is good. Small number of bullheads and no crappie, so that is good. In the future, we'll continue to monitor water levels and do whatever we can to maintain water levels, even using water well if necessary. We'll work to increase diversity by introducing brush and rock piles. Commissioner Lauber – How big is the seal? Spalsbury – Same size as the lake, about 27½ acres.

4. CWD Update - Shane Hesting, wildlife biologist, presented this update to the Commission (Exhibit K; PowerPoint – Exhibit L). CWD is not a virus or bacteria. It is a prion protein and is always fatal. We collected 2,738 samples, and all but five were tested at K-State. We employ 60-65 contractors to collect samples. Paul Babcock is one of those collectors, and we appreciate that. We collected road kills and depredations and picked up four more positives doing that. There were 15 positive deer found in 2009: nine-Decatur County; two-Rawlins County; one-Thomas County; one-Sheridan County; one-Graham County; and one-Logan

County. Disease is staying in northwest, but spreading east and south. We sampled 460 deer from all other areas in the state. I get calls weekly, but not all are CWD. I tell them to be careful and not jump to conclusion before they are tested. We're also testing in Finney, Smith and Lyon counties. Kansas wildlife rehabilitators have been asked to voluntarily stop rehabbing fawns. General consensus is that it is a good thing to prevent disease spread, and we've had very few complaints or concerns from rehabilitators. To date, there is no evidence suggesting natural transmission from cervids to domestic livestock (experimental-yes), nor is there any evidence of CWD transmission to humans. Prion is basically cancer research. It may still pass through system, but still have contaminated environment. Possible vaccine being developed in Canada at the University of Saskatchewan (Scott Napper, VIDO-InterVac and Peter Yim and Scott Adams, PREVENT). It will be two years before injection form and four years before oral form is available. Not sure if diseased prions will pass through individual animals without causing damage, or if shedding will be infectious and other population questions.

5. Kansas Coalition for Children in Nature – Executive Order – Commissioner Shari Wilson presented this update to the Commission (Exhibit M, PowerPoint – Exhibit N). I am filling in for Jerry Hover this afternoon. No one has spent more time and effort on this topic than he has. It is a statewide effort to get kids outside. While putting the presentation together, I started thinking about all programs doing this right now, and there is always one agency involved -- KDWP, through a variety of programs and divisions. This has been a national issue for 5-8 years -- seeing kids not going outside and a decrease in use of public lands. There are more than 1,800 organizations involved in Kansans for Children in Nature (KCN) *No Child Left Inside* Program, with 14 in Kansas now. I hope KDWP will become one of them. The Kansas Children's Outdoor Bill of Rights, Jerry very involved in this and gave a framed print of Bill of Rights to all commissioners. In one or two generations, we have changed considerably. *Last Child in the Woods*, by Richard Louv brought ideas together in his book. Who will care for the outdoors in the future? There are about 77 grassroots programs in the state, including Kansas Green Schools Program, more than 300 schools integrating curriculum including OWLS; Archery in the Schools, 170 schools participating, 335 trained teachers; ECO-Meets, nine each year, high school program, hard to grow because of demand for teachers' and students' time; OK Kids, 10 years old, popular and depends on partnerships; g2g Outside (Got to Go Outside), centered in Wichita area, but hope to grow it, geared toward younger parents because they didn't spend time outside, no schedule or plan, different way of growing up; goPLAYkansas.com based online to help parents get kids outside; School Gardens skyrocketing just as popular or more than recycling, KACEE received grant to help teachers with this; National EE (environmental education) Week, older students teach younger students; Take Me Fishing; Aquariums in Schools; and a new program, Kansas WildLifer Challenge, based online but different, we'll hear a report in January from Wildscape. At the Wetlands Education Days in Great Bend at new education center, second graders learned about plants and animals. Kansans for Children in Nature (KCN) convened by former Governor Sebelius; managed by a Conveners' Group consisting of 10 member organizations with three working groups. The draft plan is done and has eight goals in three categories: In early childhood – 1) from birth, kids engage in outdoor learning and nature play which involves parents, early childhood educators, and the health community; K-12 – 2) Kansas Environmental Literacy Plan will help kids learn about and appreciate the environment, 3) outdoor learning spaces at schools will become an integral part of K-12 education, 4) schools will have resources to implement green school projects and

curriculum, and 5) increase physical activity and outdoor experiences in schools and on public lands; Community – 6) develop facilities and programs that encourage outdoor activity, 7) increase collaboration between community organizations and schools for outdoor programming and service learning, and 8) increase access to parks and other public lands. Need to present plan to Governor before January 10, then work on plan to make sure it doesn't just sit on a shelf. Sheila has list of web links or you can contact me. Showed KCN website (<http://kcn.ksoutdoors.com/>) and listened to some of song written by Kelly Hunt for KCN (on website).

6. VPA-HIP Grant Update – Jake George, private lands coordinator, presented this update to the Commission. As discussed in August, the department could receive up to \$2 million per year from this grant. We are working on the environmental assessment and meeting with legal staff and management to go over options and goals. Hope to do this through longer-term agreements with landowners. Secretary Hayden – What about habitat improvement requirement? George – They have to allow access first and we can give financial incentives for mid-contract management that may include burning, strip disking, etc. Secretary Hayden – Talk about stream access component. George – Tom Lang, my counterpart in fisheries in Pratt helped me write the grant, which will also be for fishing, canoeing and kayak usage. Doug Nygren – Trying to get large blocks of stream stretches where landowners on both sides of the river will sign up.

7. KAR 115-25-5. Turkey; fall season, bag limit and permits - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit O). There are four hunting units which mimic spring units with permits available over-the-counter except for Unit 4. The number of permits and game tags issued for the fall 2009-2010 turkey season was 12,957 (includes 2,309 game tags). The percentage of hunters who harvested at least one turkey during the fall 2009-2010 season was 41 percent. In recent years, the turkey population in the eastern one-third of the state has declined. Moderate population declines have occurred in the northeast and south-central management units, but the most severe decline has been in the southeastern portion of the state. The primary cause of the decline has been the above-average summer rainfall that has occurred in that region in recent years. The wet weather caused nest abandonment and poor poult survival and resulted in five years of below-average production from 2005-2009. As a result, hunter success and harvest during the spring and fall seasons has declined in recent years in the southeast region. However, the 2010 production index for southeast Kansas was slightly improved from last year, so hunters in that region should notice more jakes this fall and next spring. Turkey production has been much better in other parts of the state, and populations continue to grow in some areas. The department is concerned about the recent turkey population declines in the eastern part of the state. Fall harvest has the potential to reduce population growth and spring hunt success, but only if a substantial number of birds are being taken. The departmental turkey committee evaluated that possibility again this year and determined that our current level of harvest is not greatly influencing population growth. Thus, the department is recommending no change to season dates or bag limits for the fall season. Paul Babcock – Possible second permit in increased population areas? Pitman – We have discussed it, but would be in the spring season first.

8. KAR 115-25-7. Antelope; open season, bag limit and permits – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit P). No changes for permits or unit boundaries. Sold about 250 permits, steady increase of archery permits sold; firearm and muzzleloader permit demand remains high. Pronghorn populations are doing well right now. We won't have permit quota recommendations until after winter survey information is back, but we anticipate an increase in permit numbers from last year and lower number of preference points for a hunter to draw.

9. KAR 115-25-8. Elk; open season, bag limit and permits - Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit Q). The season structure was changed last year, which allowed landowner/tenants and general residents to buy any-elk permits over-the-counter, valid statewide except for Morton County and Fort Riley. This year, we've sold nine so far and only one general resident permit. Our plan is to come up with highway unit boundaries for next Commission meeting (around Fort Riley) rather than county lines.

10. 115-25-Series Deer Regulations - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit R). Extended firearms seasons and white-tailed deer antlerless-only (WAO) permits will be authorized. The number of WAO permits that may be used in each unit will also be evaluated after additional data becomes available. Season dates suggested for deer hunting during 2011-12 are as follows: youth and disability, September 10, 2011 – September 18, 2011; early muzzleloader, September 19, 2011 – October 2, 2011; archery, September 19, 2011 – December 31, 2011; early firearms (DMU 19), October 8, 2011 – October 16, 2011; regular firearms, November 30, 2011 – December 11, 2011; extended WAO, January 1, 2012 – January 8, 2012; special extended WAO, January 9, 2012 – January 15, 2012; and extended archery (DMU 19), January 9, 2012– January 31, 2012. The extended WAO season for 2011-12 would be 8 days if we follow the pattern during the previous year. A special extended season in DMUs 7, 8, and 15 includes an additional week of opportunities. Fort Leavenworth Smoky Hill Air National Guard season dates have also been selected. Firearm season dates for deer hunting at Fort Riley will be established in KAR 115-25-9a, which will be covered in a workshop at a later date. Plans are being made to move application deadlines to KAR 115-4-11 and establish them in a standard manner rather than as a calendar date. Consideration will be made on inclusion of DMUs where an extended firearms season will be authorized after additional data becomes available. Consideration is being made to allow hunters to purchase five white-tailed deer antlerless-only permits. The first permit would be valid statewide including on lands managed by the department. The second WAO permit would be valid except in units 17 and 18 and would also be valid at Cedar Bluff WA. The last three WAO permits would be valid on restricted DMUs 7, 8, 12, 13, 15, 16, and 19. Commissioner Bolton – Complaint on date of youth season for deer, because it is too warm. Fox – The early season gives youth first opportunity and people with disabilities prefer an early season because many suffer from poor circulation. Whenever we start changing them around, we start getting conflicts with other groups. There are disadvantages in that season, as well as the early muzzleloader season (some have asked for a few days in late January after late firearms season), but are not considering any changes at this time. We would have to reevaluate the whole system before we could do that. Commission Robert Wilson – Unit 11 has increased in size? Fox – A little bit, actually what has changed is Unit 10. We have 18 Units. Unit 19 overlaps DMUs 9, 10, 11 and 14. It was changed

back last year because of nonresidents with permits in DMUs 10 or 11 had few options to select an adjacent unit, so it is an overlay not a unique unit.

C. Workshop Session

1. Big Game Permanent Regulations - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit S). This will cover all 4-series at one time, including: 4-2, photo check system; 4-4, 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, and special restrictions on the use of horses or mules to herd or drive elk. May want to look at plugging, because companies such as Savage have a circular clip, which is hard to limit; 4-6 was cleaned up last year; 4-11 big game and turkey application, looking at bringing all of the application dates into that one; 4-13, deer permit descriptions seem to be working all right. Inquiries have been received about changes in our regulations, which would facilitate the recovery of wounded deer such as a radio tracking device or other techniques such as handlers (regulated individuals) with trained dogs to assist hunters. There are now laser range finders that fit on a bow, but regulations don't allow that and it may come up later on.

2. Potential Regulation Changes to Address Aquatic Nuisance Species – Jason Goeckler, aquatic nuisance specialist, presented this report to the Commission (Exhibit T, PowerPoint – Exhibit U). Ron Kaufman was unable to be with us today so I will try to wear two hats. This is still in the workshop session, so we are looking for ideas for consideration. Non-indigenous aquatic nuisance species (ANS) are the cause of significant ecological and socio-economic problems for water users in North America. ANS have spread beyond historic ranges and have adversely affected infested waters by threatening the integrity of these water resources. As the introduction and spread of ANS continues, the associated problems intensify and create a wide variety of problems for water users. ANS can be transferred both through natural and anthropogenic means. The introduction and spread of ANS by humans can result from a variety of activities, including escapes from aquaculture facilities, aquarium release, stocking activities, ballast release, and angler escape or release. KDWP's mission says we are responsible for: protecting and conserving fish and wildlife and their associated habitats while providing for the wise use of these resources and providing associated recreational opportunities; which causes a baitfish/ANS conundrum. We need to wisely protect and conserve Kansas' natural resources from ANS while providing recreational opportunity, and we need to decide if wild-caught bait could be a vector for ANS spread. We did a survey of anglers to determine who uses live bait, where anglers get bait, what species of bait are used, the impact of collection on listed species, recognition of Kansas baitfish, and support of KDWP actions. The majority of Kansas anglers use live fish as bait. Seventy-one percent purchase their baitfish, 68 percent release unused baitfish, and they have trouble identifying common Kansas fish. Problems arise from bait bucket transfer when undesirable fish, invertebrates, plants, or pathogens become introduced. The discovery of an aquatic species in waters where it was previously absent has been attributed to bait bucket transfer on several occasions. Kansas' aquatic ecosystems have already been invaded by ANS such as zebra mussels, white perch, Asian carp, hydrilla, Eurasian watermilfoil, and purple loosestrife, most of which could be spread by sportfishing activities. Beyond bait bucket transfer, ANS can be spread by recreational boater movements. We believe the most notable species that may be spread by boaters is the zebra mussel. The fouling behavior of the adult

zebra mussel coupled with the planktonic larvae allows for its spread on boats and in water. Raw water that is transported in the holding tanks of boats (livewells, baitwells, and bilges) is a vector of great concern and has been evaluated in Kansas. As a natural resource agency, the Kansas Department of Wildlife and Parks (KDWP) is greatly concerned with the risk ANS pose to the natural environment. To protect the natural resources of Kansas and to prevent the spread of ANS through public uses of these resources, KDWP should address the spread of ANS by recreational boaters and baitfish collection, transport, and use. Currently, KDWP has regulations (K.A.R. 115-18-10, 115-8-12, 115-20-3, and 115-8-6) that could be used to curb the spread of ANS. Compliance with these regulations is limited and special emphasis to clarify and improve the aforementioned regulations and the addition of new regulations may be necessary to effectively manage ANS in Kansas.

We have been monitoring Asian carp for last few years. Most of have seen video of 10- to 20-pound fish jumping in the boat. But when they are small, they can be mistaken for other fish. Small Asian carp and bighead carp look very similar to gizzard shad. With the high rainfall this spring, the Asian carp spawned and there were a lot of small fish in places on our rivers. We are very concerned about baitfish collection because the only way they can get into our reservoirs is if someone takes them. We stepped up effort of outreach campaign, including press releases and personal interviews with several newspapers – one of the stories was picked up by Associated Press. We used temporary employees in uniform to go to starred locations and checked and maintained signs. Information was distributed, like “don’t dump” stickers and others. We don’t want these in our reservoirs, and there is a question if our regulations are adequate, (read 115-8-6). The majority of fisherman are bringing bait in, so we are considering clarifying this regulation to have broader reach. The goal is to encourage compliance through dedicated enforcement. The bottom line is use bait where you catch it (read KAR 115-18-12), many anglers are dumping baitfish at end of day and we need to prohibit release of aquatic baitfish. We also need to make sure commercial folks are providing a clean product, 71 percent are purchasing bait. Diseased bait fish can also be a problem, carrying things like fish lice and VHS. Kansas is open to these types of things coming in. Regulations 17-1, 17-2, 17-3, clarify “native or naturalized” and possibly provide species allowed and certified disease-free-only allowed. We need standards for bait shops on ANS positive waters. In the future, we may consider certification for all aquatic imports (stocking, pets and imports), and movement of invasive plants and water. We’ll continue with outreach promoting the “clean, drain, dry” messaging and the signage. Information staff contacted Brush Art to see what it would cost to do a successful outreach program, and they said \$377,000. Information Services Division director Ron Kaufman, said the division will support ANS outreach from within available resources; marketing budget of \$100,000 for 2012. I’d like to thank Region 2 staff, temps, Chris Steffen, statewide LE staff and anglers of Kansas for keeping this message going. Commissioner Lauber – How close is department to giving us recommended language, and are we ready to stop the movement of bait? Secretary Hayden – We plan on bringing proposed language to the January meeting if we can get it developed by then. Commissioner Sebelius – How far up Kansas River are the carp? Goeckler – One adult found above Bowerstock Dam. Chairman Johnston – I’ve been contacted by a flathead catfish fisherman who captures perch and uses them for bait on other areas. Goeckler – The problem is our anglers’ poor ability to identify species. Perch don’t look like Asian carp, but we are looking at holistic approach. Part of whole issue is bucket biologists who think they know

better than us. We will consider your suggestion. Commissioner Shari Wilson – I would like to go on one of those field trips. It is a serious thing.

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

XI. DEPARTMENT REPORT

D. Public Hearing

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

1. KAR 115-25-6. Turkey; spring season, bag limit, permits, and game tags - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit W). We sold 66,000 permits this spring, an increase of 2,000. Regulations are broken down into four units; Unit 2 is over-the-counter and one additional game tag, Unit 3 is the same, Unit 1 is one bird only, and Unit 4 is pre-season draw for residents only. Unit 4 was still oversubscribed with applications for the 325 permits that were available. The department wants to increase quota to 500 permits for the 2011 season.

Commissioner Debra Bolton moved to bring KAR 115-25-6 before the Commission. Commissioner Shari Wilson seconded.

The roll call vote on KAR 115-25-6 as recommended was as follows (Exhibit X):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-25-6 passed 7-0.

2. KAR 115-2-3. Camping and utilities fees – Linda Lanterman, assistant Parks Division director, presented this report to the Commission (Exhibit Y). Jerry couldn't be here, and he is retiring in December, so this would have been his last meeting. He has worked for the department for 14 years, and we will miss him. Looking at two recommended fee changes: to

increase annual and long-term camping permits. Annual camping permits, if purchased up to March 31 will be increased \$50 to \$200; those purchased from April 1 through September 30, will be increased to \$250. On long-term camping we are proposing an increase of \$40 per utility: from \$200 for one utility to \$240; from, \$260 for two to \$300; and from \$320 for three to \$360. The proposal is to split prices; three parks (El Dorado, Tuttle Creek and Milford) would be higher, raise \$80 for each utility on those to \$280; \$340; and \$400.

**Commissioner Frank Meyer moved to bring KAR 115-2-3 before the Commission.
Commissioner Doug Sebelius seconded.**

Commissioner Shari Wilson – When was the last time camping fees were raised? Lanterman – Nothing for last three years. Chairman Johnston – When this was discussed at last two meetings, we were trying to balance impact of increases between annual camping permits versus long-term camping permits while keeping in mind private market costs. Has department’s proposal changed since then? Lanterman – No.

Natalie Donges, Deer Grove RV Park, El Dorado – I’ll make one last appeal. The fees are still not high enough for my area. The state park openly competes with private owners. Two workers moved from my park on October. Both used \$125 electricity by themselves, big 50 amp RVs, add that to my \$275 and that is \$425. I feel that long-term campers who are just working there should not get off-season rates. Chairman Johnston – The \$100 is a 67 percent increase and there were concerns, compared to other permits, that it was disproportionate for recreationists. I am not happy with the \$100 increase. Commissioner Doug Sebelius – I share that, but I am changing my mind because in comparison to other states we are cheaper than them. Need to go with prevailing wisdom. We know the State General Fund will not make up difference. We keep seeing budget dollars getting stolen from some place else and parks takes the worst hit. I will vote in favor. Commissioner Bolton – Not happy that it isn’t higher or lower? Chairman Johnston – Happy that it is that high; need greater emphasis on greater increases in long-term camping. Commissioner Lauber – We’re not interested in wasting electricity. Don’t we pay for what we use? Lanterman – We pay higher rate based on highest month. Commissioner Lauber – I am sympathetic to Natalie, but I’m only willing to do 25 percent increase. We have to raise fees or we don’t have any money. Chairman Johnston – What would happen if this regulation was defeated? Secretary Hayden – We would lose all of 2011. If no action is taken tonight, it would be 2012 before anything could be done. Commissioner Robert Wilson – How do they keep trailers from freezing in your court? Donges – The use heat wrap around water and sewer lines and electric heaters under trailer, and we allow them to skirt their trailer. Commissioner Bolton – I’m sympathetic, but may have to visit this issue again next year.

The roll call vote on KAR 115-2-3 as recommended was as follows (Exhibit Z):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-2-3 passed 7-0.

3. KAR 115-2-3a. Cabin camping permit fees - Mark Stock, special assistant, presented this report to the Commission (Exhibit AA). This regulation establishes fees for cabin camping permit fees. Each year we look at cabins we plan on adding. Currently have 94 cabins, mostly in state parks, but some on public lands. I won't read the proposed changes unless you have questions.

Commissioner Shari Wilson moved to bring KAR 115-2-3a before the Commission. Commissioner Frank Meyer seconded.

The roll call vote on KAR 115-2-3a as recommended was as follows (Exhibit BB):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-2-3a passed 7-0.

4. KAR 115-2-1. Amount of fees - Hunting/Fishing Permit/License Combination Packages - Mike Miller, Information Production Section chief, presented this report to the Commission (Exhibit CC). We originally proposed a combination deer permit, but after looking at the potential for revenue loss if the combo was an option, we revised our proposal. After comments from the Commission at the last meeting, we have brought a proposal the Revenue Task Force members supported to establish a multi-year hunting and fishing license for resident youth age 16-20, valid for five years for \$40; and a hunting license valid for up to five years for \$40; or a combination hunting/fishing license good for five years for \$70. In light of discussion from previous meetings, we have three amendments on the deer combination package at this time because it has the potential to increase the number of turkey hunters. There is an amendment that requests striking the combination deer permit proposed in section (a)(9) and amends (a)(2) to add language to the resident hunting license, and to (b) resident fishing license and (c) resident combination hunting and fishing license, adding "one-time purchase, valid from 16 years of age through 20 years of age".

Commissioner Frank Meyer moved to bring KAR 115-2-1 before the Commission. Commissioner Shari Wilson Bolton seconded.

Commissioner Gerald Lauber moved to amend Amendment Number One by striking (a)(9) combination deer permit from what was proposed KAR 115-2-1. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-2-1 to amend was as follows (Exhibit DD):

Commissioner Bolton	No
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-2-1 passed 6-1.

Commissioner Gerald Lauber moved to amend Amendment Number Two by reducing fees in subsection (a)(10) on nonresident antlerless-only deer permits from \$75 to \$50 from what was proposed in KAR 115-2-1. Commissioner Shari Wilson seconded.

The roll call vote on KAR 115-2-1 to amend was as follows (Exhibit DD):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-2-1 passed 7-0.

Commissioner Robert Wilson moved to amend Amendment Number Three by adding language that reads “one-time purchase, valid from...” to subsection (a)(2) from what was proposed in KAR 115-2-1. Commissioner Shari Wilson seconded.

The roll call vote on KAR 115-2-1 to amend was as follows (Exhibit DD):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-2-1 passed 7-0.

The roll call vote on KAR 115-2-1 as amended (all three amendments) was as follows (Exhibit DD):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes

Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-2-1 passed 7-0.

5. KAR 115-7-1. Fishing legal equipment, methods of taking and other provisions – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit EE). This permanent regulation establishes legal fishing equipment and methods for sportfish and for nonsportfish. The proposal would restrict hand fishing within 150 yards of any dam under (a)(5)(G).

Commissioner Debra Bolton moved to bring KAR 115-7-1 before the Commission. Commissioner Frank Meyer seconded.

The roll call vote on KAR 115-7-1 as recommended was as follows (Exhibit HH):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-7-1 passed 7-0.

6. KAR 115-7-8. Bass fishing tournaments – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit FF). This permanent regulation sets weigh-in procedures and requirements for black bass fishing tournaments utilizing the tournament black bass pass. The proposal is to revoke KAR 115-7-8 and add to KAR 115-7-9.

Commissioner Frank Meyer moved to bring KAR 115-7-8 before the Commission. Commissioner Doug Sebelius seconded.

The roll call vote on KAR 115-7-8 as recommended was as follows (Exhibit HH):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-7-8 passed 7-0.

7. KAR 115-7-9. Weigh-in black bass tournaments not using tournament black bass pass
– Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit GG). This permanent regulation sets weigh-in procedures for all black bass fishing tournaments, except those using the tournament black bass pass. The proposal, in conjunction with the revocation of KAR 115-7-8, would make the regulation applicable to all weigh-in black bass tournaments and would rename regulation and take out “not using tournament black bass pass” and also remove that statement in (a).

**Commissioner Debra Bolton moved to bring KAR 115-7-9 before the Commission.
Commissioner Robert Wilson seconded.**

The roll call vote on KAR 115-7-9 as recommended was as follows (Exhibit HH):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

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

8. KAR 115-18-20. Tournament bass pass; requirements, restrictions, and pass duration
– Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit II). This permanent regulation establishes the tournament bass pass. The proposed amendments would allow culling for black bass even after the daily creel limit is reached during weigh-in black bass tournaments. Add statement under (a) “or who wants to cull black bass after the daily creel limit has been met” and remove “registered and permitted” and add “weigh-in”.

**Commissioner Frank Meyer moved to bring KAR 115-18-20 before the Commission.
Commissioner Shari Wilson seconded.**

The roll call vote on KAR 115-18-20 as recommended was as follows (Exhibit LL):

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-18-20 passed 7-0.

9. KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit JJ). This exempt regulation establishes statewide limits and open seasons for fishing in Kansas. The

proposed amendments relate to hand fishing, trout waters and updates to the reference document (Exhibit KK) related to length and creel limits for specific bodies of water. Proposed amendments to the table include: smallmouth bass 18-inch length limit at Perry reservoir and 18-inch length limit on sauger, saugeye and walleye. Also, asking for our regulations to comply with Missouri on the Missouri River and proposed four new trout locations.

Commissioner Robert Wilson moved to bring KAR 115-25-14 before the Commission. Commissioner Frank Meyer seconded.

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

Commissioner Bolton	Yes
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes
Commissioner S. Wilson	Yes
Commissioner Johnston	Yes

The motion as presented KAR 115-25-14 passed 7-0.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

January 6, 2011 – Dole Institute of Politics, Lawrence

Secretary Hayden - Ron is working on streaming audio available on website. Commissioner Bolton – Will we promote that? Secretary Hayden – Yes. Tim McCulloch – Outbound only at this time. Commissioner Lauber – What about three set locations a year, is that something we need to do or can staff make the recommendation? Secretary Hayden – Will look at that. Want March still in Topeka. We plan to go back to buffalo lunch when statehouse is complete. We want the August meeting in Great Bend and get guidance for Wichita meeting. Commission Lauber – When most hunting issues come up? Is there more interest in October? Doug Phelps – April is when big game regulations come out. Secretary Hayden – Are we going to make April in Wichita a permanent location? We don't have to decide now.

March 10, 2011 – KDWP Region 2 Office, Basement Conference Room, Topeka

April 21, 2011 - Great Plains Nature Center, Auditorium, Wichita

XIV. ADJOURNMENT

The meeting adjourned at 7:41 p.m.

(Exhibits and/or Transcript available upon request)

Exhibit MM – Letter to Chairman Johnston from National Bobwhite Technical Committee thanking him for attending meeting and Chairman Johnston’s and Joe Kramer’s opening comments, as well as thanking Jim Pitman for his involvement.

Secretary's Remarks

**2011 Legislature
(no briefing book item)**

General Discussion

Commission Permits Update

Background

In January 2006, the Kansas Wildlife and Parks Commission held the first drawing for Commission Big Game Permits when one elk and six deer permits were issued to applying conservation organizations. As stated in the statute, there can be one elk, one antelope and up to seven deer permits issued with the limit of permits issued being seven.

Qualified applicants include local chapters of nonprofit organizations based or operating in Kansas that actively promote wildlife conservation and the hunting and fishing heritage. An organization or chapter is eligible to receive a permit only once in a three-year period.

In 2006, permits sold for \$49,000 with 59 applications being received. In 2007, permits sold for \$26,973.56 with 119 applicants. In 2008, permits sold for \$24,200 and there were 113 applications. In 2009, permits sold for \$34,951 with 111 applicants.

In 2010, permits were won by two National Wildlife Federation Chapters – Bonner Springs and Mound City (one elk and one deer), Ottawa Pheasants Forever, Oberlin Gun Club, Ark Valley Ducks Unlimited, National Mule Deer Foundation, and Cowley County Friends of NRA (all deer). There were 108 applicants and the permits sold for \$47,000 –just \$2,000 shy of the first record year.

After the permits are sold by the organization, the amount of the permit is subtracted and 85 percent of the proceeds are sent to KDWP to be used on approved projects. After the projects are approved, the money is sent back to the organization. The other 15 percent can be spent at the organization's discretion.

Kanopolis Trapping Update
(no briefing book item)

**Mountain Lion Sighting
(no briefing book item)**

Outdoor Recreation Management System (ORMS) Coming Early 2011

An upcoming online service from the Kansas Department of Wildlife and Parks (KDWP) will make it easy and convenient for visitors to buy park permits or reserve their favorite campsites, cabins, or shelter houses at state parks, fishing lakes and wildlife areas. Tentatively, guests could begin using the new service, called the Outdoor Recreation Management System (ORMS), in April 2011.

Among many other benefits of ORMS, visitors will be able to make a reservation online from home, they'll be assured they have a site during a busy weekend, and they won't arrive to find their site is double-booked. While guests can use ORMS to make reservations before their trip, they will still be able to visit or call a park or regional office to make a reservation or buy a permit. Park staff will use ORMS to manage walk-in and phone sales, as well.

Not all campsites will be available by reservation; there will still be plenty of sites set aside for first-come, first-served use, depending on the location. For those sites that can be reserved, visitors will be able to search for specific locations, sites, dates, and lengths of stay; and can narrow their search by amenities such as site size; utility hookups; equestrian facilities; hiking and biking trails; boating facilities; swimming areas, and more. What's more, visitors without a park permit can purchase one online before leaving home.

Reservations made before ORMS is available will be moved into the new reservation system, so visitors will not need to renew existing reservations. Until ORMS is available, visitors should continue making camping reservations as they have in the past – by calling or visiting the state park of their choice. In most parks, campsite reservations start Jan. 2 for the 2011 seasons. State park cabins already can be reserved online at reserve.ksoutdoors.com or by calling or visiting the appropriate park office. Cabins at wildlife areas and state fishing lakes can be reserved online at reserve.ksoutdoors.com or by calling or visiting the regional office. ORMS will take the place of the current online cabin reservation system.

Behind the scenes, ORMS is much more than a camping and cabin reservation system. It will help KDWP staff provide better customer service, enable KDWP to better manage its facilities, prevent double-booking, assist in emergency response, improve accounting accuracy, help staff better understand our constituents' needs, improve internal reporting, and provide more accurate visitor information.

ORMS will be hosted by Reserve America, a national online campground reservation service (reserveamerica.com). For more information, call KDWP at 620-672-5911.

WildLifer Challenge



Let's face it – kids today are spending more time indoors watching TV and/or playing video games. Voila! A new program that couples the technology of the internet and the simplicity of nature.

The WildLifer Challenge encourages parents and children of all ages to become more involved in the outdoors through the use of an interactive, web-based program that challenges children to accomplish 15 outdoor “WildLifer” challenges. This accomplishment will **PROVE** that they're not the types of kids who lounge around the house all day!

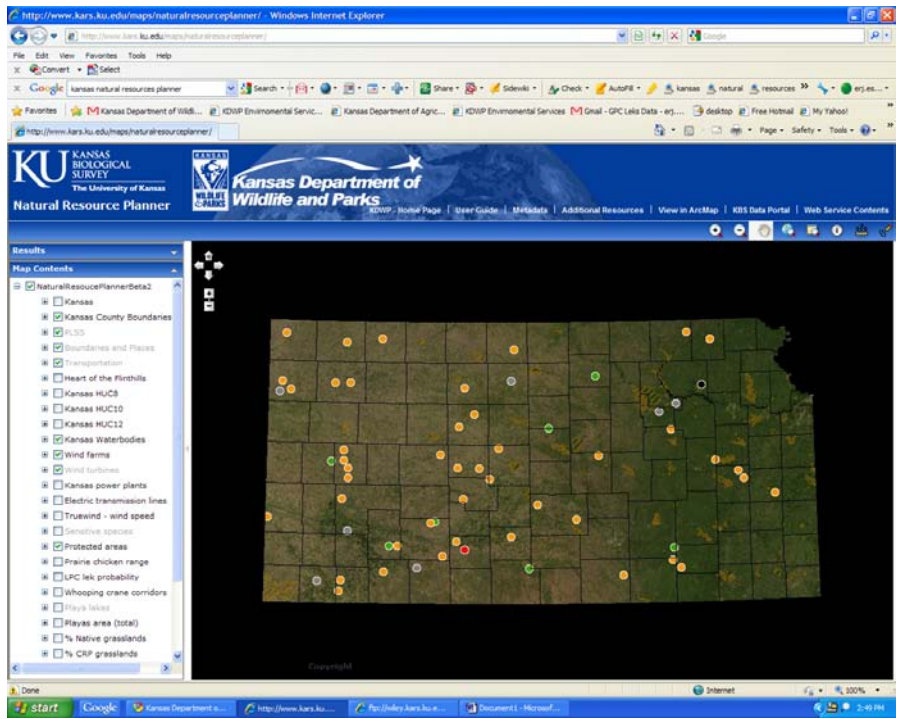
Participants log into the site using their own unique username and password to unlock all 20 challenges (must complete 15 of the 20 challenges) on the Challenge Tree. To earn credit for each task, participants must have a digital picture taken of themselves during their challenge experience and then simply upload that photo on the WildLifer user page. It's that simple! Once a participant has completed 15 challenges, they receive official “Kansas WildLifer” status and will receive the WildLifer pack of outdoor items, WildLifer identification materials and letters from the Governor of Kansas and the Secretary of Kansas Department of Wildlife and Parks. Waaaay cool!

Whether you're a newbie to the outdoors or a crusty veteran to the outdoors, this program is a blast for all.

Visit www.kansaswildlifer.com today to get started!

Kansas Natural Resource Planner

The Kansas Natural Resource Planner (NRP) is designed to provide a central, accessible repository for natural resources data currently available in Kansas. As additional data become available, they will be added to the NRP. The intent of the NRP is to provide an unbiased, online resource that can be used by users to evaluate potential impacts development projects may have on natural resources, including those related to energy developments (e.g., wind facilities, oil and gas, transmission lines). However, the NRP does not contain all natural resources data necessary to make informed decisions regarding the full range of natural resources impacts. Therefore, the NRP should be considered a resource for general planning purposes only. Any final decisions regarding project development should be based on actual field investigation as well as consultation with appropriate agencies and organizations (i.e. Kansas Department of Wildlife and Parks, U.S. Fish and Wildlife Service, Kansas Biological Survey, The Nature Conservancy) as a more thorough review and investigation of the landscape could impact a proposed project. A primary tenet of the NRP is the use of a transparent development process, incorporating only those data that are quantifiable, repeatable, and non-subjective. Although the data available in the NRP has been obtained from numerous reputable sources, many of these data sets are known to be incomplete or are based on the interpretation of experts. For example, the map depicting locations of sensitive wildlife species is not based on randomized, statewide surveys. Consequently, areas not depicted as supporting a sensitive species may still harbor the species or contain suitable habitat. Therefore, each data layer in the NRP has associated metadata that provides details regarding the source and resolution of the data, as well as any techniques used to process the data. The metadata selected for inclusion meets Federal Geographic Data Committee (FGDC) standards, which can be accessed by selecting the link below each of the general data descriptions below. It is highly recommended that users consult this information to gain a better understanding of data limitations and interpretations that were used to develop the maps contained in the NRP.



<http://www.kars.ku.edu/maps/naturalresourceplanner/>

Magazine Capacity Request

Background

Comments were received from the audience at the October 2010 Kansas Wildlife and Parks commission meeting on the need to limit the capacity of equipment used during firearms deer seasons, specifically to restrict deer hunters to firearms with a magazine capacity no greater than three-cartridges.

Discussion

We examined this subject from the perspectives of hunter safety and feasibility of retrofitting existing equipment to meet a magazine capacity requirement.

The International Hunter Education Association provided deer hunting incident summaries that included the type of firearms and caliber, as well as a description of the incident and the injuries from all states since 1989. Their data included 483 deer-related hunting incidents. Only two of the deer-related incidents in their database listed Kansas as the state of origin. Firearms with a potential rapid and multiple shot capability included reports involving 19 pumps and 81 semi-automatics. A review of the incident descriptions included 13 reports where multiple shots had been fired (three or more shots). None of the reported deer hunting incidences involved multiple shot events that might have been eliminated had the firearm been restricted to a three-cartridge magazine.

Federal migratory waterfowl regulations were modified in 1935 to require the shotguns used in waterfowl hunting to be plugged to a maximum capacity no greater than three shells. Manufacturers of shotguns have engineered their sporting guns to be compatible with that shot limitation regulation. As a result, most sporting shotguns can be plugged or easily modified by the user to meet those requirements. No similar emphasis has been placed on big game hunting equipment and big game firearms have not been designed and manufactured to be adapted to a three-cartridge capacity. Some models of rifles currently used by deer hunters could not be retrofitted to meet a shot capacity regulation. A regulation which limited big game firearms to a three-cartridge limit would prohibit those firearms and thus require to hunter to obtain and use an alternative firearm.

Deer hunting in Kansas with firearms has a history of being an extremely safe activity. There is little evidence that restricting deer hunters to three-cartridge capacity firearms would improve that safety record. Regulations that required a modification of existing firearms used in deer hunting to a three-cartridge capacity would result in some traditional big game rifles being prohibited. The conversion to alternative equipment would cost sportsmen and possibly discourage some from participating.

Recommendation

We do not recommend changing big game hunting regulations to require hunters to use firearms restricted to a three-cartridge capacity.

Workshop Session

KAR 115-25-5

Turkey; fall season, bag limit, and permits

Background

Over the last five years, the fall turkey season in Kansas has averaged nearly 100 days in length and three of four turkey units have been open to hunting (Figure 1). Hunters are currently permitted to harvest one bird of either sex in Units 1, 2, and 3, and they can purchase three additional either-sex game tags valid only in Unit 2. The number of permits and game tags issued for the fall 2009-2010 turkey season was 12,957 (includes 2,309 game tags). Total permit sales were down by about 1,000 from last fall and nearly 3,500 from the peak in 2006. The percentage of hunters who harvested at least one turkey during the fall 2009-2010 season was 41 percent. These hunters harvested an estimated 4,664 turkeys (772 archery and 3,892 firearm), of which 35 percent were identified as females. Harvest taken with game tags accounts for less than 20 percent (about 895 birds) of the total statewide harvest and less than 25 percent (about 630 birds) of the harvest in Unit 2 where all three game tags were valid.

Population Status and Productivity

In recent years, the turkey population in the eastern one-third of the state has declined (Figure 2). Moderate population declines have occurred in the northeast and southcentral management units, but the most severe decline has been in the southeastern portion of the state. The primary cause of the decline has been the above-average summer rainfall that has occurred in that region in recent years. The wet weather caused nest abandonment and poor poult survival and resulted in five years of below-average production from 2005-2009. As a result, hunter success and harvest during the spring and fall seasons has declined in recent years in the southeast region. However, the 2010 production index for southeast Kansas was slightly improved from last year, so hunters in that region should notice more jakes this fall and next spring. Turkey production has been much better in other parts of the state, and populations continue to grow in some areas.

Recommendation

The department is concerned about the recent turkey population declines in the eastern part of the state. Fall harvest has the potential to reduce population growth and spring hunt success but only if a substantial number of birds are being taken. The departmental turkey committee evaluated that possibility again this year and determined that our current level of harvest is not greatly influencing population growth. Thus, the department is recommending no change to season dates or bag limits for the fall season.

Figure 1. Current wild turkey hunting units for Kansas.

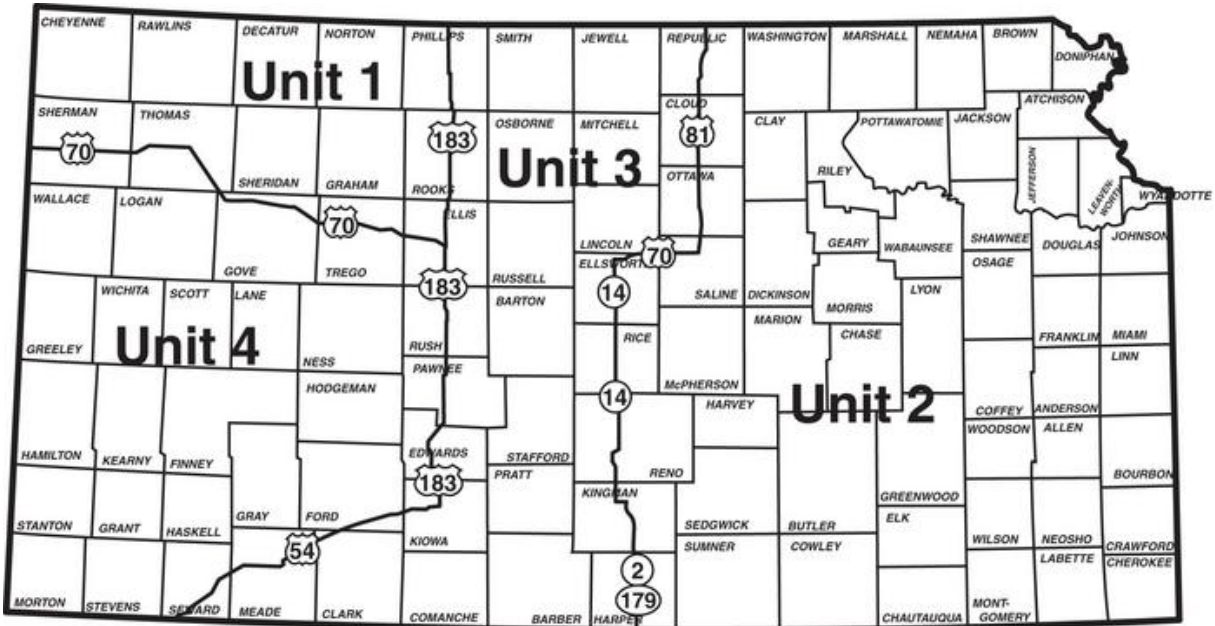
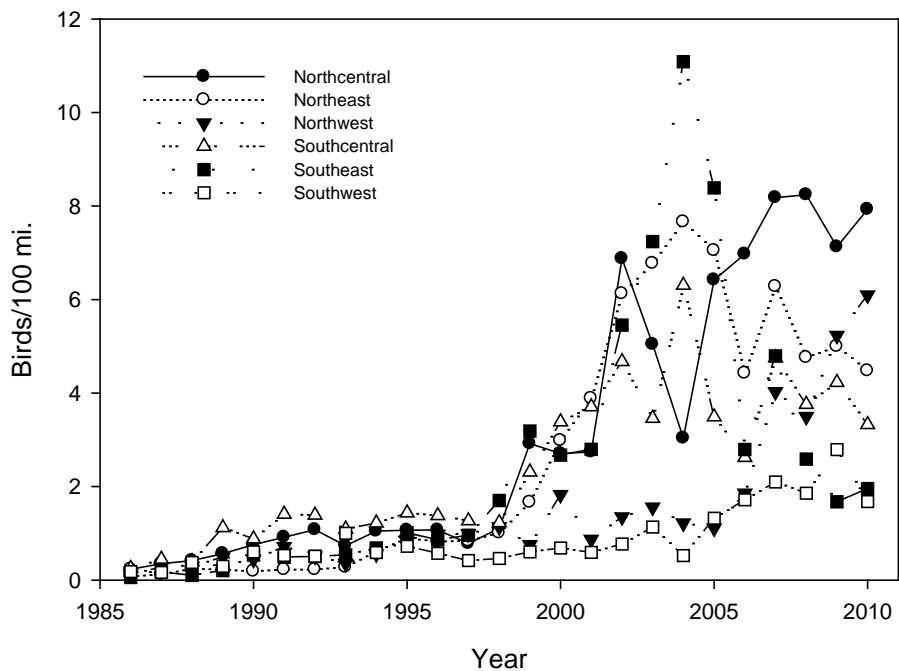


Figure 2. Regional indices (birds/100 mi.) to Kansas' wild turkey population derived from the April rural mail carrier survey, 1986-2009.



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, and has started on the first Friday in October. The archery pronghorn season was nine days from 1985 to 2004, and included the two weekends prior to the firearms season. Since 2005, the archery season has reopened on the Saturday following the firearms season, and continued through the end of October. A muzzleloader season was initiated in 2001. It opens immediately after the archery season and runs for eight days, the last four of which overlap with the firearms season.

Demand for pronghorn hunting opportunities in Kansas by resident hunters remains high. In 2010, 678 people applied for the 184 limited draw permits, plus another 345 bought preference points. Half the permits are allocated to landowner/tenants who account for a much smaller percent of applicants than general residents, so are able to draw with 0-2 preference points. For general residents, 2-4 preference points are required to draw a muzzleloader permit and 6-8 preference points are required to draw a firearms permit.

Discussion & Recommendations

No changes are recommended for season structure, unit boundaries, bag limits, or permits.

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.

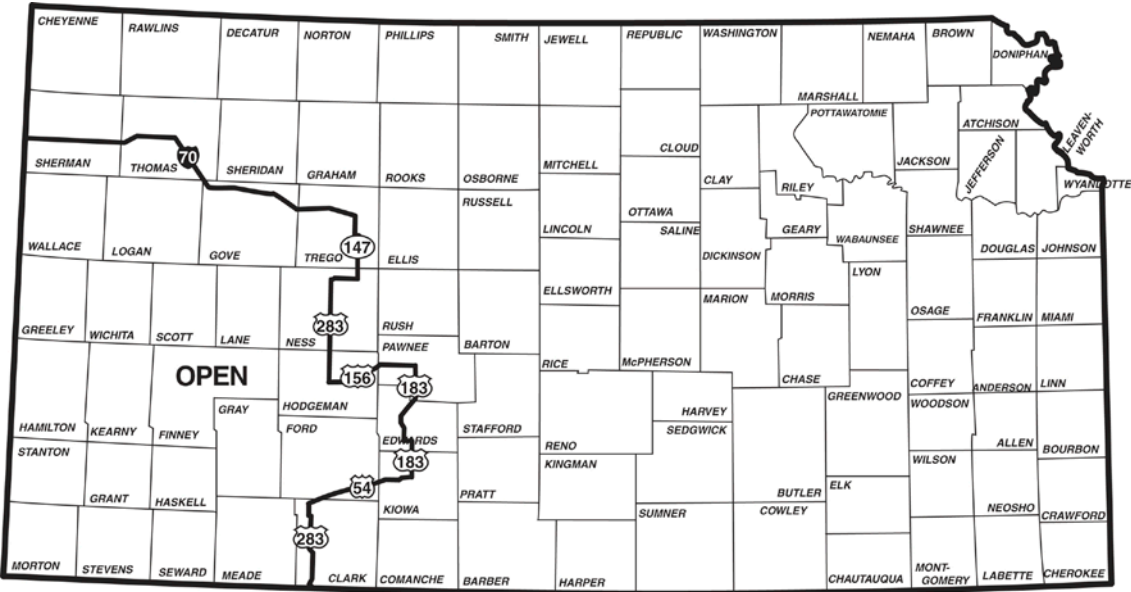
Unit boundaries are proposed to coincide with firearm deer management units defined in KAR 115-4-6, with units 2, 17, and 18 being open. The proposed season dates are:

September 24, 2011 through October 2, 2011 and October 15, 2011 through October 31, 2011 for the archery season.

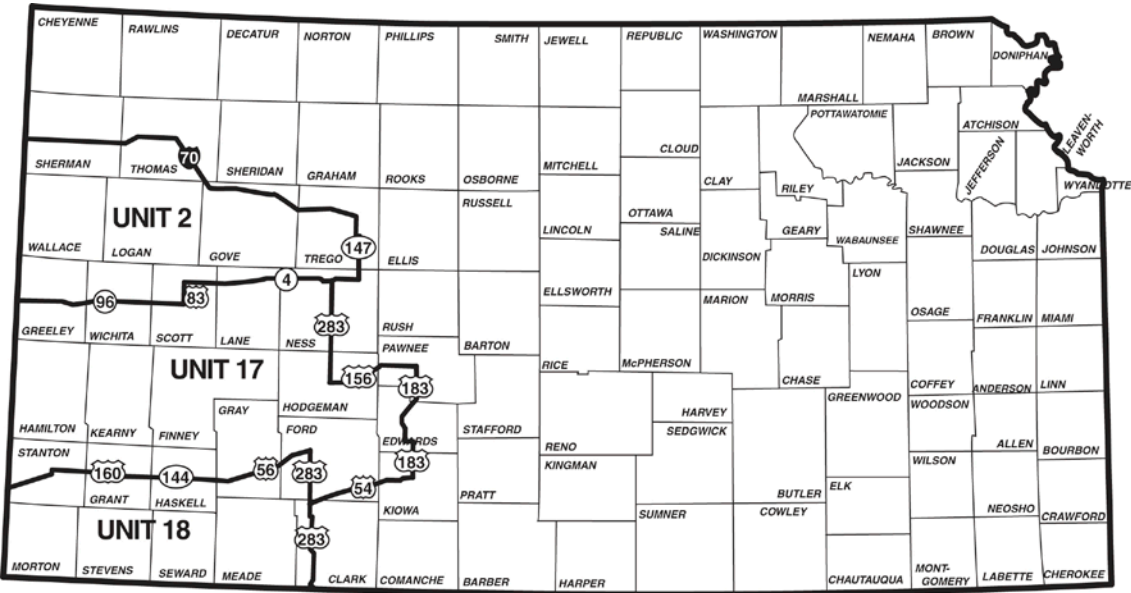
October 3, 2011 through October 10, 2011 for the muzzleloader season.

October 7, 2011 through October 10, 2011 for the firearms season.

Antelope 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 hunting on and around Fort Riley was initiated in 1990. Most of the hunting opportunity in the state occurs on the Fort, and emphasis is placed on maintaining this population. However, elk do exist on private lands, though unpredictably in most of the state. Lengthened seasons and unlimited hunt-own-land permits have been allocated off the base since 1999, and unlimited general resident permits were allocated statewide except for Morton County, where the Cimarron National Grasslands is located, and the counties around the Fort (Clay, Geary and Riley) in 2010. 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 desired numbers on their property.

Discussion

Elk management units currently correspond with deer management units. However, in recent years, management has occurred at the county level at one or more locations (i.e. Morton County closed, more limited access in Riley, Geary and Clay Counties), with the units themselves having no management implications. Consequently, the deer units were serving little purpose, and the Department wishes to establish new elk management units that better represent current elk management objectives, as accomplished by county-specific regulations. However, the Department has generally tried to avoid using county lines as unit boundaries because of the difficulty of determining where these boundaries lie in certain areas. Alternative elk management units accomplishing similar objectives as existing county-specific regulations but defined by roads and an identifiable portion of a county line have been developed and will be provided as a subsection of 115-4-6 (Deer; management units).

Recommendations

The proposed season dates on Fort Riley are:

- a) September 1, 2011 through October 2, 2011 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1, 2011 through December 31, 2011 for the firearm seasons with one-third of the antlerless only permits valid during each of the following segments:
 - 1) First segment: October 1, 2011 through October 31, 2011.
 - 2) Second segment: November 1, 2011 through November 30, 2011.
 - 3) Third segment: December 1, 2011 through December 31, 2011.
- c) October 1, 2011 through December 31, 2011 for a firearm season for all holders of any-elk permits.

115-25-9-Series Regulations

Background

K.A.R 115-25-9 contains the following items:

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

Discussion

The basic deer hunting season structure has remained relatively constant through the years. Deer hunting seasons are commonly designed around dates when specific equipment types may be used or season dates to allow people with special needs to have an opportunity to hunt deer with a minimum of competition from other hunters. Additional days of opportunity have been added through the years as the deer herd expanded. Annual adjustments in hunting season dates are made each year to maintain consistent seasonal timing with changing calendar dates from year to year.

Population indices are examined each year and public input is considered in the development of a list of units where an extended firearms seasons and white-tailed deer antlerless-only (WAO) permits are authorized.

Application dates are being removed from this regulation and will be established in the permanent regulation KAR 115-4-11.

The number of deer permits for each deer management unit is based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input and other relevant information. These levels are established by the secretary with the concurrence of the commission through Secretary's Orders.

Recommendation

The recommended deer hunting season dates for 2011-12 are as follows:

Youth and Disability	September 10, 2011 – September 18, 2011
Early Muzzleloader	September 19, 2011 – October 2, 2011
Archery	September 19, 2011 – December 31, 2011
Early Firearms (DMU 19)	October 8, 2011 – October 16, 2011
Regular Firearms	November 30, 2011 – December 11, 2011
Extended WAO	January 1, 2012 – January 8, 2012

Special Extended WAO January 9, 2012 – January 15, 2012
Extended Archery (DMU 19) January 9, 2012– January 31, 2012

The proposed dates for the firearm season at the Fort Leavenworth subunit are November 19 2011 through November 20, 2011, November 24, 2011 through November 27, 2011, December 3, 2011 through December 4, 2011, December 10, 2011 through December 11, 2011, and December 17, 2011 through December 18, 2011. The proposed dates for the firearms season for deer hunting at the Smoky Hill Air National Guard subunit are November 22, 2011 through December 3, 2011.

The extended WAO season for 2011-12 would be open statewide for 8 days. An addition week of a special extended season is recommended for deer control purposes in DMU 7, 8, and 15. Consideration will be made on inclusion of Deer Management Units where an extended firearms season will be authorized after additional data become available.

It is recommended that deer hunters be allowed to purchase five white-tailed deer antlerless-only permits. The first permit would be valid statewide including on lands managed by the department. The second WAO permit would be valid in all but units except 17 and 18 and would also be valid at Cedar Bluff WA. The last 3 WAO permits would be valid on deer management units 7, 8, 12, 13, 15, 16, and 19.

Either-species antlerless-only deer permits formerly established in K.A.R. 115-25-9a will be established in this regulation. Either species antlerless-only permits are used in areas where additional herd control on mule deer is desired. These permits are available in limited numbers for units specified in the Secretary's Orders. They are available on a first-come, first-served basis after the drawings for either sex limited quota deer permits.

KAR 115-25- 9a. Deer; open season, bag limit, and permits; additional considerations.

Background

K.A.R 115-25-9a lists additional deer hunting days available only on the Fort Riley subunit. It includes the following:

- An early extension of the regular archery season dates.
- An extra season for designated persons.
- Different season dates for firearms deer hunting on Fort Riley.
- Additional season dates in January for the taking of antlered deer by persons designated by Fort Riley.
- An additional archery season in January for persons designated by Fort Riley.

Items on either-species antlerless-only deer permits and special extended season dates for antlerless-only white-tailed deer formerly included in this regulation have been moved to K.A.R. 115-25-9.

Discussion

Fort Riley personnel have requested additional days of deer hunting for persons that they designate to use the Fort Riley subunit. In addition to the regular archery season dates listed in K.A.R. 115-25-9, they have requested the period from September 1, 2011 through September 18, 2011.

Fort Riley personnel have requested additional days to those listed in K.A.R 115-25-9 for designated persons (i.e., 16 years or younger and people with a permit issued according to K.A.R. 115-18-4 or K.A.R. 115-18-15). They have requested the additional period from October 7, 2011 through October 10, 2011.

Fort Riley personnel have requested season dates for firearms deer hunting at Fort Riley to be from November 25, 2011 through November 27, 2011, December 17, 2011 through December 21, 2011, and December 25, 2011 through December 28, 2011.

Fort Riley personnel have requested additional days in January when individuals authorized by Fort Riley to hunt and take antlered deer. The days requested are January 7, 2012 through January 8, 2012.

Fort Riley personnel have requested additional days of archery hunting in January for persons that they designated. They requested the period from January 16, 2012 through January 31, 2012.

In summary, Fort Riley has requested deer seasons that would allow the taking of antlered and antlerless deer from September 1, 2011 through January 31, 2012 with the exception of the period from January 1 through January 7, 2012 when only antlerless-white-tailed deer could be taken and the period from January 9, 2012 through January 15, 2012 when no deer hunting would occur.

Recommendation

Input and comments on this regulation are being sought from the public and the Commission.

Big Game Permanent Regulations

All permanent regulations dealing with big game were discussed together in the General Discussion portion of the Commission meeting in October to allow public comments for future changes in these regulations. These regulations are presented again at this meeting in a Workshop Session for additional public comments and input from the Commission as well as to provide an update on the status of recommendations.

Background

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

The regulation contains the following items:

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

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

The 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.

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

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

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

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.

5. K.A.R. 115-4-13. Deer permits; descriptions and restrictions.

The regulation contains the following items:

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

Discussion

So far this year there have been few comments from the public for changes in KAR 115-4-4, KAR 115-4-6 or KAR 115-4-13. At this time, we do not plan to go forward with any changes in regulations.

We propose a change in KAR 115-4-11 to establish permanent application deadline dates for deer permits, pronghorn permits, elk permits and turkey permits.

Plans are being made to move application deadlines into KAR 115-4-11 and establish them in a standard manner rather than as a calendar date. Applications would start at the earliest date the applications were available. The proposed application deadlines are:

Deer limited quota drawings	
Nonresident	Last Friday in April (April 29, 2011)
Resident (either-sex)	Second Friday in July (July 8, 2011)
Resident (antlerless)	
Deer unlimited availability	
1. Antlered Deer	December 30 each year (December 30, 2011)
2. Antlerless Deer	January 30 each year (January 30, 2012)

Pronghorn limited quota drawings		
Firearms or Muzzleloader		Second Friday in June (June 10, 2011)
Pronghorn unlimited availability		
Res and NR archery		Through season until October 30
Elk		
Limited quota drawings		Second Friday in July (July 8, 2011)
Unlimited availability		Through season until March 14
Wild Turkey		
Limited quota drawings		Third Friday in February (February 18, 2011)
Unlimited availability Fall		Through season until January 30
Unlimited availability Spring		Midnight of day before closing

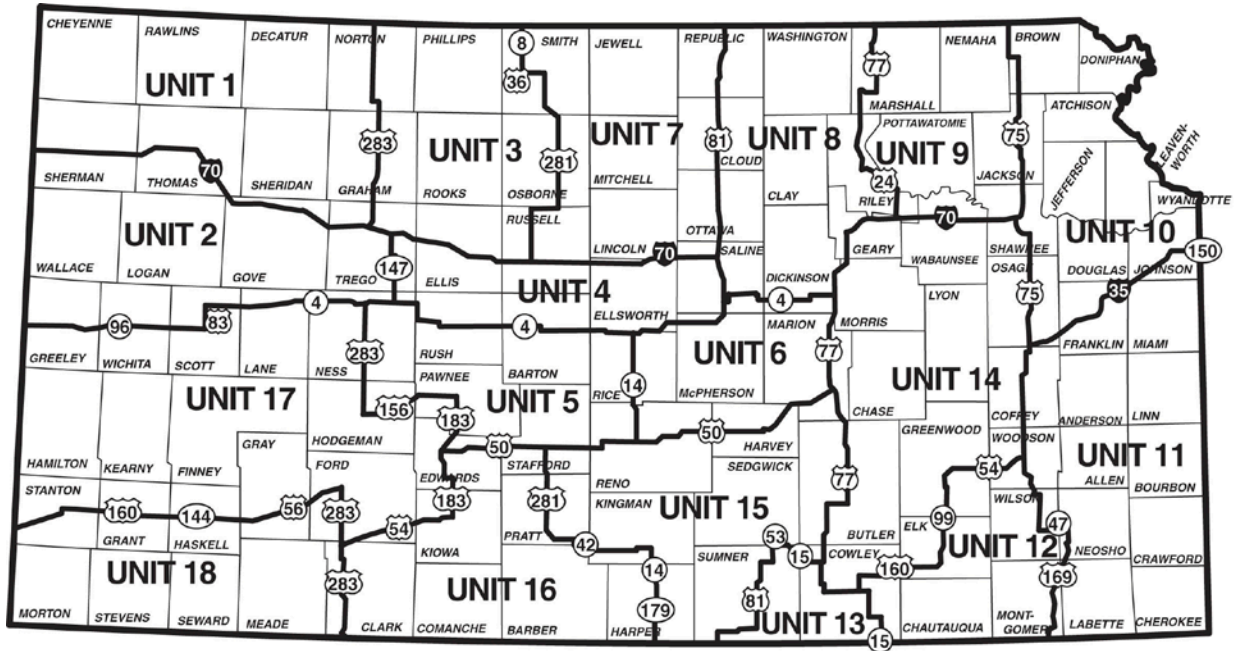
An application for an antlerless either-species deer permit would be accepted from as soon as the applications were available until December 30 of that year. Those permits would continue to be issued on a first-come, first-serve basis without a drawing. The applications would not become available until after the nonresident drawing to avoid situations where a hunter failed to obtain an antlered deer permit prior to obtaining an antlerless deer permit.

Incorporated into this regulation would be the provision to allow nonresident applicants to select, at the time of application, one deer management unit and up to one adjacent management unit. There are also provisions to address unfilled permits (leftovers).

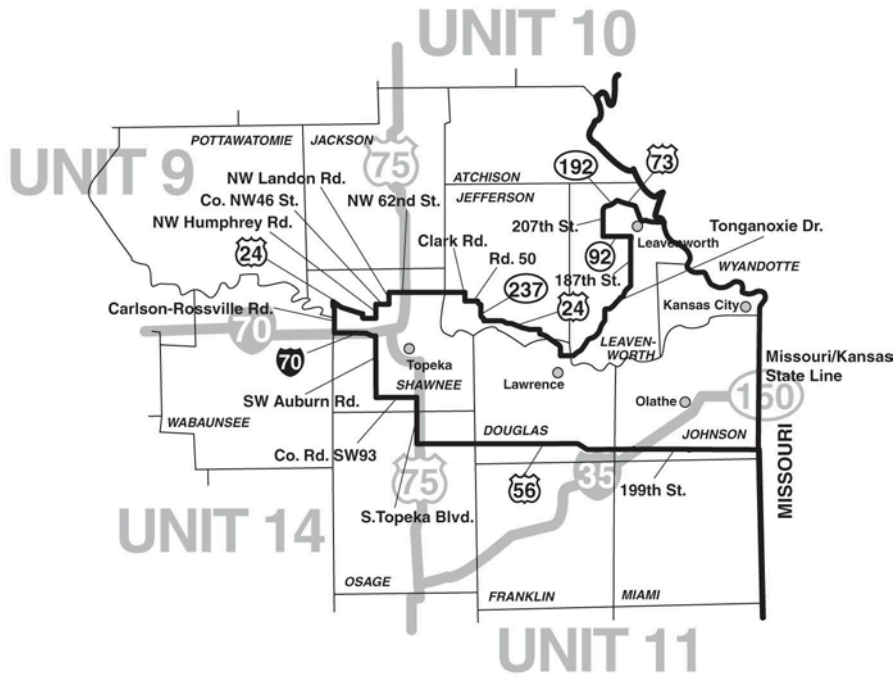
Recommendation

We recommend establishing all application dates for deer, pronghorn, elk and turkey in K.A.R. 115-4-11.

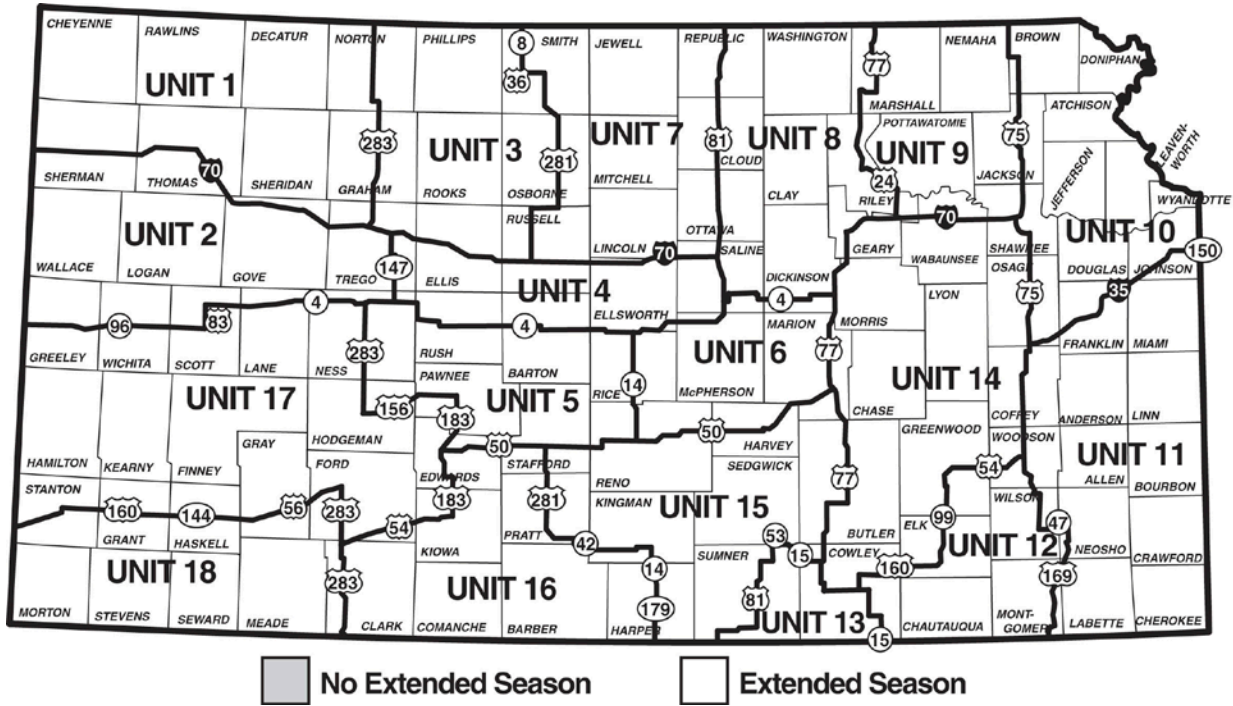
Deer Management Units



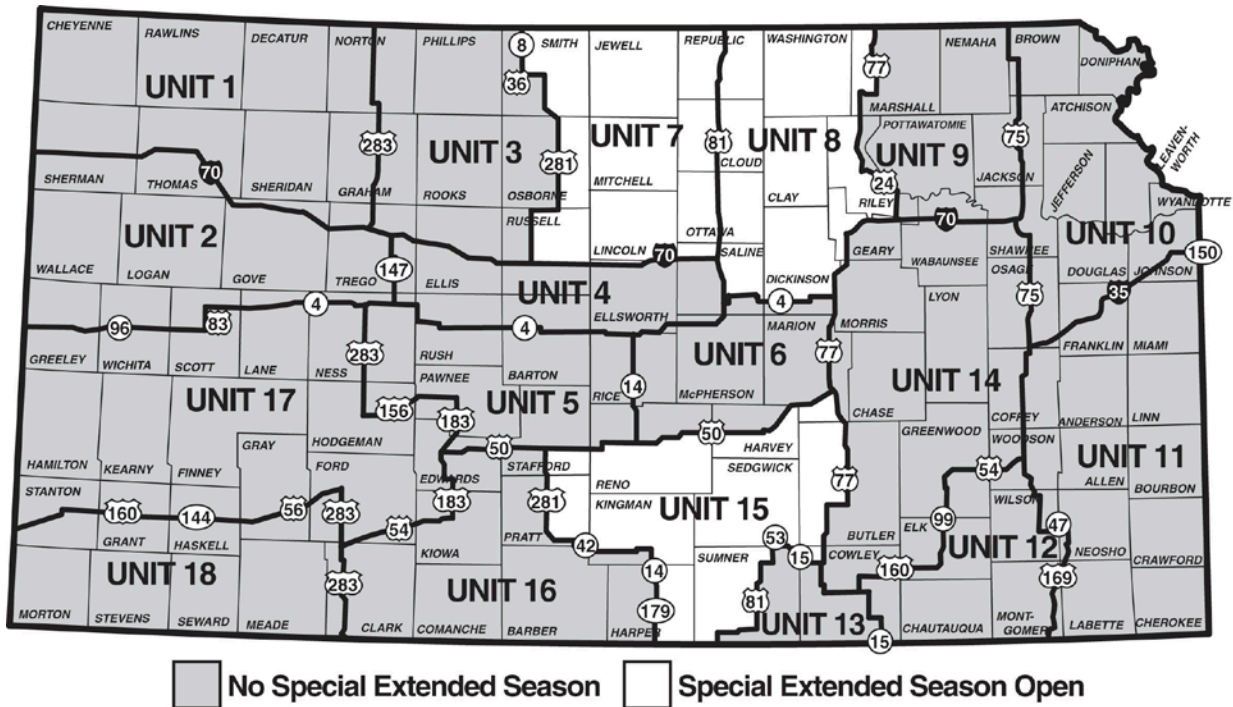
Deer Management Unit 19



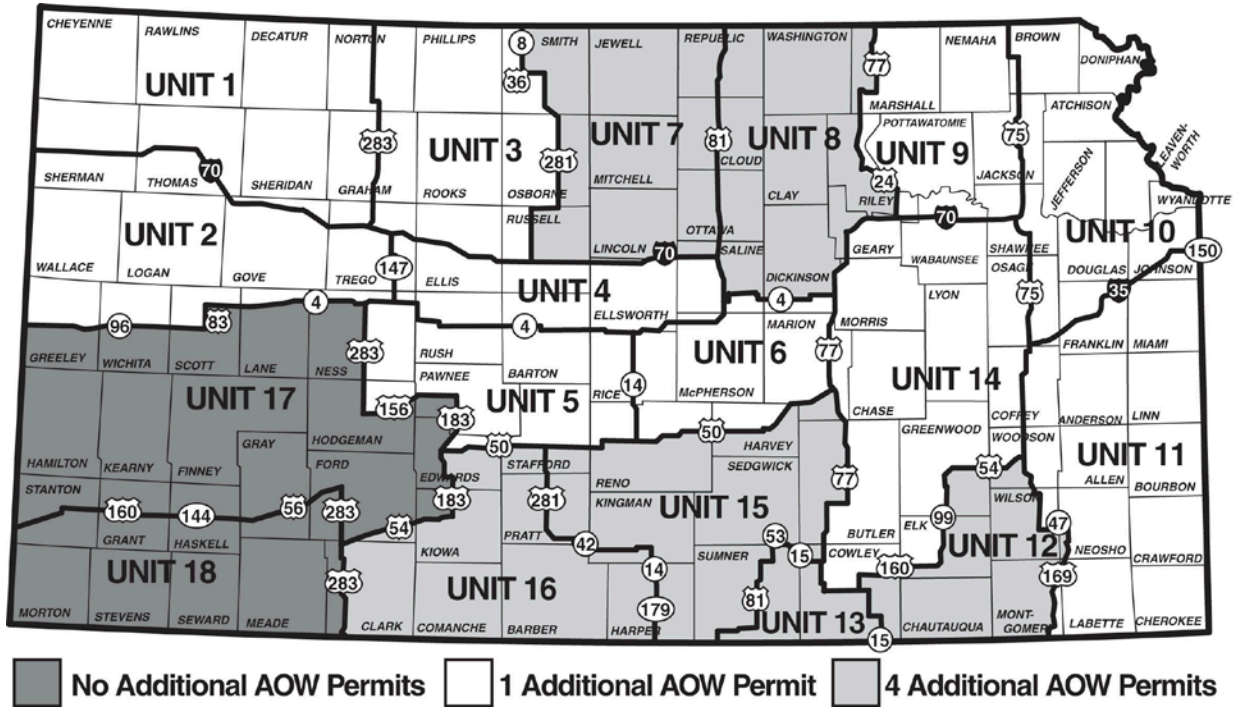
Deer Extended Season Units



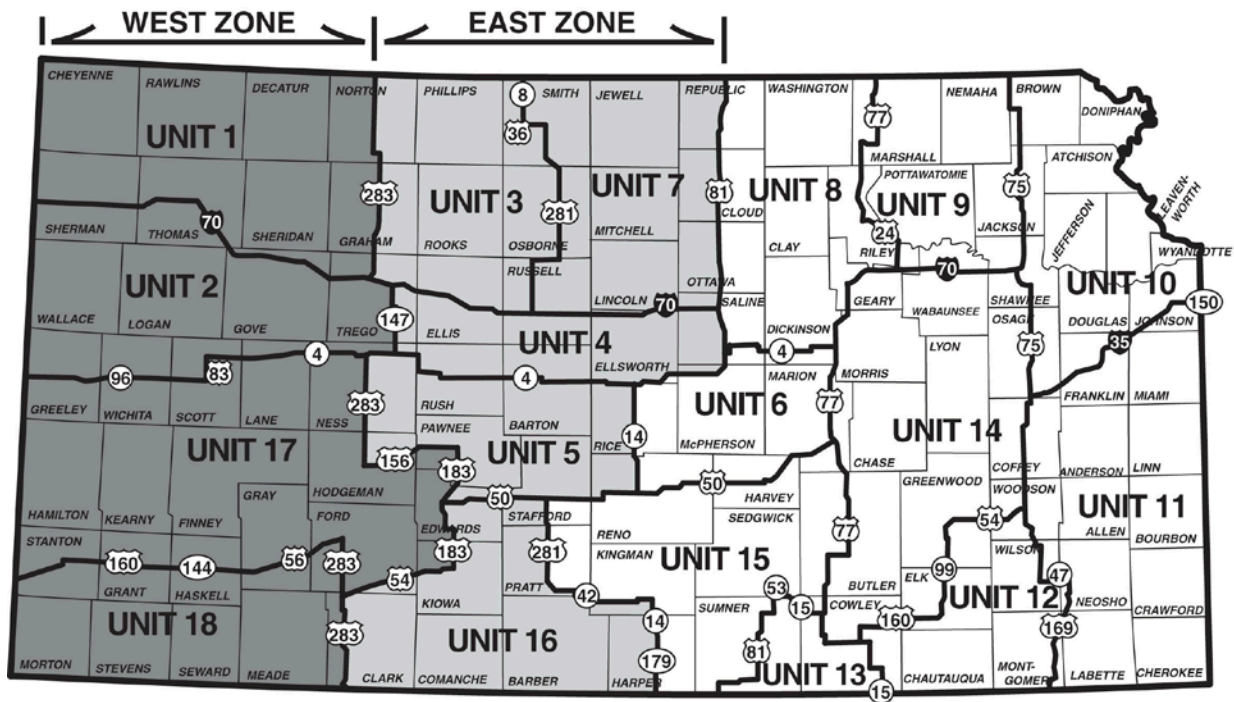
Deer Special Extended Season Units



Deer Antlerless White-tailed Units



Deer Either-Species Either-Sex Units



Potential Regulation Changes to Address Aquatic Nuisance Species

Background:

Non-indigenous aquatic nuisance species (ANS) are the cause of significant ecological and socio-economic problems for water users in North America. ANS have spread beyond historic ranges and have adversely affected infested waters by threatening the integrity of these water resources. As the introduction and spread of ANS continues, the associated problems intensify and create a wide variety of problems for water users.

ANS can be transferred both through natural and anthropogenic means. The introduction and spread of ANS by humans can result from a variety of activities, including escapes from aquaculture facilities, aquarium release, stocking activities, ballast release, and angler escape or release. (Ludwig and Leitch 1996). The transport and subsequent release of aquatic biota through sportfishing activities into a basin where it was previously absent is referred to as bait bucket transfer (Ludwig 1995). Problems arise from bait bucket transfer when undesirable fish, invertebrates, plants, or pathogens become introduced. The discovery of an aquatic species in waters where it was previously absent has been attributed to bait bucket transfer on several occasions (Moyle 1973; Welcomme 1992; Courtenay 1993). Kansas' aquatic ecosystems have already been invaded by ANS such as zebra mussels, white perch, Asian carp, hydrilla, Eurasian watermilfoil, and purple loosestrife, most of which can be spread by sportfishing activities.

Beyond bait bucket transfer, ANS can be spread by recreational boater movements. The most notable species that may be spread by boaters is the zebra mussel. The fouling behavior of the adult zebra mussel coupled with the planktonic larvae allows for its spread on boats and in water. Raw water that is transported in the holding tanks of boats (livewells, baitwells, and bilges) is a vector of great concern and has been evaluated in Kansas (Haneke et al. 2006)

As a natural resource agency, the Kansas Department of Wildlife and Parks (KDWP) is greatly concerned with the risk ANS pose to the natural environment. To protect the natural resources of Kansas and to prevent the spread of ANS through public use of these resources, KDWP should address the spread of ANS by recreational boaters; the commercial bait industry; and baitfish collection, transport, and use.

Discussion:

Due to the timing of this workshop session, it may be difficult to address the vector of wild-caught bait collection, transport, and use for the 2011 fishing season; thus the bulk of today's workshop will focus on prevention of ANS spread through the sale of commercial bait. Current regulations place restrictions on the commercial bait industry yet provide avenues for ANS introduction and spread. Items of particular concern include the sale of diseased and non-native species, the utilization of unsecured water supply for bait shop operation, and the inability to determine bait origin. Recommendations will be provided via handout.

References:

Courtenay, W. R., Jr. 1993. Biological pollution through fish introductions. Pages 35-61 *in* B. N. McKnight, ed. Biological pollution: the control and impact of invasive exotic species. Indiana Academy of Science, Indianapolis.

Haneke, D., R. Cowlinshaw, and C. Hunter. 2006. Potential for larval transport of zebra mussels from El Dorado Reservoir, Kansas. Report to Kansas Department of Wildlife and Parks, Southwestern College, Winfield, Kansas. 8 pp.

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- Moyle, P. B. 1973. Ecological separation among three species of minnows (Cyprinidae) in a Minnesota lake. *Transactions of the American Fisheries Society* 102(4):794-805.
- Welcomme, R. L. 1992. A history of international introductions of inland aquatic species. Pages 3-14 *in* C. Sindermann, B. Steinmetz, and W. Hershberger, eds. *Introductions and transfers of aquatic species. International Council for the Exploration of the Sea* 194.

KAR 115-16-5. Wildlife control permit; operation requirements.

Background:

A request was made during the October 14, 2010 Kansas Wildlife and Parks commission meeting to consider adopting regulatory changes that would allow the use of firearms equipped with sound suppression devices during nuisance wildlife control activities.

Discussion:

K.A.R. 115-16-5 is the regulation that controls the activity and equipment allowed to be used under a wildlife control permit. At present there is no provision that allows the use of sound suppression devices on firearms. The rationale used in the request stems from the belief that the use of sound suppressed firearms would enable the permittee the ability to more efficiently kill animals during the control activity as the animals would be less likely to hide as the result of not hearing the full report of the firearm. A second rationale is based on the fact that there would be less noise disturbance to the public in areas of higher human population density.

While discussing the allowable methods and equipment for wildlife control work, staff considered adding a provision that would allow the consideration and possible approval of control methods not specifically listed in the regulation. This would enable the Department to address unique situations, or allow techniques or equipment that may be developed in the future which would be beneficial in wildlife control activities without the need to change this regulation.

Recommendation:

The Department recommends that K.A.R. 115-16-5 be amended to allow the use of noise suppression devices on firearms for wildlife control work. It is also recommended that a provision be added that would allow other types of devices or techniques to be approved under a permit on a case-by-case basis.

Motor Vehicle Permit Fees

Background:

KAR 115-2-2 establishes daily and annual permit prices for vehicles entering and using state parks and other areas requiring a motor vehicle permit. This is a user fee for entering and using state parks.

Recommendation:

The proposed amendments would change the time that temporary motor vehicle permits would expire from noon until 2:00 p.m.

Camping, Utility and Other Fees

Background:

KAR 115-2-3 establishes the overnight and annual camping permit prices, fees for utility connections, and related fees within state parks. This is a user fee regulation.

Recommendation:

The proposed amendment would change the time that each overnight camping permit would expire from noon until 2:00 p.m.

Public Hearing

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife and Parks

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

Topeka, Kansas 66612-1233

Title of Document -- Public Meeting

Desired Date of Publication - November 4, 2010

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

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

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

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Wildlife and Parks Commission

Notice of Public Meeting

A public meeting will be conducted by the Wildlife and Parks Commission at 1:30 p.m., Thursday, January 6, 2011 at the Dole Institute, 2350 Petefish Dr., Lawrence, Kansas, to consider the business and future regulatory action of the Kansas Department of Wildlife and Parks.

A general discussion and workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m., January 6 at the location listed above. The meeting will recess at 5:30 p.m. then resume at 7:00 p.m. at the same location for an additional workshop on Commission and Department business. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. January 7 at the location listed above.

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

This notice period prior to the meeting constitutes a public comment period for the purpose of receiving written public comments on any workshop or future regulatory action by the Commission.

All interested parties may submit written comments prior to the meeting to the Chairman of the Commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally or in writing with regard to future regulatory action on workshop items.

Kelly Johnston, Chairman

Secretary's Resolution

2011 KANSAS FREE FISHING DAYS

Under authorities contained in K.S.A. 32-906(f), the dates of June 4 and 5, 2011 are established as "Free Fishing Days." All persons may fish in the waters of the State, by legal means, without a valid fishing license on these dates. All residents and visitors to the State of Kansas are encouraged to use this opportunity to enjoy our outdoor recreational resources.

Date

J. Michael Hayden, Secretary
Kansas Department of Wildlife and Parks

Secretary's Resolution

2011 KANSAS FREE PARK ENTRANCE DAYS

Under authorities contained in K.S.A. 32-901(e), the following dates:

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| Milford – January 15 (Eagle Days) | Wilson – June 18, 19 (OK Kids & Father's Day) |
| Lovewell – March 26, 27 (Cabin Open House) | Eisenhower – June 19 (Father's Day) |
| Cheney – April 23, 24 (OK Kids) | Hillsdale – June 19 (Father's Day) |
| Meade – May 7 (OK Kids) | Glen Elder – July 16, 17 (1 st Annual Waconda Springs Native American Festival) |
| Eisenhower – May 8 (Mother's Day) | Clinton – August 13, 14 (OK Kids) |
| Hillsdale – May 8 (Mother's Day) | Milford – August 20 (Extreme Outdoor Water Festival) |
| Webster – May 21, 22 (OK Kids) | Tuttle Creek – August 27, 28 (OK Kids) |
| Cross Timbers – June 4 (National Trails Day) | Crawford – September 17 (Bluegrass Weekend) |
| Fall River – June 4 (National Trails Day) | Cross Timbers – September 24 (Rendezvous) |
| Pomona – June 4 (Friend's Fishing Derby/Run/Walk) | Crawford – September 24 (Triathlon) |
| Kanopolis – June 4, 5 (Free Fishing Weekend) | Fall River – September 24 (Rendezvous) |
| Perry – June 4, 5 (Free Fishing Weekend) | El Dorado – October 1, 2 (OK Kids) |
| Prairie Spirit Rail Trail – June 4, 5 (National Trails Day) | Sand Hills – October 1, 2 (Scout Camping) |
| Scott – June 4, 5 (OK Kids) | Meade – October 8 (Halloween in the Park) |
| Prairie Dog – June 4, 5 (OK Kids & Free Fishing Weekend) | Pomona – October 22 (Luminaries, Vassar Fall Fest) |
| Elk City – June 11 (Free Entrance) | Elk City – October 29 (Neewollah) |
| Cedar Bluff – June 11, 12 (Fishing Derby & Youth Trap Shoot) | |

are established as "2011 Free Park Entrance Days." All persons may enter any of the above Kansas state parks free-of-charge. All residents and visitors to the State of Kansas are encouraged to use this opportunity to enjoy our outdoor recreational resources.

Date

J. Michael Hayden, Secretary
Kansas Department of Wildlife and Parks