

REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING AND PUBLIC HEARING
Thursday, June 23, 2011
Kansas Dept of Wildlife & Parks
Norton Community High School Auditorium
103 W Woodfield, Norton, KS

Meet at HS at 10:00 AM, Tour Prairie Dog State Park & WA, lunch served at Town & Country Restaurant (buffet or off menu)

- 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 April 21, 2011 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. 2011 Legislature (Chris Tymeson)**
 - 2. Agency and State Fiscal Status (Dick Koerth)**
 - B. General Discussion**
 - 1. Spring Turkey Season (Jim Pitman)**
 - 2. KAR 115-8-1 Public Lands Reference Document Items (Brad Simpson)**
 - C. Workshop Session**
 - 1. Vehicles on the Ice (Brad Simpson)**
 - 2. Fishing Regulations (Doug Nygren)**
 - 3. Park Regulations (Linda Lanterman)**
 - 4. Falconry Regulations (Mike Mitchener)**
 - 5. KAR 115-2-3a Cabin Camping Permit Fees (Mark Stock)**
 - 6. Late Migratory Bird Seasons (Tom Bidrowski)**
 - 7. KAR 115-16-3. Nuisance bird control permit; application, provisions and requirements. (Tom Bidrowski)**
- VII. RECESS AT 5:00 p.m.**

Farewell Supper at Attitude's Restaurant

- 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 Continued

8. Potential Changes in Deer Regulations 2012 (Lloyd Fox)

9. ANS/Bait Regulations (Jason Goeckler)

D. Public Hearing

1. Early Migratory Bird Seasons (Tom Bidrowski)

2. Duck Zone Regulations 2011 through 2015 (Tom Bidrowski)

3. KAR 115-1-1. Definitions. (modify definition of water set) (Matt Peek)

4. KAR 115-5-1. Furbearers and coyotes; legal equipment, taking methods and general provisions. (Matt Peek)

5. KAR 115-5-2. Furbearers and coyotes; possession, disposal and general provisions. (Matt Peek)

6. KAR 115-25-11. Furbearers; open seasons and bag limits. (Matt Peek)

7. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations. (Lloyd Fox)

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on June 23, 2011, to reconvene June 24, 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, August 11, 2011 at the Wetland Education Center, Great Bend, KS

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
KDWP Region 4 Office
6232 E 29th St N, Wichita, KS**

Subject to
Commission
Approval

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

The April 21, 2011 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Kelly Johnston at 1:30 p.m. at the Great Plains Nature Center auditorium (KDWP Region 4 Office), Wichita. Chairman Johnston and Commissioners 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).

Chairman Johnston welcomed Representative Don Schroeder, Augusta.

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis - Revised agenda – changed presenter for general discussion No. 2, fishing regulations, Kyle Austin will be the presenter; added evening presentation under general discussion No. 7, Jake George presenter; and rearranged general discussion items being presented by Faye McNew to put all of hers together; and in the public hearing section this evening Kyle Austin will be presenting No. 3, KAR 115-7-9.

Assistant Keith Sexson presented Sheila Kemmis with 20-year certificate and pin; and Kevin Jones with 10-year pin.

IV. APPROVAL OF THE March 10, 2011 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. 2011 Legislature – Chris Tymeson, chief legal counsel, gave this report to the Commission. We have two representatives here; Representative Dan Kerschen is also in the audience. Chairman Johnston – Welcome Representative Kerschen. Tymeson – This is first year

of the two-year cycle on bills and it has been relatively quiet for the agency. SB 120, vessel titling act, stayed in House; SB 123, cabin, passed out of Senate and House, amendment (HB 2149) added to bill, compromise in conference, KDWP currently can purchase 640 acres, this would reduce it to 320 acres without legislative approval, 640 if under appraised value, everything else requires legislative approval; passed House, expect out of Senate next week. SB 152, concealed carry – can carry while hunting and use suppressors for hunting, passed both houses and signed by Governor on March 23. HB 2013 – this bill would repeal a law that restricts the purchase and sale of firearms from contiguous states, rifles and shotguns now can be purchased if legal in both states, signed by the Governor. HB2089, this bill allows retrieval of hunting dogs from posted land without permission, no hearing. HB 2052, criminal code violation, rerouted to House Appropriations, probably dead for rest of year. HB 2168, would waive state park entrance fees for veterans, but it's probably dead for rest of year. HB 2095, deer bill, routed to subcommittee, tabled, hearing in House. We will have discussion tonight on deer proposals, but I don't expect this bill to be going anywhere rest of this year. Late bill on feral swine, which are not regulated by us, but by the Department of Agriculture, amending definition and increase penalty to criminal misdemeanor and will include European boar. House Current Resolution 5017 -- Watercraft taxation, never passed by both houses, don't expect movement rest of year would be on ballot and allow legislators to change taxation level. ERO 136 will require action opposing or it goes into effect. There has been no opposition, so Division of Travel and Tourism will be transferred to Wildlife and Parks. The deadline was March 29. On July 1 Travel and Tourism will be transferred. Chairman Johnston – Call from constituent who understood we were issuing permits for silencers. Tymeson – Suppressors, that is a federal law, they must go through a background check and pay a tax stamp, regulated by federal government.

Steve Sorensen – What is bill number to feral hog legislation? Tymeson – It is HB 2398.

Chairman Johnston – Everyone wishing to speak, please come forward and use microphone for web streaming.

Agency and State Fiscal Status – Dick Koerth, assistant secretary of Administration presented this update to the Commission (Exhibit C). Due to the numerous changes by the Legislature since the issuance of the Commission Briefing Book, the presentation was significantly different from the handout included in the briefing book. The KDWP will receive additional funding requested for repair of the dam at Clark State Fishing Lake and for installation of a sewer line for the Pratt Operations Office. The Legislature has begun the process to approve a FY 2012 appropriation bill and will need to adjust for a reduction of approximately \$31.7 million in State General Fund (SGF) revenue for the next fiscal year. The reduction in SGF will require the Senate to make additional reductions to obtain a positive balance in the fund. The House will have a positive balance with the reduction. The House and Senate have conferred on the FY 2012 appropriation bill and have concurred on the following items: no pay reduction for appointed officials; an across the board reduction of 1.193 percent in all funds, which for KDWP will mean a total reduction of \$721,000 of which \$60,000 would be from the SGF; require hunting licenses and park permits to allow for a \$2 or more check-off for the cost of such licenses issued to Kansas National Guard members and disabled veterans; and to allow KDWP to use non-competitive bidding for tourism promotion contracts. The items which the House and Senate have not concurred on at this time include the following: reduction in cell phone usage of up to 50 percent; reduction in funds used for employee longevity payments, SGF only or all funds, (employees will still receive the longevity payments); 5 percent surcharge on state

employee health insurance premiums; 10 percent reduction in IT expenditures; funding source to finance \$175,000 for feral swine eradication; restriction of budget salary funds for that use only without ability to address other needs; reduction in SGF amount for bottled water and office supplies (\$270,000 all agencies); and deletion of SGF funding for subscriptions and membership dues. The appropriation conference committee will meet again on April 27, 2011. Commissioner Shari Wilson – Voluntary contribution of \$2 or more, wasn't a bill required for FHFH, concern of adding to license fees, won't that cause a problem? Koerth – This is different, this is a legislative fund, which will reimburse KDWP for lost revenue. Commissioner Shari Wilson – This will encourage people to help us. Koerth – Right. Commissioner Meyer – Will there be different funding source for Tourism? Koerth – Yes, accounting and personnel will be paid for by all divisions to avoid diversion. Steve Sorensen, KWF, Valley Center – Budget of salaries used only for salary with unused SGF back to the SGF, does that include Wildlife Fee Fund (WFF) salaries? Koerth – No. Sorensen – Amount of funding for water and office supplies, WFF? Koerth – No, SGF only.

B. General Discussion

1. Vehicles on the Ice – Brad Simpson, public lands section chief, presented this report to the Commission (Exhibit D) - At the March Commission meeting, the Commission requested the Department review the regulations regarding the use of motor vehicles on department lands, in particular, all-terrain vehicles (ATVs) on ice. KAR 115-8-13 states motorized vehicles and aircraft; authorized operation (a) states the motorized vehicles shall be operated only on department roads and parking areas, except as otherwise established by posted notice. The term “motorized vehicle” includes all-terrain vehicles. This regulation only pertains to department-owned or managed lands which, as defined in KAR 115-1-1, includes state parks, state fishing lakes, and wildlife areas; not federal areas. Currently, there are no designated areas that allow the use of motorized vehicles on ice by posted notice on state fishing lakes or other bodies of water. Icefishing on state fishing lakes has been limited, depending on location. State fishing lakes are relatively small in size with relatively good public access surrounding them, allowing icefisherman access by foot. Three possible options: 1) maintain current regulations, which prohibit ATVs on ice unless otherwise allowed; 2) open all department managed lands and waters to allow ATVs on ice by regulation and restrict certain locales as adopted by reference in the “KDWP fisheries and wildlife division public land special use restrictions” document and posted notice accordingly; or 3) open just state fishing lakes to allow ATVs on ice by regulation and restrict certain locales as adopted by reference in the “KDWP fisheries and wildlife division public land special use restrictions” document and posted notice accordingly. If options 2 or 3 are pursued, other considerations would need to be made: 1) which bodies of water need additional restriction; 2) point of entry/exit (boat ramps); 3) purpose/intent of use (ice fishing only); and 4) operational periods (sunrise to sunset). Commissioner Meyer – Who would be responsible for thickness of ice? Simpson – At anglers' discretion and risk. Commissioner Lauber – I am strongest proponent, like option No. 2 and considerations I think restricted areas should be marshes; like point of entry to be boat ramps; don't allow recreational boating on SFLs now so that would be consistent to only allow for ice fishing. This is not new concept. We don't regulate how thick ice is any more than telling someone they can't go out on a boat because the wind is too high. We have no control over federal property. We sell lot of out-of-state fishing permits, and we should be consistent with other states that have ice fishing. It can be rewarding, and I think we should try and pursue it. Commissioner Shari Wilson – This is not a new idea, and it is done in northern states, but the weather is different here. It can be cold then warm all winter

long. From a safety point of view, what do other states do as far as tools they have to see how thick ice is? Commissioner Lauber – I have used ATVs and snowmobiles for 20 years on ice. The Corps of Engineers' website has a link that shows how much ice is safe for type of vehicle. Anglers can go to a shallow area and drill a hole to check thickness. Not very many novices engaging in this sport. Used more on federal reservoirs. It's easier to haul equipment on ATV, and this is something that has been going on for a long time anyway. Chairman Johnston – Operational period, is there much ice fishing at night in Kansas? Commissioner Lauber – Not necessarily, but anglers do try to be on ice at sunrise and sunset, and ice is no less safe, not go pleasure riding in the dark, not much after-hours usage. Chairman Johnston – Would it be consistent to establish half hour before sunrise and half hour after sunset? Commissioner Lauber – Constituents I know would have no problem with that. Doug Phelps, Manhattan – Any exception to regulation to operating motorized vehicle or vessel on department waters. I understand they have to be permitted and display numbers, if using ATV should they have to fall under same restrictions as motorized boats? Who is responsible for determining thickness of ice, who responsible for retrieving if accident? Commissioner Lauber – Not worried about safety, if we eliminate boating in the state there would be a whole lot less drowning in state if limiting fisherman. As far as numbers of people who ice fish, I have no response to that. Chairman Johnston – Move ahead with particular idea, agree with option 2 and give consideration to similar rules on ATVs on life preservers, at least for minors. Commissioner Robert Wilson – Agree with option 2, should be some restrictions like you said. Chairman Johnston – Move ahead on those general lines.

2. Fishing Regulations – Kyle Austin, fisheries management specialist, presented this report to the Commission (Exhibit E) – At this time we have no proposed changes for statewide regulations, but do have some for individual waters. We have 26 federal reservoirs, 55 state fishing lakes (SFL) and over 200 community fishing lakes, so there is actually only a small number of changes when you look at that. Majority of changes are community lakes enrolled in CFAP program and have been approved with local authorities. Moving to second page there is a typo, should be 2012, not 2011. One new trout stocking location at Colby, Villa High Lake, two acres near the community college. It would require a trout permit October 15 to April 15. In addition, the 3,000-acre Grand Osage Wildlife Area near Parsons has 10-12 small ponds, and we'd like to open to access. But before we do, we want regulations in place to protect those small bodies of water. Commissioner Lauber – Are Type 2 waters those that require permit for all fishing and Type 1 a permit is required for trout only? Austin – Correct.

3. Park Regulations – Linda Lanterman, assistant Parks Division director, presented this report to the Commission (Exhibit F). Each year at this time we look at regulations for parks. The changes may include: 1) K.A.R. 115-2-3 for camping, utility, and other fees; our last large increase was in 2009 (1995 before that) when we went up \$1. In 2003 and 2006 went up 50 cents each time. However utilities have increased by about 80 percent. A recommendation is to analyze utility usage to see if we are subsidizing utilities at the current rate. If so, we may consider a recommendation to raise each utility. 2) K.A.R. 115-2-5, trail access pass, (a) add for Bob Green Family Trail in Pratt. This property was leased through the National Recreation Trails Grant. It provides both motorized and non-motorized trails. (a) Consider charging a trail access fee for those that access our trails without vehicle permits (i.e. biking and walking). Chairman Johnston – Propose fees for people walking and biking? Lanterman – Off path location. We have an office there and want to know who is out there. We charge all the same. It is a motorized trail, but we don't discriminate in some of other areas. Commissioner Lauber – Can these be bought

on KOALS system? Lanterman – Yes and we have self-pay stations, as well. 3) K.A.R. 115-8-9 on camping. Adding appropriate language to allow persons who have a reservation to forgo the requirement for camping units to be occupied in a 24-hour time period. Those with reservation will have provided information to our database and can be called or notified. 4) K.A.R. 115-8-10b3 has to do with pets in cabins. Add the words allowing pets in “selected department operated rental cabins” not all of them, for an additional fee. Currently, pets are not permitted inside department-operated rental cabins, however, pets are allowed in privately owned cabins on department controlled lands. Commissioner Lauber – Utility fees, don’t have meter, do we get a bid for year for all you want? Explain how we buy power. Lanterman – Some state parks have mini-meters, each of those of meters charge and rate is determined at highest use, determined for all year, like July. Lauber – How are we charged if campground not used? Lanterman – Pay base fee no matter if used or not. Our utilities are high. Alan Stark – Because we have so many different types of suppliers – we are charged for what we use on West Star -- rural suppliers charge demand charge and usually base on Fourth of July weekend or something like that, and weekend readings and pay higher percentage above that. Each meter has different charge, depending on when it was installed. Lanterman - Possible legislative actions: 1) K.S.A. 32-901. Additional Vehicle Permit. Consider removing the additional vehicle permit. Wait until end of March. Anyone should be able to buy one without certificate of title holder; but for reduced permits prove certificate-of-title and possibly remove second additional permit. Only selling annual vehicle permits. K.A.R. 115-9-6 would need to be changed. 2) Remove the wording “certificate of titleholder” to allow annual permits to be purchased by someone other than the titleholder of a vehicle for which the permit is being purchased. However, add “proof of registration” for additional vehicle permit purchased in the annual vehicle permit name at the reduced rate. Also, add “proof of registration” for any discounted permit like senior permits or qualifying disability permits. Seek input from the Commission and the public concerning regulations specific to State Parks and their operations. Department recommendations will be brought back to the Commission during a scheduled workshop and future public hearing. Commissioner Lauber – Cost? Lanterman - \$12.20 off season and \$14.70 for prime season. Chairman Johnston – I just bought two, had to bring registration for both vehicles. Lanterman – I would not be able to buy one as a gift for someone, if buying second at same time you would need proof of both. Commissioner Shari Wilson – Go with person rather than the vehicle? Lanterman – No, goes to you and your family on that vehicle. Commissioner Shari Wilson – Doesn’t have to prove for which vehicle? Lanterman – Unless buying for second vehicle. We have to get your name, etc. There are fewer than 20,000 second permits. We’ve talked about this for years, but never done. Look at Park Fee Fund (PFF) balance each year. Doesn’t provide burden for anyone. Commissioner Sebelius – Significant question, have several friends who buy 3-4 every year and would probably cut back to one, generate more trade if we have it in the system. Hate to have loss under current circumstances. Fees were raised on camping overall, but not on utilities? Wouldn’t those spill over? Lanterman – Every 3-4 years we increase utilities and did not touch daily camp. With current situation with PFF balance, most logical of all considerations. Have figures to substantiate increase in utilities because we have good figures on that. Commissioner Shari Wilson – Any way to negotiate with utility companies? Paying for a lot of utility use that neither we, nor our campers, are using. Lanterman – Acting Secretary Jennison has already discussed that and we are looking into that. Chairman Johnston – Pets proposal, when people reserve cabins online, I would think they would want to know which ones are pet cabins? Lanterman – Absolutely. Chairman Johnston – Is there demand for that? Lanterman – There is a group of public who want to bring their pets and they are not all hunting dogs. Chairman Johnston – Not searching for new people for cabins. Commissioner Meyer – Sasha

would bite me if I didn't vote for this. Commissioner Sebelius – Agree about pets, but thing I have noticed is people tie up their pets outside and cause damage and then they are barking. On 115-8-9, exempt from 24-hour rule, don't they have to write down all of that? Lanterman – Don't for daily camp at this point, very few people fill that out. Commissioner Sebelius – Make it the same. Lanterman – Benefit to those using reservation system. Chairman Johnston – Go forward, like to see details.

4. Falconry Regulations – Mike Mitchener, Wildlife Section chief, presented this report to the Commission (Exhibit G). This was brought to you last year and tabled because of additional information that was needed from U.S. Fish and Wildlife Service (USFWS). Falconry is the sport of hunting and taking game with raptors. To be permitted to practice falconry, individuals go through a lengthy process of learning how to properly care for, and train the raptors they use in the sport. They start out as Apprentice Falconers and can use kestrels and red-tailed hawks and work their way up to peregrine falcons and golden eagles as Master Falconers. Falconry was implemented in Kansas in 1991, and there are currently 74 permitted falconers. Due to changes in federal regulations, the states have been asked to revise their regulations to meet minimum standards by January 1, 2014, as set forth by federal regulations. As soon as a state is certified that they meet minimum USFWS standards for falconry, federal falconry permits will no longer be required in that state. A state that wishes to allow falconry must establish laws and regulations that meet the USFWS standards. State regulations may be more restrictive than these federal standards but may not be less restrictive. Regulations must be consistent with the terms contained in any convention between the United States and any foreign country for the protection of raptors and the Migratory bird Treaty Act. To get certified as a state we must provide: a copy of the state's Apprentice Falconer examination, which at a minimum must cover laws and regulations, raptor biology, raptor identification, trapping methods, facilities requirements, care of raptors held for falconry, diseases and health problems of raptors, and training methods; copies of the laws and regulations governing falconry of the state and certification that the laws and regulations meet the requirements of this section; and electronic reporting, the state must work with the USFWS to ensure that the electronic 3-186A reporting system for reporting take, transfers, and loss of falconry birds is fully operational for residents of the state. In talking with George Allen, USFWS, and Kansas Hawking Club, we've decided that only two people in department will have access to that database, so all falconers can do electronic entry of 3-186A form. Department staff have been in consultation with officers of the Kansas Hawking Club, which is an affiliated member of NFA (National Falconry Association), to review federal regulations and existing state regulations to best determine how to revise the KDWP regulations to meet the new federal requirements. In general, we agree that adoption of the new federal regulations, which went into effect October 8, 2008, will be sufficient. There are, however, certain requirements that KDWP staff and officers of the Kansas Hawking Club feel should be more restrictive than federal regulations. Following are staff recommendations for consideration for the KDWP falconry regulations: lapsed permits may be reinstated at previously existing level without requirement to retake examination in accordance with federal regulations of not having lapsed for more than five years. This is to take into account reasonable circumstances that may occur that an individual may not be able to renew permit or keep birds such as military deployment; Apprentice falconers can possess only wild-caught kestrels, red-tailed hawks, and red-shouldered hawks; adopt the lowered minimum age for falconry classes, requires signature of parent or guardian; indoor and outdoor falconry holding facilities need to be constructed and inspected prior to issuance of falconry permit; falconry equipment (hoods, jesses, etc.) shall be possessed by each applicant before the issuance or renewal of a falconry

permit; adopt federal regulations on types of raptors and when they can be taken but require a valid Kansas hunting license to take raptors from the wild; no species listed as threatened or endangered in Kansas can be taken; each item of equipment used to capture raptors shall be tagged with permittee's name and falconry permit number; and raptors taken under a depredation or special purpose federal permit may be used by General and Master falconers, which are typically golden eagles, but some western states may allow bald eagles in depredation issues. Commissioner Shari Wilson – From Apprentice to General to Master, are there certain number of years involved, certain number of hours involved in sport? Mitchener – Have to work with these birds almost full time, it is a lifestyle even more than bird dog training. Apprentices are working with their sponsor to learn what they need to and after two years they can move to General and move to Master after five more years. Commissioner Shari Wilson – Apprentice falconers have bird at their home and are learning how to take care of it? Mitchener – Yes. Chairman Johnston – Move forward with it.

Break

5. Late Migratory Bird Seasons - Faye McNew, waterfowl biologist, presented this report to the Commission (Exhibit H). Late season waterfowl frameworks include maximum bag, possession limits and season length, and earliest opening and latest closing dates and are established annually by the U.S. Fish and Wildlife Service (USFS). These frameworks establish the limits, which states must operate within when establishing waterfowl seasons. These frameworks are published around August 15, after results from the May Breeding Duck Survey and recommendations from Flyway Councils are available. Currently, habitat conditions are very good and wet so we expect good numbers. We do not anticipate major changes in the frameworks for geese. We anticipate that the season length for Canada geese will again be 107 days, the maximum allowed by Migratory Bird Treaty Act. At this time there is little information upon which to base speculation concerning the duck season frameworks for 2011. The results of the May Breeding Duck Survey, which provides duck abundance as well as pond numbers, will not be available until late July. The Adaptive Harvest Management regulatory packages allowed, depending on pond numbers and breeding bird surveys are: liberal package – 74-day Low Plains season, 97-day High Plains Season, (package selected since 1997) with daily bag limit of six birds with various species restrictions; moderate package – 60-day Low Plains season, 83-day High Plains season, daily bag limit of 6 birds with various species restrictions; or restrictive package – 39-day Low Plains season, 51-day High Plains season, daily bag limit of three birds with various species restrictions. In summary, goose frameworks and resulting recommended regulations are expected to change little from last year. It is too early to predict which regular season duck regulatory package will be included in the frameworks, although we are hopeful that the liberal package will again be adopted. Commissioner Lauber – Do wet conditions contribute? McNew – Yes. Commissioner Lauber – Fargo flood will make it a good number? McNew – I expect so. Tom Bidrowski will do next presentation.

6. K.A.R. 115-16-3. Nuisance bird control permit; application, provisions and requirements – Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibit I). KAR 115-16-3 allows for the take of certain species under a nuisance bird control permit. The nuisance birds may be controlled when found depredating or about to depredate upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance. The regulation lists the species allowed for take under the permit, application requirements and general provisions.

Many of the species on the list are jointly regulated by the U.S. Fish and Wildlife Service (USFWS). In December 2010, the USFWS published a final decision in the Federal Register (Vol. 75, No. 231) that removed the Mexican crow and the rusty blackbird from the list of species that may be controlled under the depredation order, 50 CFR 21.43. This was due to long-term population declines throughout much of these two species' ranges. In addition to this ruling, the USFWS also required nontoxic shot or bullets in most cases when a firearm is used to control any species listed under the order to prevent toxicity hazards to other wildlife. This federal regulation was effective on January 3, 2011. The Mexican crow is an endemic species in the Tamaulipan Brushlands of Mexico with a small resident population near Brownsville, Texas. Rusty blackbirds breed in boreal portions of Canada and Alaska and winter distribution encompasses the eastern United States, including the eastern portion of Kansas. Their removal from the nuisance bird list should not have a significant impact as neither species congregates in significant numbers or causes frequent depredation problems in Kansas. We recommend we amend KAR 115-16-3 as to disallow the take of rusty blackbird and the Mexican crow based on this regulation, identify other species (primarily nonnative as defined in the Migratory Bird Treaty Reform Act of 2004 and 50 CFR 10.13) allowed for take, and require the use of nontoxic shot when taking nuisance birds (except if using an air rifle, an air pistol, or a .22 caliber rimfire firearm). Commissioner Lauber – Do we have Mexican crows? Bidrowski – No, they are smaller. Kemmis – Did you say January 13, briefing book says January 3? Bidrowski – It is the third.

C. Workshop Session

1. Early Migratory Bird Seasons - Faye McNew, waterfowl biologist, presented this report to the Commission (Exhibit J) - Frameworks allow hunting a season between September 1 and September 30, 2011, not exceeding: 1) 16 days if the blue-winged teal breeding population is above 4.7 million, or 2) 9 days if the breeding population is between 3.3 - 4.6 million, with a daily bag and possession limit of 4 and 8 teal, respectively. In 2010, blue-winged teal breeding population was 6.3 million and we won't know this year's population until June, but expect the same. The department's recommendation is: High Plains Zone - A bag and possession limit of 4 and 8, respectively, with the following season dates: a 9-day season running September 17 through September 25, 2011 with regular season 96 days. Low Plains Zones - A bag and possession limit of 4 and 8, respectively, with the following season dates: a 9-day season running September 17 through September 25, 2011; or, a 16-day season running September 10 through September 25, 2011. Shooting hours and bag limits have not changed. Webless migratory bird season: considering changes on sandhill crane restrictions, in discussion with USFWS. Also, on Mexican crow and rusty blackbird. Commissioner Lauber – Why not want 16-day season, rather than 9 or 8 in the High Plains? McNew – Only allowed 107 days for total seasons.

2. Duck Zone Regulations 2011 through 2015 - Faye McNew, waterfowl biologist, presented this report to the Commission (Exhibit K) – Zones are different than season frameworks. We can make adjustments to zones at five-year intervals and this is the year we can make changes. Options: split into high plains and low plains zones using the 100th meridian, which goes down Highway 283, Early Zone has Cedar Bluff Reservoir and we want to move that into the High Plains Zone. The basic option is a statewide season with one zone and two splits (three segments); alternative options, which must be selected during the five-year open window period, include: two zones with one split, two segments; three zones with no splits (continuous season in each zone); and for 2011 the following two options may be available: three zones, plus

the High Plains Zone, with the option for one split (two segments) in each zone; and four zones, plus the High Plains Zone, with no splits. Three zone boundary changes today: add Cedar Bluff to Early Zone, 6-mile change, not expecting overall harvest to go up much, but it could provide opportunities; second change is Early Zone boundary -- put all of McPherson Wetlands in Early Zone, current zone creates LE issue; third recommendation is third zone pending approval of new option. We conducted public meetings across state and later opener would be detrimental and lose days to ice to create southeast zone. If denied by the USFS, we will defer to the original map. If it doesn't go through this year, there may be a chance to change it next year.

Commissioner Lauber – Any reason USFS would disallow Southeast Zone? McNew – We're still in negotiation. Commissioner Lauber – Will it create undue harvest? McNew – There isn't potential for an unlimited number of zones. We have been asking for this zone for 15 years. They published EA, and we are working on this. Only Colorado and Kansas have expressed interest in additional zone, so won't cause continental change in population.

3. Furbearer Regulations – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit L). We have completed draft text of a brochure to better inform hunters of trapping and how to release dogs from traps. Proposed changes: 1) a request was made to the Commission to allow .17 cal rimfire rifles to take trapped or treed furbearers with the aid of light, currently only allow .22 calibers. 2) Traps must currently be “tagged with the user's name and address” so that the user may be identified. Trappers have occasionally requested that they be allowed to tag traps with a unique identification number in order to protect their identity from the general public, while allowing them to be identified by any KDWP employee and would uniquely identify each furharvester, and any department employee with access to KOALS could identify the trap user. 3) specify that foothold traps must be smooth jawed, and establish a maximum jaw spread allowable in non-water sets. This would eliminate the use of serrated or tooth-jawed traps, which are basically obsolete today, and establish a maximum jaw spread in non-water sets. Many new beaver traps have a jaw spread of more than 7 inches, but there are larger traps on the market. It is unnecessary to use such large traps to capture terrestrial furbearers or coyotes, and injury to target and nontarget captures, as well as public perception become concerns when using such large traps in land sets. 5) currently, “water set” is defined as: “any trapping device that has the gripping portion placed or set in flowing or pooled water and remains in contact with the flowing or pooled water.” Requiring water set to be half submerged would reduce the likelihood that size 280 or 330 body gripping traps could be used in terrestrial animal sets. Though few problems of this type have occurred, there seems to be a potential for nontarget capture, particularly during years with low water levels. This change will not significantly affect one's ability to trap beaver, as in most cases, 5 inches of water will be available in which to make the set. Fluctuating water levels will have to be taken into consideration, but this is already the case. In most cases, the rivets where the jaws of a body gripping trap pivot would be underwater if the trap was half submerged – making this easily measureable for the trapper and enforceable for law enforcement. This regulatory change should prevent a dog from being captured in a water-set, which happened at Kanopolis last year. In addition to this change, the department intends to increase signage near public access points, particularly in those areas with established public trails, to better notifying the public that trapping is allowed on wildlife areas. Open first four items for discussion then go to river otters. 4) River otters, historically ranged through most of U.S., but were gone from Midwest. We are proposing a statewide season even though the current range is mainly the southeast part of state. With an estimated population of 1,400, the recommendation would allow 100 to be taken for the season, two per trapper. Pelts have to be tagged through CITES just as bobcats, and a 24-hour

report would be required with four days to present skinned pelt to a department employee for to be tagged. Information would be collected to track harvest, and examining the carcass would provide evidence of whether the animal was reproductively active. The trapper would four days to bring the pelt and carcass in, which will ensure that it won't be decayed. Commissioner Shari Wilson – How do you know quota has been reached? Peek – We are proposing an 800 number for trappers to call, an update on our website and we are still looking into other ways. Commission Shari Wilson – On other furbearer changes, did you get feedback from furharvester community? I haven't heard anything? Peek – I asked in survey, hope to be able to present at next meeting and they are positive or neutral in all cases. Commissioner Lauber – Concerns I have heard are on waterset. Trappers are willing to accept some restrictions to keep trapping open. Would the trap have to be submerged at all times? Peek – Set and remain in contact with flowing or pooled water. It has to be half submerged at all times. It is that way right now. Have to be able to foresee that. If set fully submerged requires 10 inches, to half would be 5 ½ inches leeway. Chairman Johnston – Quota, 100 otters or 72-hour grace period. Peek – Up to end of 72-hours. Incidental take or trapper wasn't aware that quota was reached. Will be some responsibility of furharvester to check up on that, but we're giving them a 3-day period. Chairman Johnston – Would assume you considered that there would be additional otters taken after 100-otter count was reached, since 24-hour period to contact. How many expected to be taken in those four days? Peek – We were conservative, not expect over additional 30 to 40 otters, still only 10 percent of 1,400 otters. We don't really expect trappers to target otters until later in the season when pelts are prime. Commissioner Lauber – Do we have incidental take records from past years? Peek – Average is about 27 to 28. Last year we had 15, including road kills. Chairman Johnston – Not disagreeing with otter season, questioning language of 100 otters, talking about 100, plus grace period, plus incidentals. Peek – Our feeling is that most will be taken later in year when people are beaver trapping. We don't know how many will go out and target them. Taken throughout the season, make them part of legal harvest, not separate from incidentals. Not looking at two things separately. Commissioner Meyer – May have to adjust one way up or down next year since this is our first year. Quota is based on calling in, but need to let them know how to let us know, like email, in additional to phone number. Commissioner Lauber – All states required to have CITES tag on river otters? Peek – Yes. Commissioner Lauber – No way to go to other state and gather pelts? Peek – Could take across another state illegally; we've had cases of that with bobcats.

VII. RECESS AT 3:53 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

Chairman Johnston – Please come to microphone to address us for the live web stream.

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

XI. DEPARTMENT REPORT

B. General Discussion (continued)

7. Private Lands Statewide Habitat Award - Jake George, wildlife biologist, presented this award (Exhibit M-1). The Kansas Wildlife Habitat Conservation Award is a statewide award modeled after the county-level soil conservation awards, which focus on the recognition of farmers and ranchers who have completed projects designed to improve environmental quality on their properties. The purpose of this award is to stimulate interest in wildlife management by means of recognizing an individual who has exhibited outstanding progress in the development and stewardship of wildlife resources on their property. Nominations for this award are accepted from biologists from across the state, reviewed by committee, and a winner selected based on overall habitat quality, quantity, maintenance, and enhancement on the property. Additionally, as the criteria are met, the state wildlife habitat conservation award winner is nominated for the Association of Fish and Wildlife Agencies National Private Lands Fish and Wildlife Stewardship Award. I would like to bring up Chris Berens, the biologist who nominated this year's award winner. After which Secretary Jennison and Chairman Johnston will present the award. Chris Berens (PowerPoint – Exhibit M-2) – Thank you Jake, Chairman and Commissioners. This year's successful nominees are Ted and Brian Alexander of the Alexander Ranch located in Barber County, in the Red Hills also known as Gyp Hills. The ranch dates back to 1900s and it was owned by H.W. Skinner, Ted's great grandfather. In 1984, Ted Alexander gained control of the property. Shortly after acquiring the ranch he began extensive land management. He was joined by his son Brian in 2006 after he served nine years in the military. The land is divided into many paddocks to give each piece a 45-day rest before grazing again. In 1984, the property was less than desirable to run as a cattle operation because eastern red cedar tree encroachment reached 70 percent to 75 percent canopy cover. A systematic approach of prescribed burning and mechanical tree removal was used in conjunction with a planned grazing system to facilitate the distribution of grazing, reduce the nonproductive cedar trees, and enhance habitat for nesting, roosting, and brood rearing for wildlife. First burn controlled 50 percent to 60 percent of cedar encroachment and has been burned 6-8 times in last 24 years. As the competition from cedar trees was eliminated, growth from desirable perennial forages was stimulated. By 1987, with more ground cover, the amount of water infiltration increased, the once dry springs became active, and the creeks flowed more water. Today, the cedar tree canopy cover is about 10 percent and mainly confined to steep slopes and draws on the property. The prescribed burning regime has been reduced from once every 3-5 years to once every 10 years, and advanced grazing management techniques are used to control young brush establishment during winter months. Through the years, Ted has partnered with the Natural Resource Conservation Service, U.S. Fish and Wildlife Service, and the Kansas Department of Wildlife and Parks, among others, implementing practices which enhanced water developments, incorporated native forbs on once cropped areas, and expanded the grazing system on the ranch. These improvements allow for better grazing distribution and better interspersions of habitats required for nesting, roosting, and brood rearing cover for grassland birds such as the lesser prairie chicken and bobwhite quail. Fire is making a difference, riparian areas are formed and the Arkansas Darter is present; and increased biodiversity and 46 percent of Kansas known amphibians and reptiles and 155 plant species can be found there. He has allowed surveys, through NRCS and group from Wyoming and KDWP does research on Steward Creek. Also several other surveys have been done on reptiles and amphibians; plants; nesting birds; and bats. Planned demonstration with USFWS on watershed study, month after cutting trees, had a wildfire, and then a flood pushed trees down into riparian area. Conservation accomplishments: 2007 Environmental Stewardship award from National Cattleman's Beef Association; 2003 Grassland Committee award from Kansas Association of Conservation Districts; 2001 Wildlife Conservationist of the year from Kansas

Wildlife Federation; 1998 Barber County Banker's Conservation award; and 1987 Excellence in Grazing Management award from Society of Range Management. He is willing to do anything to educate the public. Helped form and serves on Comanche Pool board, a non-profit organization to teach best management practices, which has \$1.8 million for improvement on local ranches. Ted never misses a mentoring opportunity or opportunity to teach. His favorite quote by Michelangelo – "Ancora Imparo" ("I am still learning"). He is always willing to try new things. Acting Secretary Robin Jennison and Chairman Johnston made presentation to Ted Alexander.

8. Potential Changes in Deer Regulations 2012 - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit N). We had major changes in our deer management system instituted in 2008. Among the changes were additional days of hunting during the archery, muzzleloader and season for youth and people with disabilities. We created a new permit type, the "Any-Season" white-tailed deer permit for residents. Since that time have had additional public comments, indicating that additional deer hunting opportunities are desired by deer hunters. Parents have advocated for changes that would allow their children to hunt deer during holidays when they are out of school or home from college. Military personnel have advocated for lengthening of various seasons to accommodate deploying and returning soldiers. State legislators have advocated for additional control on deer populations and expanding the harvest of white-tailed antlerless deer. Whereas the current dates for the white-tailed antlerless-only firearms season continue to draw criticism from people who are concerned that this season late in the year may result in the taking of mature deer that has shed their antlers. Earlier season dates would be preferred by those people. Nonresident deer hunters and land managers catering to non-resident hunters frequently voice concerns that the hunters are unwilling to purchase antlerless-only permits at the current price range and having trouble obtaining sex ratio they desire. An annual review of deer seasons and regulations is made at the Kansas Wildlife and Parks Commission meetings. Although those meetings are open to the public for comments, few people have attended those meetings in recent years. This year we are starting this item earlier, and I have provided background information for you. Some potential changes in the deer hunting seasons that might be considered include: 1) change current nine-day season for youth and people with disabilities to two four-day seasons with the first season starting on the Friday before Labor Day and the second season starting on the Friday before Columbus Day. Each season would run for four days and include two weekend days and one holiday; 2) change the dates of the traditional 12-day firearm deer hunting season and start it seven days earlier, moving it from the Wednesday after Thanksgiving to the Wednesday before Thanksgiving (thus including 2 days of holiday and four weekend days); 3) change the beginning date of the white-tailed deer antlerless-only season from January 1 to the Friday before Christmas and continue for 17 days. That season would have no fewer than six weekend days and would include both Christmas and New Year's holiday; 4) initiate a two-day pre-rut white-tailed antlerless-only season for the last weekend in September; 5) expand the season dates for bowhunting with the season beginning on the Tuesday after Labor Day and ending on January 31. During the archery season, hunters would be prohibited from taking an antlered deer during any dates open for antlerless-only deer hunting with a firearm; and 6) expand the muzzleloader season to include the 14 days in September, the period prior to the last weekend in September, and seven days in December following the 12-day firearms season. I have included an attachment showing the history of permit fees. Some potential changes in permit fees and permit types that might be considered include: 1) develop a nonresident deer permit that includes two tags. One tag would allow the hunter to take a deer of either sex while the other tag would restrict the hunter to an antlerless white-tailed deer. The fee for this new permit would be less than the current fee for an either-sex

permit plus the price of a white-tailed deer antlerless-only permit; and 2) develop a resident deer permit that included two tags. One tag would allow the hunter to take a deer of either sex while the other tag would restrict the hunter to an antlerless white-tailed deer. The fee for this new permit would be the same as the current fee for an either-sex deer permit and half the price of a current white-tailed deer antlerless-only permit for a general resident. This permit would only be available until the drawing ended for limited quota permits for resident deer hunters (mid July). At this time we have no recommendations for changes in the deer seasons or regulations are currently proposed, however, a course of action is proposed for the review process for the seasons and regulations in 2012. Input and comments on deer season dates and regulations will continue to be sought at KDWP Commission Meetings. We will go back out with deer information meetings at several locations this fall. Also a survey of landowners shall be conducted after July 2011 to determine their desires for changing the current deer seasons. We may also need to survey turkey, waterfowl and upland game hunters about changes in deer seasons because we could potentially have a conflict (like dove hunting, teal hunts and upland game). This will be complicated and involved discussion. Some legislators have asked for comments back from us so we are going to provide that information as well as provide these public surveys. Commissioner Lauber – First Commission meeting, changed opening day of pheasant season and didn't take me long to regret that decision. One item that is not popular is opening season before Thanksgiving. No particular biology or conservation issues, but there is some political pressure to eliminate deer in some areas. I think in some cases we expand antlerless season to avoid unbearable political pressure. Open for Christmas to provide opportunities for kids who come home for the holidays could provide the greater harvest of antlerless deer. Providing antlerless enhancements may be the wrong message. Changing of traditional dates is going to have negative reaction.

Richard Schowalter, Holyrood, represent Kansas Bowhunters Association – (read letter from KBA – Exhibit O). Thank you very much. Commissioner Meyer – Thank you for having this in writing. Dan Kisner, Arkansas City – Great if kids have a chance to hunt, doe season during Christmas would be great. Patrick Murphy, Wichita – Comments same as a year ago. I'm not a KBA member, but have hunted deer for 25 years. Hunt white-fronts, etc. Hunted breaks in home town of Great Bend, and we can hunt every game on Thanksgiving, literally everything. I'm not in favor of moving rifle deer back another week. There are traditions of using that weekend for pheasant hunting. I have enjoyed bowhunting and rifle hunting. Have four children, two boys 10 and 12, applied for special permits and took older son for that. Don't have that much time to hunt, but not in favor of changes, Columbus Day in October. I am a purist, and bowhunting is a real season. I'm against January changes. Deer population is an isolated problem around suburban areas. Don't cover whole state because of a lot of deer and vehicle accidents in one area. Go back to the way it was in 1992. It was great and why everyone wants to come here. What can we do to move deer management back to 1980s and early 1990s? Mike Pearce – Proposed antlerless-only, white-tailed or mule deer? Fox – Not recommendation, only proposals and that was whitetail antlerless-only. Jeremiah Miller – Difficult job and commend you for what you do and understand staff has difficult time. I grew up in Missouri, and tradition in seasons is the way to go. That is something we are aware of and need to embrace. We have lot of time to hunt as it is, and I agree with earlier gentleman, we have everything in Kansas to hunt on Thanksgiving. Not having rifle season not during Thanksgiving gives you opportunity to enjoy Kansas for what it is. John Whitaker, Andover – I am a bowhunter, and I've been in tree during that early September, and you sweat and the deer smell you. Muzzleloader season basically they are a high-powered rifle with inline and rifling. Antlerless-only was \$10 when it first came out. Go back to lower rate or combine 2-for-1, no reason to keep raising price if you want to get rid

of the does. Chairman Johnston – I'm finishing my eighth year on Commission and have heard of every type of problem for getting hunters to take does. I think 2-day pre-rut for antlerless deer is an excellent idea. Give people who don't bowhunt an opportunity to take Kansas deer. Don't like moving season in front of Thanksgiving. Thought it might help residents, but don't feel it is going to hurt or help access. I've had emails about moving that season also. Some thought might be moving it up to Saturday. I am a rifle hunter and not a bowhunter and have some bias. Some have the idea that moving rifle season earlier is going damage harvest, but I don't believe that. Would be some shift to harvest being taken; expect bucks taken more by rifle hunters than bowhunters. I don't believe biologists will allow damage to deer herd by shifting seasons. I will not be around for these decisions to be made and am happy to entrust those decisions to staff and Commission. Mike Pearce – October season in Unit 19, is it very well utilized? Fox – It is a small portion of harvest. Pearce – How many days? Fox – Nine. Many of those deer are taken with archery. The problem is access. We provide opportunity, but that is all we can do. Pearce – Can take a buck during that season? Fox – That is correct. Commissioner Lauber – We attempt to control gripping coming from those areas. Fox – We're making headway in those areas. Some local communities are changing ordinances, and we are making small footsteps and changes in those areas. Chris Roberts, Derby – On youth, I have son 14 and have taken him since he was 2. People will make time to do it in the season that is there. Also, in regards to college students; most get out in the middle of December and don't have to go back until third week of January and that gives you plenty of time if doe season is lengthened. Any-season, any-tag is premium, put premium price on it, or put triple price on it. If you want to do that, they are going to spend the money. Steve Sorensen – Proposing 11-day instead of 12? Fox – Items for discussion only, it is a 12-day season, starting seven days earlier.

C. Workshop Session (continued)

4. 115-25-9a. Deer; open season, bag limit, and permits; additional considerations - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit P). This is the deer season on Fort Riley. Many of these items we were just discussing. They would like additional days; archery - September 1-18; firearms October 7-10 for youth and people with disabilities; November 25-27 and one additional December 15-23. Also January 7 and 8 for personnel returning; and January 12-31 for archery. Commissioner Lauber – Is there public hunt on Fort Riley? Fox – Yes, general resident, non-residents, military and non-military personnel. Chairman Johnston – Heard from Mr. Tymeson this afternoon on effort to allow veterans access to state parks. Is department amenable to these proposals? Fox – Ask for Smoky Hill, Fort Riley and Fort Leavenworth for input into these seasons and often accept their proposals. We have approved through staff discussions. Chairman Johnston – Any expectation of hurting deer herd on Fort Riley. Fox – No. We have worked with their biologists, and they have a great deal of control. Have trophy management system in place, which may or may not be the way to go, just trying to provide opportunity and high quality experience. With seasons and their history, they have been extremely successful at maintaining deer and elk herds. Patrick Murphy, Wichita – Love military and have great sympathy, keenly in favor of special items, but don't see this as being anything special. I can drive to the Fort. See similarities, my deer season shouldn't expand because I hunted up on that area. If this is special dates to soldiers, I am in favor of it. I see this as a fore plan for the rest of Kansans, but if just for soldiers, okay. Fox – Must obtain permission and access permit from Fort Riley. They control who goes in. Limit number of people, limited residents and nonresidents. Chairman Johnston – What kind of numbers? Fox – They gave us their information: the majority is military personnel and non-military employees and military

personnel from other bases, but they do allow some general residents and non-residents. Commissioner Robert Wilson – Can we apply for deer permit for that unit? Fox – You would need permit valid for that unit, or have statewide either-sex permit, but a hunter needs access permission from Fort. They run a daily check station during firearm season. Chairman Johnston – Proceed with recommendation.

5. ANS/Bait Regulations – Jason Goeckler, aquatic nuisance specialist, presented this report to the Commission (Exhibit Q, PowerPoint – Exhibit R). In providing recommendations, we go back to KDWP mission. There is a conundrum to wisely protect and conserve Kansas natural resources from ANS while providing recreational opportunity. There are two areas of attention, commercial bait, which was presented in January and wild-caught bait, which was presented last month. I'll keep them separate, but those will work together. When we deal with recreation and sportsmen, this is a Kansas issue and water issue. As a result of invasive nuisance species, we have seen increases in water fees for the Wichita area. There are a lot of knowns, but a lot of unknowns also. Zebra mussels can be spread s juveniles, through movement of water in boats and equipment. White perch, Asian carp and other species are being moved around as bait. We don't want to see white perch or Asian carp in other lakes here in Kansas. We know non-native organisms and diseased fish may be sold as bait. We can address potential bait problems. Concern of sale of non-native and diseased bait from producer, shop, wholesaler and hauler; in wild-caught movement of species, release of live, spread of water-born contaminates and transport of aquatic plants which are not controlled by us. In 2006, started to discuss how to address this, but we're still seeing populations grow and spread. Recommendations have been vetted through several groups. Regulations that may need modification include 115-17-1, 2, 3, 4 and 5. Issues: 1) Sale of non-native species - recommend that 115-17-2 provide a list of species legal for sale as live aquatic bait to limit the likelihood of the introduction of non-native aquatic species through the use of commercially acquired bait. Proposed list: Fish - black bullhead; bluegill and their hybrids; common carp (includes koi); fathead minnow (includes 'rosy reds'); golden shiner such as goldfish (includes black saltys); green sunfish; and yellow bullhead. Crayfish - virile crayfish; calico crayfish; and white river crayfish. Annelids – which are freshwater leeches (63 species), basically come from one distributor in Midwest, which is basically one species. 2) Sale of diseased bait - recommend that all live aquatic baits for commercial sale be certified pathogen free to prevent the introduction of dangerous diseases into the waters of Kansas. The American Fisheries Society Bluebook standards will be utilized to establish guidelines for certification. Certified free of spring viremia of carp virus; infectious pancreatic necrosis virus; viral hemorrhagic septicemia virus; and infectious hematopoietic necrosis virus. This does not address parasites or other pathogens that have been issues for many bait dealers. We will need to establish an accounting/reporting mechanism to track fish shipment and sale that may require inspections for in-state producers. See attached Arkansas Rules for example. 3) Unsecure bait shop/wholesaler/hauler water sources - recommend that all aspects of the commercial sale of baitfish utilize a secure (ANS free) water source such as well or treated water. Inspections may be required for implementation. Special outreach emphasis on control of contaminated equipment entering retail location will be required. 4) Incomplete application requirements - recommend that 115-17-3 require disclosure of personal identification information (social security number, date of birth and driver's license or federal identification number). Potential impacts: anglers – increase in cost of bait, species no longer available, and assured clean product, showed slide showed most often used species (listed left to right) most allowed, slide show how bait obtained, increase in river and stream fisherman (most impact); commercial bait dealers: white suckers, mud puppies, frogs, various other species of crayfish not

available, increased cost, facility improvement, site inspections, layer of protections for business, level playing field, decrease in losses due to sick fish, clear line of what is legal for sale; agency – clarity or enforcement, accounting/reporting mechanism, demand on staff productions, and increase outreach. Wild-caught bait – currently, KDWP has regulations (KAR 115-18-10, 115-8-12, 115-20-3, 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 is necessary to effectively manage ANS in Kansas. We believe anglers share our view of how problems are moved through wild-caught bait. Issues: 1) Movement of wild-caught aquatic baits - recommend that the transport of live fish for bait on a public road be prohibited except baitfish may be caught from and used as bait within the pool of a lake or impoundment where taken, or within a 1-mile segment of the immediate location of collection of the same stream, except that no live baitfish may be transported across a dam or natural barrier. There is an issue with collection and transport of bait from an impoundment and transported on a public road to a location within the same impoundment (i.e. collected along the dam and then drive to an upstream site of the reservoir). Documentation of proof of fish origin (receipt) may be necessary for enforcement. Similar regulation is KAR 115-8-6, department-managed water. Change focus and increase outreach (pros and cons). Impacts those collecting from farm ponds (like Asian carp found in Greensburg). There are only a few counties that don't have bait dealers, but there are 206 registered bait dealers in Kansas. 2) Release of live aquatic baits – similar to 115-8-12, which explicitly prohibits the disposal of aquatic baits into the wild. The deployment of approved bait disposal units would assist compliance. 3) Spread of ANS or water-borne diseases - recommend that any person leaving any waters of the state shall drain all bait containers, livewells and bilges, other boating or fishing-related equipment holding water excluding marine sanitary systems, by removing the drain plug before transporting the vessel and associated equipment on any public road. This would affect those who haul fish home to eat in water or those who want to save bait for later use. When we asked anglers, they believe draining will help stop the spread. Majority of anglers use live fish and purchase commercial bait. It's time to change this vector because we know it is out there. Commissioner Robert Wilson – What is purpose of 1-mile on transporting bait. Goeckler – For enforcement, basically for use on rivers or streams. One mile is arbitrary figure and can be changed. Commissioner Robert Wilson – How difficult would it be to do that? I don't see that as viable. Don't know of any instance I have done that. Goeckler – Based on survey that is correct, but we don't want collection somewhere else. Dan Kisner, Arkansas City – We catch flatheads using green perch. If you pass this, the price for bait will go up to about \$20 a dozen because of demand for them. We catch black perch (you call green perch); if this passes a lot of fisherman won't fish. Poor men can't fish. Ticket those who are moving them. It's getting to the point that we need to carry regulations with us to fish; you've got to be lawyer to fish in Washington because of regulations. I understand we have a problem. Everyone who fishes for flatheads knows a black perch when they see one. John Petersen, Wichita – Belong to Wilson Fish Association – use shad to get striped bass but we can't catch shad at Wilson. We can catch shad on Milford, and we haul our shad from rivers, ponds and lakes and wherever. I am an avid fisherman for stripers. If I have to go looking for bait, that may take all day and I'll have no time to fish. It is so expensive to buy bait; a lot of people will quit fishing if you can't do this. It will hurt fishing. You need big bait to catch big fish. Chairman Johnston – Staff and Mr. Goeckler need our guidance. There is no surer way to destroy sport fishing than to let our waters, through our negligence, be infested by Asian carp. If this species would find it way into our lakes, it could destroy 50 percent of the biomass. This is an action we need to take. As he concluded it is necessary to preserve our resources, and I intend to vote in favor of some of what he proposes because the consequences would be devastating. These

regulations are designed to protect those fisheries for us, our children and grandchildren; inaction is not an option. Commissioner Shari Wilson – I echo that. The consequences are so great and all it takes is one person. Money spent to address that problem would be tremendous and lost opportunity would truly be lost. I sympathize with anglers, my father is an angler, but this is bigger than any of this. I will also be voting in favor. Commissioner Meyer – Research raising bait fish and make available to public at reasonable price. Commissioner Lauber – I'm terribly conflicted. Green sunfish are superior bait for flatheads. Public collecting fish by common names to them, but correct identification is a problem. I see restriction as imperative, but I wish we could figure out a way for some exemption. Shad is greatest likelihood of misidentification, and will probably be confused with Asian carp. See no option, other than some sort of restriction. Commissioner Sebelius – I am sympathetic, Kansas is far too complicated. This is something that needs to be done, and this is simple and uncomplicated and the best way to do that is to say you can't move the bait. Easiest way is to put in black in white. Hate to try and put in distinction. John Petersen – Say we transport bait, use chemicals in tank. We catch wipers on shad. William Rice – On crawfish, what can't you use? Goeckler – Our recommendations allow three species to be sold. Right now there are other species out there being sold. Rice – I can transfer them? Goeckler – Don't want to see any bait moved. Rice – So I can't take from a slew and use them anywhere else? Where is bad crawdad? He is going to die if he isn't any good. Can't see them and they aren't transferring any type of disease. They are costly to buy. I can't understand why crawdads are on that list. Commissioner Lauber – Problem is rusty crawdad. Goeckler – Yes. It's not found in state, but in surrounding states. Goeckler – Rusty crawfish is more aggressive. Pearce – Can't transport dead either? Goeckler – Yes you can, dead in dry cooler or on ice. Chairman Johnston – I'm unsure of option 2 or 3. No criticism for commercial bait, but wild-caught bait. Commissioner Wilson – Not sure audience is aware we have any other options available to use. Chairman Johnston – Four options available (listed). We have reluctant consensus on 2 or 3; those are the ones we are going to consider. Goeckler – For clarity, we had four options. We made recommendation of number 2 as explained today or option four, with limitation of four species. Chairman Johnston – We have problems with not only bait, but other items like zebra mussels. There is a problem with regulating water transportation if we go with option number 3. Tymeson – We'll vote in August at Cheyenne Bottoms.

D. Public Hearing

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

1. KAR 115-25-7. Antelope; open season, bag limit and permits – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit T). You've heard this proposal. There are no changes to season structure or season dates. Unlimited archery for residents. Allocations: The recommendation is to go from 138 to 154 firearms and from 36 to 48 for muzzleloader permits. Kyle Evans, Wichita – Buck to doe ratio in 2008 was 47 to 100; 49/100, 49/200; harvest has gone up, but buck/doe ratio has gone down. I don't see adding 18 additional permits is beneficial. I don't see numbers of pronghorns. I think we should make sure numbers support what is out there. I bow hunt, but that is minimal. Peek – From literature, maximum productivity is based on 20-25 bucks per 100 does or 50/100. Lot of people want trophy bucks, but people are applying for firearms permits and waiting 6-8 years to draw. Increase permits to meet firearm demand. We realize buck numbers will fall.

Commissioner Frank Meyer moved to bring KAR 115-25-7 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-25-7 as recommended was as follows (Exhibit W):

Commissioner Bolton	Absent
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 115-25-7 passed 6-0.

2. KAR 115-25-8. Elk; open season, bag limit and permits - Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit U). Season dates and structure are standard. Proposing 10 any elk permits be allocated in Units 2 and 3, typically known as Fort Riley permits, down from 12 last year and 15 antlerless-only, the same as last few years, also valid in Units 2 and 3. In Units 2, hunt-own-land available in addition and in Unit 3, general resident and hunt-on-your-own-land available. Still asking successful hunters to contact the department.

Commissioner Robert Wilson moved to bring KAR 115-25-8 before the Commission. Commissioner Shari Wilson seconded.

The roll call vote on KAR 115-25-8 as recommended was as follows (Exhibit W):

Commissioner Bolton	Absent
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 115-25-8 passed 6-0.

3. KAR 115-7-9. Weigh-in black bass fishing tournaments – Kyle Austin, fisheries biologist, presented this report to the Commission (Exhibit V) – I know Doug Nygren covered this well at last meeting. We revoked 115-7-8 and need to take some of that language and move it to 115-7-9, “Only fish that meet the special length limit for the specific body of water where the weigh-in tournament is being conducted may be weighed within the period beginning June 16 and ending August 31”. This is so fish cannot be weighed in heat of the year, so needed to workshop so we can vote at the next meeting. This corrects that oversight.

Commissioner Doug Sebelius moved to bring KAR 115-7-9 before the Commission. Commissioner Shari Wilson seconded.

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

Commissioner Bolton	Absent
Commissioner Lauber	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner R. Wilson	Yes

Commissioner S. Wilson
Commissioner Johnston

Yes
Yes

The motion as presented KAR 115-7-9 passed 6-0.

XII. Old Business

Commissioner Shari Wilson – Like to mention last Saturday was official opening of 8 wonders of Kansas in Abilene; also new guidebook out that includes all of these and remaining 16 finalists; addressing categories of architecture, art, commerce, cuisine, customs, geography, history, people and overall. Several KDWP properties were nominated. Thank Linda Craghead for attending opening and saying a few words.

XIII. Other Business

A. Future Meeting Locations and Dates

June 23, 2011 – Norton Community High School Auditorium, Norton
August 11, 2011 – Wetlands Education Center, Great Bend
October 13, 2011 – Pratt, location TBA

XIV. ADJOURNMENT

The meeting adjourned at 9:25 p.m.

(Exhibits and/or Transcript available upon request)

Secretary's Remarks

2011 Legislative Update

Bills/ERO's that passed

Executive Reorganization Order No. 36-Renaming the Department of Wildlife and Parks as the Department of Wildlife, Parks and Tourism; Abolishing the Assistant Secretary of Operations position and creating an Assistant Secretary of Wildlife, Fisheries, and Boating and an Assistant Secretary of Parks and Tourism; and transferring the Division of Travel and Tourism at the Department of Commerce to the Department of Wildlife, Parks and Tourism. Neither House passed a resolution opposing ERO No. 36, therefore ERO No. 36 will become effective July 1.

SB 123-This bill allows KDWP cabin fees to be established by the KDWP Secretary with consideration of the Kansas Wildlife and Parks Commission, streamlining the process of adjusting fees for existing cabins and setting fees for new cabins coming on line. The bill passed the Senate 39-0 in its original form. The bill was amended on the House floor to include land acquisition restrictions on KDWP included in the original HB 2149. It then passed the House, as amended, 102-22. The final version of the bill after conference included the original cabin provisions and restricted KDWP land purchases without prior legislative approval to 320 or less or 640 acres or less if under appraised value or as approved by the State Finance Council. The bill was signed by the Governor and is effective July 1.

SB 152-The bill allows a person with a concealed carry permit to carry a concealed handgun while legally hunting, fishing or furharvesting and it also allows any person who lawfully possesses a firearm suppressing device to use that device in conjunction with lawful hunting, fishing and furharvesting. The bill passed the Senate 38-1 on March 9 and passed the House 124-0 on March 22. The bill was signed by the Governor and is effective July 1.

HB 2013 -- This bill repealed laws that restricted the sale and delivery of rifles and shotguns to or from residents of states that are contiguous to Kansas as well as restricted Kansans from purchasing the same firearms in state other than contiguous ones. The bill passed the House 118-0 and the Senate 38-0. The bill was signed by Governor and is effective July 1.

Bills/Resolutions that did not pass

SB 3-This bill would establish, in statute, the Kansas Natural Resources subcabinet for the purpose of coordinating the water natural resource goals of executive agencies within the state. This bill was introduced in the Senate on September 11 and referred to the Committee on Ways and Means.

SB 120-This bill is known as the vessel titling act and would require all boat owners to obtain a certificate of title evidencing ownership. This bill passed the Senate 33-5 on Feb. 23, 2011. The bill was then referred to the House Committee on Transportation and had a hearing on March 9, 2011. The bill has not seen action since then.

HB 2063-This bill would name the fossil of the *xiphactinus audax* fish as the official fossil of the state of Kansas. This bill was referred to the House Committee on Agriculture and Natural Resources.

HB 2089-This bill would allow a licensed hunter or furharvester to retrieve their hunting dog from posted land without permission. This bill was referred to the House Committee on Agriculture and Natural Resources.

HB 2146-This bill would designate Pallasitic peridot as the official gemstone of the state of Kansas. This bill was referred to the House Committee on Agriculture and Natural Resources.

HB 2149-This bill would require the legislature's approval of any KDWP land purchase greater than 160 acres and removes the legislative approval exemption for land purchased at less than appraised value. The bill passed out of the House Budget Sub-Committee on Agriculture and Natural Resources with a recommendation that it be passed as amended. The amendment allowed the Senate Finance Council to approve land acquisitions during times when the Legislature is not in session. The bill passed the House 91-30. The bill was amended in the Senate and all land acquisition restrictions provisions were amended out of this bill. The bill no longer relates to the KDWP. However, the provisions were placed into SB123 in the House.

HB2152-This bill strengthens the penalties for the offense of operating a vessel under the influence of drugs or alcohol. This bill was on House General Orders but was withdrawn from the Calendar and referred to the Committee on Appropriations. The bill has not seen action since then.

HB2168-This bill would waive the state park vehicle entrance fees for any person who is a resident of this state and has been honorably discharged from active service in any branch of the armed forces of the United States. This bill had a hearing but was tabled in Committee.

HB2295-This bill would amend K.S.A. 2010 Supp. 32-919, 32-932, 32-937, 32-980, and 32-988 to exempt a landowner's immediate family members from hunting license requirements while hunting on that landowner's land (current law exempts family members domiciled with the landowner); would amend the current disability exemption that allows the use of a crossbow during the archery season to allow anyone to use crossbows during the archery season; would extend the "extended season for female white-tailed deer hunting with the use of firearms through January 23, 2012"; would amend the formula used to establish nonresident deer permit quotas so that the percent increase in permit numbers by unit required the first year (2008) the formula was used to be adhered to every year; would allow a landowner's immediate family members to purchase hunt-own-land permits whether or not they were domiciled with the landowner (currently the landowner's immediate family domiciled with the landowner may purchase hunt-own-land permits and a landowner's siblings and lineal descendants and ascendants and their spouses may purchase special hunt-own-land permits regardless of residency); would establish a mandatory contribution of at least \$2 to activities of Kansas hunters feeding the hungry, Inc. (current law allows a voluntary contribution); and would raise the maximum price that could be charged for nonresident big game permits to \$800, \$300 for

nonresident mule deer stamp, and \$50 for an application fee. The bill was referred to the House Committee on Natural Resources, had a hearing and was then referred to a sub-committee for further hearing. The bill then was recommended to be tabled by the sub-committee and subsequently tabled by the full committee.

HB 2398-This bill would amend the definition of feral swine in KSA 47-1809 to include Russian boar or European boar and makes violations of the statute-importation, possession, release and sport hunting of feral swine-class C misdemeanors rather than civil penalties.

House Concurrent Resolution No. 5017-This resolution proposes amending the constitution of the State of Kansas relating to the classification and taxation of watercraft. The Resolution would allow the voters of the State of Kansas to decide, by amending the Constitution, whether or not the Legislature should be allowed to alter the level of taxation on vessels. **The Resolution passed the House 121-2 and was sent to the Senate Taxation Committee.**

TO: The Commission on Wildlife, Parks and Tourism
FROM: Robin Jennison, Secretary of Wildlife, Parks and Tourism
SUBJECT: Fiscal Status Report for Kansas Department of Wildlife, Parks and Tourism
DATE: June 23, 2011

The 2011 Session of the Legislature has been completed and in addition, the FY 2012 appropriation bill has been signed by Governor Brownback. The Kansas Department of Wildlife, Parks and Tourism's (KDWPT) final budget for the current fiscal year and for the next fiscal year, FY 2012, were not changed significantly from Governor Brownback's recommendations as included in the FY 2012 Governor's Budget Report. The FY 2012 approved budget for the Department includes 12.0 FTEs and approximately \$4.3 million in expenditures to implement ERO 36, which transfers the Division of Travel and Tourism from the Department of Commerce to KDWPT. KDWPT has also been assigned duties related to the promotion of AgriTourism within the State. Attached are tables with the approved expenditures for FY 2011 and FY 2012.

For the current fiscal year, FY 2011, the approved budget includes expenditures of \$473,000 for a sewer line from the Pratt Operations Office to the City of Pratt sewer plant. The Kansas Department of Health and Environment has requested KDWPT to replace the current sewer plant or provide appropriate alternate replacement. In addition, an amount of \$260,000 was approved to provide additional funds for the repair of the Clark SFL dam and spillway. KDWPT should be able to complete the current fiscal year within the amounts appropriated. Expenditures from the Cabin Revenue Fund and the Park Fee Fund are being monitored to ensure expenditures remain with appropriate limits. The Legislature approved a salary reduction of 7.5 percent in the current year for certain executive positions, which for KDWPT includes members of the Commission and myself. This was not included for FY 2012.

For FY 2012, KDWPT is approved expenditures of \$68,206,357 which \$4,839,108 will be financed from the State General Fund (SGF). The FY 2012 budget includes expenditures of \$6,946,500 for Capital Improvements. The approved FTE number for the Department is 430.5. In addition to the twelve positions for the Division of Tourism, the FY 2012 budget includes an additional FTE position to assist in managing the Grand Osage Wildlife Area in Labette County (formerly the Parsons Army Ammunition Plant).

There are several items in the approved FY 2012 budget that should be noted. The FY 2012 Governor's Budget Recommendation included an amount of \$2.0 million for upland land acquisition as requested by the previous Secretary. My priorities for KDWPT emphasize the use of private land by leasing property rather than acquisition. Therefore, the amount included in the Governor's recommendation was amended to reduce upland land acquisition to \$300,000. The reduction of \$1.7 million was used as follows: \$310,000 to provide additional funding the F.I.S.H. program; \$70,000 for improvements at Rocky Ford WA; \$600,000 for improvements at the Milford Fish Hatchery to prevent zebra mussels; \$100,000 for minor repairs at three SFL dams, Douglas, Shawnee, and Leavenworth; and \$620,000 to expand the WIHA program.

The Legislature approved reductions for cell phone usage, \$44,654; IT expenditures, \$76,675; SGF for longevity payments, \$38,830; and bottled water/office supplies, \$795. In addition, the Legislature did not approve any funding to continue the state employee market

adjustment program; included a proviso requiring a \$2.00 check off on hunting and fishing licenses and annual park permits to assist in funding the free hunting, fishing, and park licenses/permits provided to Kansas National Guard members; and included a requirement that the State prepare a list to prioritize the sale of ten percent of state assets by 9/1/2011.

For FY 2012, the Legislature passed an “across the board reduction” of 1.193 percent or \$5.9 million for all agencies which was vetoed by Governor Brownback. The Governor stated in his veto message that he would determine reductions equal to the amount of reduction but that he needed flexibility to determine the reductions and did not consider across the board reductions to be the appropriate method. The key point is that there will be a state wide reduction of \$5.9 million, and at this time the impact to KDWPT is not known. In addition, the Governor vetoed a 2.5 percent surcharge on state employee health insurance premiums.

The actions taken by the Legislature and Governor Brownback have improved the ending balance in the SGF. For FY 2011 the ending balance is estimated at \$76.2 million and for FY 2012 the ending balance, after the Governor’s vetoed message, is \$72.3 million. These actions will allow for a more optimistic scenario to occur for FY 2013 budget development. It should be noted that the Brownback administration is committed to reducing the size of State government and future actions to implement this commitment are anticipated.

KDWPT is currently developing the FY 2013 capital improvement budget for submission on July 1, 2011. I have issued FY 2013 budget guidelines, which provide direction to the types and amounts of capital improvements to be requested. For FY 2013, I have asked that motorboat access (MBA) projects not exceed \$1,204,000 million from the Wildlife Fee fund; that there be no river access projects in FY 2013; that \$600,000 be added to finish the Milford Fish Hatchery project started in FY 2012; that an amount of \$1.7 million be included for road projects and \$200,000 bridge repair funds, both to be funded with transfers from KDOT; and that \$300,000 be used for cabin site preparation. A total of \$950,000 will be included for land acquisition, of which \$650,000 is for wetlands acquisition.

In addition to the above capital improvement requests, KDWPT will request approximately \$1.5 - \$2.0 million of SGF funds for major maintenance projects at the state parks. Given the status of the SGF this amount may not be obtainable; however, it is important that KDWPT continue to express concerns regarding the condition of state parks facilities and infrastructure.

FY 2012 KDWP Leg Appvd

Description	(a)										
	SOF	BFF	Mig Wtwtl	Cabins	WFF	PF	Sportfish	Other Funds	Wild Rest	Roads Fund	Total
Wetlands Acquisition/Development			\$ 200,000						\$ 450,000		\$ 650,000
Cabin Site Prep				\$ 300,000							\$ 300,000
River Access		\$ 250,000									\$ 250,000
Land Acquisition					\$ 150,000				\$ 150,000		\$ 300,000
Parks Maj Maint								\$ 375,000			\$ 375,000
Public Lands Major Maintenance									\$ 542,500		\$ 542,500
Trails Development								\$ 400,000			\$ 400,000
Shooting Range Development					\$ 100,000						\$ 100,000
Road Maint										\$ 1,670,000	\$ 1,670,000
Bridge Maint								\$ 200,000			\$ 200,000
Federally Mandated Boating Access					\$ 1,204,000						\$ 1,204,000
LVSL Cabins								\$ 50,000			\$ 50,000
Lovewell Reservoir entrapment project					\$ 150,000						\$ 150,000
Dam Repair							\$ 100,000				\$ 100,000
Hatchery Improvmt					\$ 150,000		\$ 450,000				\$ 600,000
Subtotal	\$ -	\$ 250,000	\$ 200,000	\$ 300,000	\$ 1,754,000	\$ -	\$ 550,000	\$ 1,025,000	\$ 1,142,500	\$ 1,670,000	\$ 6,801,500
HC District Ofc Debt Service (b)	\$ 6,800	\$ 10,400			\$ 38,000						\$ 55,000
Total	\$ 6,800	\$ 260,400	\$ 200,000	\$ 300,000	\$ 1,792,000	\$ -	\$ 550,000	\$ 1,025,000	\$ 1,142,500	\$ 1,670,000	\$ 6,946,500

(a) \$200,000 - Bridge Maint Fund; \$375,000 - LWCF; \$400,000 - Fed Grants Fund; \$50,000 St Ag Fund

(b) Interest payment is built into KCD proj budget

FY 2011 Supplemental

Wastewater Treatment - Pratt Ops Office		\$ 23,650			\$ 378,400	\$ 70,950					\$ 473,000
Cheyenne Bottoms Inlet Canal								\$ 3,840,660			\$ 3,840,660

	FY 2010 Actuals	FY 2011 GBR	FY 2012 GBR
Programs:			
Administration	10,329,714	13,122,385	13,656,724
Travel & Tourism	-	-	4,333,429
Grants-In-Aid	1,518,412	1,450,000	1,450,000
Law Enforcement	6,291,825	6,827,965	7,169,574
Parks	11,060,148	11,614,116	11,767,062
Fisheries and Wildlife	19,223,348	21,082,854	22,883,058
Debt Service	-	132,690	-
Capital Improvements	5,307,610	20,977,852	6,946,500
TOTAL	53,731,057	75,207,862	68,206,357
Expenditure Groups:			
Salaries and Wages	27,935,886	29,709,312	30,727,560
Contractual Services	11,104,396	13,473,877	16,987,509
Commodities	5,440,572	6,749,822	6,675,693
Capital Outlay	2,384,587	2,714,309	4,149,905
Aid/Other Assistance	1,523,591	1,450,000	1,633,000
Debt Service	-	132,690	141,190
Non-expense Items	34,415	-	-
Capital Improvements	5,307,610	20,977,852	7,891,500
TOTAL	53,731,057	75,207,862	68,206,357
Funding:			
<i>Operating Expenditures:</i>			
State General Fund	5,181,930	5,025,603	4,832,508
Department Road Access Fund	996,125	1,029,921	1,085,458
Nonrestricted Fund	197,317	190,000	170,000
Park Fee Fund	5,656,250	6,318,599	6,871,667
Boating Fee Fund	849,730	993,867	1,155,005
Boating Fee Fund - Federal	640,756	699,560	936,560
Wildlife Fee Fund	19,256,853	24,787,316	25,849,776
Wildlife Fee Fund - Federal	10,537,131	-	-
Wildlife Restoration Fund - Federal	-	4,383,215	4,972,140
Sportfish Restoration Fund - Federal	-	5,603,449	5,615,058
Federal Ag Fund	1,871,864	1,495,908	1,804,698
Land and Water Cons Fund - Local	49,589	150,000	150,000
Federal Grants Fund	1,718,133	-	-
Wildlife Conservation Fund	179,380	200,000	732,820
Wildlife Conservation Fund - Federal	150,249	-	-
Water Plan Fund	28,800	28,800	-
Nongame Fund	54,724	130,000	130,000
State Ag Fund	505,370	260,000	260,000
Cabin Revenue	196,152	245,116	264,380
EDIF	-	-	1,856,487
Pub & Other Sales Fund	-	-	2,476,942
Trails Fund	-	948,982	949,324
Other Funds	363,094	1,739,674	1,147,034
	48,423,447	54,230,010	61,259,857
<i>Capital Improvements</i>			
State General Fund	256,335	67,050	6,600
Bridges Fund	149,868	411,882	200,000
Roads Fund	191,418	3,848,276	1,670,000
Wildlife Conservation Fund	81,104	705,551	-
Wildlife Conservation Fund - Federal	719,885	-	-
Park Fee Fund	158,514	383,476	-
Boating Fee Fund	97,056	437,355	260,400
Boating Fee Fund - Federal	377,652	47,954	-
Wildlife Fee Fund	1,521,643	4,988,235	1,892,000
Wildlife Fee Fund - Federal	56,211	-	-
Wildlife Restoration Fund - Fed	-	5,270,286	1,142,500
Sportfish Restoration Fund - Fed	-	1,320,797	450,000
Migratory Waterfowl Fund	5,183	407,039	200,000
Land and Water Cons Fund - State	163,235	1,643,887	375,000
Federal Grants Fund	915,216	-	-
Tuttle Creek Mitigation	-	-	-
Nongame Fund - Fed	-	100,000	-
Other Funding Sources	229,981	43,048	50,000
Trails Fund	-	1,000,006	400,000
Cabin Revenue Fund	384,309	303,010	300,000
	5,307,610	20,977,852	6,946,500
TOTAL	53,731,057	75,207,862	68,206,357
FTE	417.5	417.5	430.6

General Discussion

Spring Turkey Regulations (K.A.R. 115-25-6) Season, units, bag limits, permits, and game tags

Background

There are four turkey hunting units (Figure 1) in Kansas, and an initial turkey permit can be purchased over-the-counter for all units except Unit 4 (southwest Kansas). In addition to the initial spring turkey permit, a second turkey game tag has been offered for certain hunting units since 1990. Hunters can currently purchase a game tag for use only in Unit 2 (eastern Kansas) or Unit 3 (central Kansas). A total of 500 permits are now issued for Unit 4 through a pre-season drawing, of which half are designated for landowner/tenants and half for general residents. Starting in 2010, youth (<16 years of age) could buy a permit over-the-counter that was valid in any unit (including Unit 4).

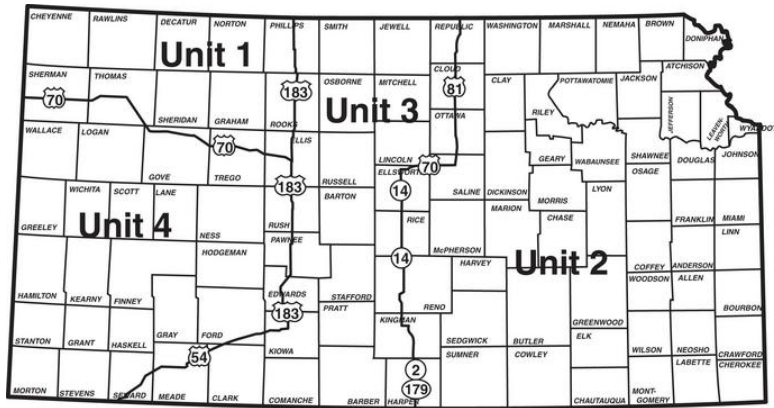
The department sold 65,406 permits (43,359 initial permits & 22,047 game tags) for the spring 2011 season which was a slight decrease from the 66,621 permits that were issued during the previous year. The harvest estimates have not yet been calculated for the 2011 season but they should be available by at least early August. For 2010, an estimated 41,321 hunters actively pursued turkeys and harvested almost 35,000 birds. Approximately 63 percent of active hunters harvested at least one bird and only 22.9 percent (9,482) filled both the initial permit and a game tag.

Survey results for the eastern third of the state indicate that the turkey population is well below the peak that occurred in the mid 2000s. The lower abundance is due to record-low production during 2007 and 2008 as a result of heavy rain and flooding during mid-summer. The most severe weather events occurred while hens were still incubating nests or rearing recently hatched poults still incapable of flight or regulation of their body temperature. While the current population in Eastern Kansas is nowhere near the peak that was observed 5-6 years ago, the spring population indices have ticked slightly upward during each of the last two years. At the time this was written, the weather conditions appear to have been favorable for productivity in eastern Kansas so a further increase in abundance seems likely. Turkey numbers in other parts of the state have been either relatively stable or slightly increasing over the last few years.

Discussion

At this time, the department is not considering any changes to spring bag limits or season dates. The relatively low turkey population in the eastern third of Kansas is a result of the record-low productivity that was observed in 2007 and 2008. The number of hunters and harvest in the affected area has already declined in proportion to the population. When hunting becomes difficult, fewer people participate and because of this behavior, the hunters actually somewhat regulate harvest themselves. The department is concerned about the relatively low population in eastern Kansas compared to other parts of the state, but at this time we don't believe any changes to regulations would help to speed its recovery.

Figure 1. Current spring wild turkey hunting units in Kansas. The initial permit is valid within Units 1, 2, & 3 and can be purchased over-the-counter. A pre-season drawing is used to issue the 500 permits allocated for Unit 4. An additional spring game tag can be purchased over-the-counter and it is valid only within Units 2 & 3.



Fisheries and Wildlife Public Lands Special Use Restrictions Propose Changes

Add

McPherson Wetlands – North Refuge, Closed to all activities 10/1 to 3/21

Cedar Bluff WA – North Dam area, youth/mentor area – all species, all seasons, archery & shotgun only

Cedar Bluff WA – Threshing Machine Canyon (west) area, youth/mentor area – all species, all seasons

Non-Toxic Shot only – Talmo WA, Elwood WA, Dalbey WA, Burr Oak WA

Cedar Bluff WA – Refuge Area closed to hunting, open to all other legal activities 11/1 to 1/31

Cedar Bluff WA – Refuge Area closed to all activities 9/1 to 1/31

No Alcohol – Rocky Ford Fishing Area, Rising Sun River Access, Kansas River WA (K-18), Dalbey WA, Burr Oak

Kansas River WA – Fitzgerald Tract, Youth/mentor, all species, all seasons by special permit

No Wake – Pottawatomie SFL #1 and #2

Milford WA – Disabled Accessible Hunting

Dalbey WA – Open to upland bird hunting Tuesday, Thursday, Sunday

Burr Oak WA – Open to upland bird hunting Tuesday, Thursday, Sunday

Shawnee SFL – archery shooting range

Delete

Cedar Bluff WA – No wake area

Cedar Bluff WA – Refuge area closed to all activities 10/1 to 1/31

Cedar Bluff WA – Daily hunt permits

Webster WA – Daily hunt permits

Change/Modify

Saline SFL- open sunrise to sunset daily

Kansas River WA – Urish, McVicar, K-18 tracts – No center fire rifles

Kansas River WA – Urish, McVicar, K-18 tracts – No firearms deer hunting

Workshop Session

Motorized Vehicles on Department Lands

At the March Commission meeting, the Commission requested the Department review regulations regarding the use of motor vehicles on Department lands, in particular, their use on ice. K.A.R. 115-8-13. (a) states motorized vehicles shall be operated only on department roads and parking areas, except as otherwise established by posted notice, therefore their use on ice would be prohibited. By definition, “motorized vehicle” includes all-terrain vehicles, work-site utility vehicles, golf carts, go-carts, and electric or gasoline-powered two-wheeled vehicles. This regulation only pertains to KDWPT-owned or managed lands which, as defined in K.A.R. 115-1-1, includes state parks, state fishing lakes, and wildlife areas. Currently, there are no designated areas that allow the use of motorized vehicles on ice by posted notice on state fishing lakes or other bodies of water.

Ice fishing is a popular activity in some areas of the state when conditions are adequate. Allowing the use of certain motorized vehicles for ice fishing will further support and enhance this winter time activity for anglers.

Recommendations:

- 1) By regulation, allow motorized electric or gasoline-powered two-wheeled vehicles, all-terrain vehicles, work-site utility vehicles, golf carts, and snowmobiles to be operated on ice covered department waters, unless otherwise prohibited, at certain locales as adopted by reference in the “KDWP fisheries and wildlife division public land special use restrictions” document and posted notice accordingly.
- 2) The above motorized vehicles shall be operated for ice fishing only from one-half hour before sunrise to one-half hour after sunset.
- 3) Motorized vehicles shall only be entered onto the ice from boat ramps and other points of entry established by posted notice.

2012 Reference Document Proposed Changes for Special Length and Creel Limits:

- Pleasanton City Lake-Old -- add 2/day creel limit and 15-inch minimum length limit on channel catfish, add 2/day creel limit and 21-inch minimum length limit on largemouth bass, and add 10/day creel limit and 10-inch minimum length limit on crappie.
- Jewell SFL -- change to a 13- to 18-inch slot length limit on largemouth bass.
- Glen Elder Reservoir -- change to 5/day creel limit on blue catfish.
- Lovewell Reservoir -- change to 5/day creel limit on blue catfish.
- Hiawatha City Lake -- remove the 18-inch minimum length limit on largemouth bass.
- Brown SFL -- change to a 13- to 18-inch slot length limit and a 5/day creel limit on largemouth bass.
- Coffey County Lake -- change to an 18-inch minimum length limit on walleye, a 12-inch minimum length limit and 5/day creel limit on crappie, and remove the 12-inch minimum length limit on white bass.
- Woodson SFL -- remove the 10-inch minimum length limit on crappie.
- Carbondale East Lake -- remove the 2/day creel limit on blue catfish, remove the 15-inch minimum length limit and change to a 5/day creel limit on channel catfish, remove the 2/day creel limit and 18-inch minimum length limit on smallmouth bass, remove the 2/day creel limit on spotted bass, remove the 2/day creel limit on sauger, and add an 18-inch minimum length limit on saugeye.
- Fall River Toe Drain -- remove the 2/day creel limit on blue catfish and channel catfish.
- Eureka City Lake -- remove the 15-inch minimum length limit on channel catfish and add an 18-inch minimum length limit on spotted bass.
- Olpe-Jones Park Pond -- change to a 2/day creel limit and 18-inch minimum length limit on largemouth bass.
- Emporia-Jones Park Ponds -- change to a 2/day creel limit and 18-inch minimum length limit on largemouth bass.
- Emporia-Peter Pan Park -- change to a 2/day creel limit and 18-inch minimum length limit on largemouth bass.
- Fall River State Park Kids Pond -- change to a 2/day creel limit and 18-inch minimum length limit on largemouth bass.
- Jeffrey Energy Center -- change to 2/day creel limit and remove the 18-inch minimum length limit on walleye.
- Junction City-Riverwalk -- change to 5/day creel limit on channel catfish.
- Junction City-Bluffs -- change to 5/day creel limit on channel catfish.
- Topeka-Auburndale Park Stream -- change to 2/day creel limit on channel catfish.
- Paola-Lake Miola -- change to 5/day creel limit on saugeye.
- Douglas SFL -- change to a 5/day creel limit and a 13- to 18-inch slot length limit on largemouth bass.
- Newton-Sand Creek -- add 5/day creel limit on channel catfish.
- Colwich City Lake -- change to an 18-inch minimum length limit on largemouth bass.

- Marion County Lake -- change to 2/day creel limit on saugeye and walleye.
- Leavenworth SFL -- remove the 2/day creel limits on sauger and saugeye.
- Gridley City Lake -- remove the 10-inch minimum length limit on crappie.
- Crawford SFL -- change to 2/day creel limit on walleye.
- Coffeyville-LeClere Lake -- change to 5/day creel limit and 15-inch minimum length limit on channel catfish.
- Independence Community College-Campus Pond -- change to 5/day creel limit and 15-inch minimum length limit on channel catfish.
- Regions 2, 4, and 5 impounded F.I.S.H. waters -- change to 2/day creel limit on channel catfish and change to 2/day creel limit and 18-inch minimum length limit on largemouth bass.
- Frontenac City Lake -- change to 20/day creel limit on crappie.
- Thayer City Lake-Old -- change to 20/day creel limit on crappie.
- Thayer City Lake-New -- change to 20/day creel limit on crappie.
- Bone Creek Reservoir -- change to 20/day creel limit on crappie.

Other Proposed 2012 Fishing Regulation Changes.

Change 15-25-14 to include 1 new location for Trout stockings. Colby-Villa High Lake will be added to the list of Type 1 Waters which requires a trout permit for each individual who wants to fish for and possess trout from October 15 through April 15.

Length and Creel Limits for Grand Osage Wildlife Area:

Length limits on Grand Osage Wildlife Area: Largemouth bass of a length less than eighteen (18) inches, and channel catfish of a length less than fifteen (15) inches are protected and must be returned to the water immediately.

Daily creel limits on Grand Osage Wildlife Area: Largemouth bass creel limit of two (2), and channel catfish creel limit of two (2).

Park Regulations

Background: KDWP regulations that directly impact state parks are reviewed annually. The purposes for the review is to ensure that the regulations are appropriate and do not conflict with other department regulations or laws pertaining to the department, and to develop recommendations for changes, additions or deletions. These are presented to the Commission starting with the April meeting. Regulations that are reviewed are K.A.R. 115-1; 115-2; 115-8; 115-9-6; 115-18.

Discussion: The department finds the regulations to be appropriate and do not conflict with other department regulations or laws pertaining to the department and more specifically to the State Parks Division. The review also indicates that no regulation should be deleted; however, a few regulations may require changes, and one addition may be recommended.

The changes may include:

K.A.R. 115-2-3. Camping, utility, and other fees. Utilities: the current regulation lists the following fees: one utility - \$7.00; two utilities - \$9.00; three utilities - \$10.00. A recommendation is to analyze utility usage to see if we are subsidizing utilities at the current rate. If so, we would recommend raising each utility fee.

K.A.R. 115-8-9. Camping. Adding appropriate language to allow persons who have a reservation to forgo the requirement for camping units to be occupied in a 24-hour time period. Those with reservations will have collected information in our database and can be called or notified.

K.A.R. 115-8-10b3. Pets. Add the words allowing pets in “selected department-operated rental cabins” for an additional fee. Currently, pets are not permitted inside department-operated rental cabins; however, pets are allowed in privately owned cabins on department-controlled lands.

Possible Legislative Actions:

K.S.A. 32-901. Additional Vehicle Permit. Remove the wording “certificate of titleholder” to allow annual permits to be purchased by someone other than the titleholder of a vehicle for which the permit is being purchased. However, add “proof of registration” for additional vehicle permit purchased in the annual vehicle permit name at the reduced rate. Also, add “proof of registration” for any discounted permit, such as senior permits or qualifying disability permits.

**KAR 115-14-2, 115-14-3, 115-14-4, 115-14-5,
115-14-6, 115-14-8, 115-14-9, 115-14-10.
Falconry Regulations**

Background

The sport of falconry is the practice of hunting and taking game with raptors. To be permitted to practice falconry, individuals go through a lengthy process of learning how to properly care for, and how to train the raptors they use in the sport. There are three classes in the falconry permit structure that have requirements with regard to age, knowledge, and proficiency. Each different falconry class allows for different numbers and increasingly difficult types of raptors to be handled in the sport from kestrels and red-tailed hawks for the Apprentice Class falconers all the way to peregrine falcons and golden eagles for Master Falconers. Apprentice, General, and Master falconry classes are recognized in Kansas. In order to become an Apprentice falconer, a test must be passed that demonstrates the applicant's knowledge of basic biology, diseases, care and handling of raptors, literature, law, regulations and other appropriate subject matter, all relating to falconry and raptors. The apprentice must also be mentored by a sponsor who is either a General Class or Master Falconer. An Apprentice must be permitted as an Apprentice for at least two years and receive a recommendation from their sponsor to be able to move to the next class, General Falconer. After practicing falconry for at least five years, a falconer can move to the Master Falconer class. Falconry was implemented in Kansas in 1991. There are currently 74 permitted falconers in Kansas.

Discussion

Due to changes in federal regulations, the states have been asked to revise their regulations to meet minimum standards as set forth by federal regulations by January 1, 2014. As soon as a state is certified they meet minimum U.S. Fish and Wildlife Service (USFWS) standards for falconry, federal falconry permits will no longer be required in that state.

A state that wishes to allow falconry must establish laws and regulations that meet the standards established by the USFWS. The director of the USFWS must determine that a state falconry permitting program meets the standards established by the USFWS no later than January 1, 2014. At that time, all federal falconry permits and the federal permitting program will end. Falconry will not be permitted in a state after this date until the state develops a permitting program the director of USFWS certifies to be in compliance with these regulations. State regulations may be more restrictive than these federal standards but may not be less restrictive. State regulations must be consistent with the terms contained in any convention between the United States and any foreign country for the protection of raptors and the Migratory bird Treaty Act.

Items required by USFWS for certification of State Falconry permit;

- A copy of the state's Apprentice Falconer examination, which at a minimum must cover laws and regulations, raptor biology, raptor identification, trapping methods, facilities requirements, care of raptors held for falconry, diseases and health problems of raptors, and training methods.
- Copies of the laws and regulations governing falconry of the state and certification that the laws and regulations meet the requirements of this section.
- Electronic reporting ; the state must work with the USFWS to ensure that the electronic 3-186A reporting system for reporting take, transfers, and loss of falconry birds is fully operational for residents of the state.

When the USFWS concurs that the regulations and examination meet the requirements set forth by USFWS, they will publish a rule in the Federal Register adding the state to the list of those approved for allowing the practice of falconry. USFWS will terminate federal falconry permitting in any state certified under these regulations on January 1 for the calendar year following publication of the rule

Recommendations

Department staff has been in consultation with officers of the Kansas Hawking Club, which is an affiliated member of NFA (National Falconry Association), to review federal regulations and existing state regulations to best determine how to revise the KDWP regulations to meet the new federal requirements.

In general, we agree that adoption of the new federal regulations 50 C.F.R 21.29 which went into effect on October 8, 2008 will be sufficient. There are, however, certain requirements that KDWP staff and officers of the Kansas Hawking Club feel should be more restrictive than federal regulations.

Following are staff recommendations for consideration for the KDWP falconry regulations:

- Lapsed permits may be reinstated at previously existing level without requirement to retake examination in accordance with federal regulations of not having lapsed for more than five years. This is to take into account reasonable circumstances that may occur that an individual may not be able to renew permit or keep birds such as military deployment.
- Apprentice falconers can possess only wild-caught kestrels, red-tailed hawks, and red shouldered hawks.
- Adopt the lowered minimum ages for falconry classes; Apprentice 12 years of age, General Class, 16 years of age
- Indoor and outdoor falconry holding facilities need to be constructed and inspected prior to issuance of falconry permit.
- Falconry equipment as outlined by federal regulations shall be possessed by each applicant before the issuance or renewal of a falconry permit.
- Adopt federal regulations on types of raptors and when they can be taken but require a valid Kansas hunting license to take raptors from the wild.
- No species listed as threatened or endangered in Kansas can be taken.
- Each item of equipment used to capture raptors shall be tagged with permittees name and falconry permit number.
- Raptors taken under a depredation or special purpose federal permit may be used by General and Master falconers. These raptors are typically golden eagles.

KAR 115-2-3a Cabin Camping Permit Fees

SB123 was adopted and passed by the 2011 Legislature, signed by the Governor and becomes effective July 1, 2011. SB123 allows the Secretary of the Department of Wildlife and Parks, with the approval of the Kansas Wildlife and Parks Commission, to establish fees for the public use of cabins owned or operated by the Department and also establishes the maximum fees for these cabins. Prior to SB123 the fees for these cabins were set the Administrative Rules and Regulations process.

The first step to implement SB123 is to repeal the current rules and regulations and to simultaneously establish the cabin fees under the new process. This action will appear as an agenda item for the August Commission meeting.

2011 Late Migratory Bird Seasons

Background

Late season waterfowl frameworks (maximum bag, possession limits and season length, and earliest opening and latest closing dates) are established annually by the U.S. Fish and Wildlife Service (USFWS). These frameworks establish the limits which states must operate within when establishing waterfowl seasons. These frameworks are published around August 15, after results from the May Breeding Duck Survey and recommendations from Flyway Councils are available.

Discussion

We do not anticipate major changes in the frameworks for geese. We anticipate that the season length for Canada geese will be again be 107 days, the maximum allowed by Migratory Bird Treaty Act.

At this time there is little information upon which to base speculation concerning the duck season frameworks for 2011. The results of the May Breeding Duck Survey, which provides duck abundance as well as pond numbers, will not be available until late July.

The three current Adaptive Harvest Management regulatory packages include the following:

Liberal package – 74-day Low Plains Zone season, 97-day High Plains Zone season, (package selected since 1997): Daily bag limit of six birds with various species restrictions.

Moderate package – 60-day Low Plains Zone season, 83-day High Plains Zone season: Daily bag limit of six birds with various species restrictions.

Restrictive package – 39-day Low Plains Zone season, 51-day High Plains Zone season: Daily bag limit of three birds with various species restrictions.

In summary, goose frameworks and resulting recommended regulations are expected to change little from last year. It is too early to predict which regular season duck regulatory package will be included in the frameworks, although we are hopeful that the liberal package will again be adopted.

Proposal to Amend 115-16-3

Nuisance bird control permit; application, provisions and requirements

Background

K.A.R. 115-16-3 allows for the take of certain species under a nuisance bird control permit. The nuisance birds may be controlled when found depredating or about to depredate upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance. The regulation lists the species allowed for take under the permit, application requirements and general provisions. Many of the species on the list are jointly regulated by the U.S. Fish and Wildlife Service (USFWS).

Discussion

In December 2010, the USFWS published a final decision in the Federal Register (Vol. 75, No. 231) that removed the Mexican (Tamaulipas) crow (*Corvus imparatus*) and the rusty blackbird (*Euphagus carolinus*) from the list of species that may be controlled under the depredation order, 50 CFR 21.43. This was due to long-term population declines throughout much of these two species' ranges. In addition to this ruling, the USFWS is also requiring nontoxic shot or bullets to be used in most cases when a firearm is used to control any species listed under the order to prevent toxicity hazards to other wildlife. This federal regulation was effective on January 3, 2011.

The Mexican (Tamaulipas) crow is an endemic species in the Tamaulipan Brushlands of Mexico with a small resident population near Brownsville, Tex. Rusty blackbirds breed in boreal portions of Canada and Alaska and, winter distribution encompasses the Eastern United States, including the eastern portion of Kansas. Their removal from the nuisance bird list should not have a significant impact as neither species congregate in significant numbers or frequently cause depredation problems in Kansas.

Recommendation

Amend K.A.R. 115-16-3 as to disallow the take of rusty blackbird and the Mexican crow based on this regulation, identify other species (primarily nonnative as defined in the Migratory Bird Treaty Reform Act of 2004 and 50 CFR 10.13) allowed for take, and require the use of nontoxic shot when taking nuisance birds (except if using an air rifle, an air pistol, or a .22 caliber rimfire firearm).

Potential Changes in Deer Regulations for 2012.

Background

Major changes in the deer management system occurred in 2008 after a lengthy review period. Among the changes were additional days of hunting during the archery, muzzleloader and season for youth and people with disabilities. That review process also created new permit types, including an “Any-Season” deer permit for residents who hunted only white-tailed deer.

Public comments have been received, indicating that additional deer hunting opportunities are desired by deer hunters. Parents have advocated for changes that would allow their children to hunt deer during holidays when they are out of school or home from college. Military personnel have advocated for lengthening of various seasons to accommodate deploying and returning soldiers. State legislators have advocated for additional changes in deer management that would significantly expand in the antlerless-only season. Whereas the current dates for the white-tailed antlerless-only firearms season continue to draw criticism from people who are concerned that this season late in the year may result in the taking of a mature deer that has shed its antlers. Earlier seasons dates would be preferred by those people.

Nonresident deer hunters and land managers catering to nonresident hunters frequently voice concerns that the hunters are unwilling to purchase antlerless-only permits at a level high enough to control deer populations or obtain a sex ratio the managers desire.

An annual review of deer seasons and regulations are made at the KDWP Commission Meetings. Although those meetings are open to the public for comments, few people have attended those meeting in recent years.

Discussion

A table is included to show the history of deer hunting seasons in Kansas. Some potential changes in the deer hunting seasons that might be considered include:

1. Change current nine-day season for youth and people with disabilities to two four-day seasons with the first season starting on the Friday before Labor Day and the second season starting on the Friday before Columbus Day. Each season would run for four days and include two weekend days and one holiday.
2. Change the dates of the traditional 12-day firearm deer hunting season from the Wednesday after Thanksgiving to the Wednesday before Thanksgiving (thus including two days of holiday and four weekend days).
3. Change the beginning date of the white-tailed deer antlerless-only season from January 1 to the Friday before Christmas and continue it for 17 days. That season would have no fewer than six weekend days and would include both Christmas and New Year’s holidays.
4. Initiate a two-day pre-rut white-tailed antlerless-only season for the last weekend in September.
5. Expand the season dates for bow hunting with the season beginning on the Tuesday after Labor Day and ending on January 31. During the archery season, hunters would be

prohibited from taking an antlered deer during any dates open for antlerless-only deer hunting with a firearm.

6. Expand the muzzleloader season to include the 14 days in September, the period prior to the last weekend in September, and seven days in December following the 12-day firearms season.

A table is included that shows the history of permit fees. Some potential changes in permit fees and permit types that might be considered include:

1. Develop a nonresident deer permit that includes two tags. One tag would allow the hunter to take a deer of either sex while the other tag would restrict the hunter to an antlerless white-tailed deer. The fee for this new permit would be less than the current fee for an either-sex permit plus the price of a white-tailed deer antlerless-only permit.
2. Develop a resident deer permit that includes two tags. One tag would allow the hunter to take a deer of either sex while the other tag would restrict the hunter to an antlerless white-tailed deer. The fee for this new permit would be the same as the current fee for an either sex deer permit and half the price of a current white-tailed deer antlerless-only permit for a general resident. This permit would only be available until the drawing ended for limited quota permits for resident deer hunters (mid July).

Recommendation

No recommendations for changes in the deer seasons or regulations are currently proposed. However, a course of action is proposed for the review process for the seasons and regulations in 2012. Input and comments on deer season dates and regulations will continue to be sought at KDWP Commission Meetings. In addition, a special section of the Deer Hunter Report Card will be devoted to questions on potential changes for deer seasons. That survey will be sent to approximately 35,000 deer hunters. Deer Nights / Information Meetings are proposed for Garden City, Beloit, Hutchinson, Lawrence and Fredonia during July, August and September. A Topic Blog on deer issues will be developed on the agency website as well an open public format site where people may express their views and opinions about deer management. A survey of landowners shall be conducted after July 2011 to determine their desires for changing the current deer seasons. It may also be necessary to survey turkey, waterfowl and upland game hunters about changes in deer seasons.

PROPOSED 2012 DEER SEASON

	S	M	T	W	T	F	S	
SEPT						31	1	Youth/Disabled
	2	3	4	5	6	7	8	
	9	10	11	12	13	14	15	
	16	17	18	19	20	21	22	Archery and MZ
	23	24	25	26	27	28	29	
	30							
OCT		1	2	3	4	5	6	Youth/Disabled
	7	8	9	10	11	12	13	
	14	15	16	17	18	19	20	
	21	22	23	24	25	26	27	
	28	29	30	31				
NOV					1	2	3	
	4	5	6	7	8	9	10	
	11	12	13	14	15	16	17	
	18	19	20	21	22	23	24	
	25	26	27	28	29	30		Firearms Season
DEC							1	
	2	3	4	5	6	7	8	Archery and MZ
	9	10	11	12	13	14	15	
	16	17	18	19	20	21	22	
	23	24	25	26	27	28	29	
	30	31						WT Antlerless-Only
JAN			1	2	3	4	5	
	6	7	8	9	10	11	12	
	13	14	15	16	17	18	19	
	20	21	22	23	24	25	26	
	27	28	29	30	31			

Year	Firearms		Archery		Game	Game	Hunt-	Special	Non-Resident					
	Either Sex		Either Sex		Tags	Tags	Own-	Tranferred	Application	Any	Antlerless	Game	Hunt-	
	Gen Res	LO/T	Gen Res	LO/T	Gen Res	LO/T	Land	Own-						Fee
1965	\$10	\$5	\$10	\$5										
1966	\$10	\$5	\$10	\$5										
1967	\$10	\$5	\$10	\$5										
1968	\$10	\$5	\$10	\$5										
1969	\$10	\$10	\$10	\$10										
1970	\$10	\$10	\$10	\$10										
1971	\$10	\$10	\$10	\$10										
1972	\$10	\$10	\$10	\$10										
1973	\$10	\$10	\$10	\$10										
1974	\$10	\$10	\$10	\$10										
1975	\$15	\$15	\$15	\$15										
1976	\$15	\$15	\$15	\$15										
1977	\$15	\$15	\$15	\$15										
1978	\$15	\$15	\$15	\$15										
1979	\$15	\$15	\$15	\$15										
1980	\$20	\$20	\$20	\$20										
1981	\$20	\$20	\$20	\$20										
1982	\$25	\$15	\$25	\$25										
1983	\$25	\$15	\$25	\$25										
1984	\$30	\$20	\$30	\$30										
1985	\$30	\$20	\$30	\$30										
1986	\$30	\$20	\$30	\$20										
1987	\$30	\$15	\$30	\$15	\$30	\$15								
1988	\$30	\$15	\$30	\$15										
1989	\$30	\$15	\$30	\$15	\$30	\$15								
1990	\$30	\$15	\$30	\$30	\$30	\$30	\$10							\$50
1991	\$30	\$15	\$30	\$15	\$10	\$10	\$10							\$50
1992	\$30	\$15	\$30	\$15	\$10	\$10	\$10							\$50
1993	\$30	\$15	\$30	\$15	\$10	\$10	\$10							\$50
1994	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50			\$50
1995	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50			\$50
1996	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50			\$50
1997	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50			\$50
1998	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50	NA		\$50
1999	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50	\$10		\$50
2000	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50	\$10		\$50
2001	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50	\$10		\$50
2002	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50	\$10		\$50

2003	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$5.00	\$200	\$50	\$10	\$50
2004	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$20.00	\$200	\$50	\$20	\$50
2005	\$30	\$15	\$30	\$15	\$10	\$10	\$10	\$30	\$20.00	\$300	\$50	\$20	\$50
2006	\$30	\$15	\$30	\$15	\$10	\$10	\$15	\$30	\$20.00	\$300	\$75	\$20	\$75
2007	\$30	\$15	\$30	\$15	\$10	\$10	\$15	\$30	\$20.00	\$300	\$75	\$20	\$75
2008	\$30	\$15	\$30	\$15	NA	NA	\$15	\$30	\$20.00	\$300	\$75	NA	\$75
2009	\$30	\$15	\$30	\$15	NA	NA	\$15	\$30	\$20.00	\$300	\$75	NA	\$75
2010	\$30	\$15	\$30	\$15	NA	NA	\$15	\$30	\$20.00	\$300	\$75	NA	\$75

Potential Regulation Changes to Address Aquatic Nuisance

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's 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. 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 uses of these resources, KDWP should address the spread of ANS by recreational boaters, commercial bait industry, and baitfish collection, transport, and use. Further, KDWP should work with partners to ensure responsible uses of Kansas' aquatic resources through vectors that are not under the purview of KDWP such as the aquaculture industry, pet trade, and other aquatic imports.

Discussion - 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. Regulations that may need modification include 115-17-1, 2, 3, 4, 5.

Recommendations:

Issue: Sale of non-native species

It is recommended that 115-17-2 provide a list of species legal for sale as live aquatic bait to limit the likelihood of the introduction of non-native aquatic species through the use of commercially acquired bait.

Proposed list:

Fish

black bullhead *Ameiurus melas*
bluegill *Lepomis macrochirus* and their hybrids
common carp (includes koi) *Cyprinus carpio*
fathead minnow (includes 'rosy reds') *Pimephales promelas*
golden shiner *Notemigonus crysoleucas*
goldfish (includes black saltys) *Carassius auratus*
green sunfish *Lepomis cyanellus*
yellow bullhead *Ameiurus natalis*

Crayfish

virile crayfish *Orconectes virilis*
calico crayfish *Orconectes immunes*
white river crayfish *Procambarus acutus*

Annelids

US native freshwater leeches (63 species)

NOTE: Current regulation of terrestrial baits would remain unchanged.

NOTE: The sale of frogs would no longer be allowed.

Issue: Sale of diseased bait

It is recommended that all live aquatic baits for commercial sale be certified pathogen free to prevent the introduction of dangerous diseases into the waters of Kansas.

Certified free of:

spring viremia of carp virus
infectious pancreatic necrosis virus
viral hemorrhagic septicemia virus
infectious hematopoietic necrosis virus

Issue: Unsecure bait shop/wholesaler/hauler water sources

It is recommended that all aspects of the commercial sale of baitfish utilize a secure (ANS free) water source such as well or treated water.

Issue: Incomplete application requirements

It is recommended that 115-17-3 require disclosure of personal identification information (social security number, date of birth and driver's license or federal identification number) from commercial bait dealers.

Discussion - Wild-caught bait

At the request of the Commission, staff will provide further discussion of the previously presented wild-caught bait recommendation. Discussion will include further examination of options to allow the movement of certain baitfish species. Staff will highlight education and outreach options to assist in regulation compliance and ANS prevention efforts.

Public Hearing

**All public hearing items were stamped and approved by
the Department of Administration on Apr 06 2011 or Apr 07 2011;
and by the Attorney General on Apr 7 2011.**

**Copies of stamped items available upon request
(copies are available at Commission meeting).**

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 - April 21, 2011

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

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

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife and Parks Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife and Parks Commission at 7:00 p.m., Thursday, June 23, 2011 at the Norton Community High School, 103 W. Woodsfield, Norton, Kansas, to consider the approval and adoption of proposed regulations 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., June 23 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 more business and the regulatory hearing. 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. June 24 at the location listed above.

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

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

All interested parties may submit written comments prior to the hearing 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 in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-1-1. This permanent regulation establishes definitions of certain terms used with department regulations. The proposed amendment would modify the definition of water set.

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

K.A.R. 115-5-1. This permanent regulation establishes legal equipment, taking methods, and general provisions for furbearers and coyotes. The proposed amendments would allow the use of .17 caliber firearms, allow KDWP numbers to be used for identification purposes on traps, clarify terminology related to traps and restrict certain traps to water sets.

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

K.A.R. 115-5-2. This permanent regulation establishes general requirements for possession and disposal of furbearers and coyotes. The proposed amendments would require tagging of otter pelts and surrender of otter carcasses to the department.

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

K.A.R. 115-25-11. This exempt regulation establishes the open season and bag limits for various furbearers. The proposed version would open a limited otter season.

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

K.A.R. 115-25-9a. This exempt regulation establishes additional considerations for the open season, bag limit and permits for deer. The proposed version of the regulation sets the deer seasons on Fort Riley only in order to better accommodate the changing training mission at Fort Riley.

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

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

Kelly Johnston, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

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

April 7, 2011

Chris Tymeson
Legal Counsel
Kansas Department of Wildlife and Parks

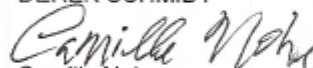
Re: K.A.R. 115-1-1, 115-5-1, 115-5-2, 115-25-11 and 115-25-9a

Dear Mr. Tymeson:

We have reviewed the above-referenced regulations for legality, and finding no issues of concern, have approved them.

Very truly yours,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT


Camille Nohe
Assistant Attorney General

CN:cn

Enclosure: Original document

Cc: Representative Carl Holmes, Chair, Joint committee on Rules and Regulations
Senator Vick Schmidt, Vice Chair, Joint Committee on Rules and Regulations
Representative Janice Pauls, Ranking Minority Member, Joint Committee on
Rules and Regulations
Raney Gilliland, Legislative Research
Ken Wilke, Revisor of Statutes

Regulations/KDWP/various(April 2011)

STATE OF KANSAS

ALAN D. CONROY
Director
RANEY L. GILLILAND
Assistant Director for Research
J.G. SCOTT
Chief Fiscal Analyst



STAFF
LEGISLATIVE COORDINATING COUNCIL
INTERIM COMMITTEES
STANDING COMMITTEES
LEGISLATIVE INQUIRIES

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

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

June 6, 2011

Mr. Robin Jennison, Secretary
Kansas Department of Wildlife and Parks
1020 S Kansas Avenue
Building Mail

Dear Secretary Jennison:

At its meeting on June 1, 2011, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning definitions; furbearers and coyotes, legal equipment, taking methods, and general provisions; furbearers and coyotes, possession, disposal, and general provisions; deer, open season, bag limit, and permits, additional considerations, Fort Riley (exempt); and furbearers, open seasons and bag limits (exempt). After discussion, the Committee had no comment.

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

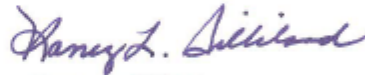
Please make this letter a part of the public record on these regulations. The Committee will review the regulations which the agency ultimately adopts, and reserves any expression of legislative concern to that review.

To assist in that final review:

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

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

Sincerely,



Raney L. Gilliland
Assistant Director for Research

RLG/db

RECEIVED
FEB 2 1974
WFOA

Recommendations For 2011 Early Migratory Bird Seasons

EARLY TEAL SEASON:

Framework - Hunting season between September 1 and September 30, 2011, not exceeding: 1) 16 days if the blue-winged teal breeding population is above 4.7 million, or 2) nine days if the breeding population is between 3.3 - 4.6 million, with a daily bag and possession limit of 4 and 8 teal, respectively. Last year's (2010) blue-winged teal breeding population was 6.3 million. The 2011 blue-winged teal breeding population total will not be known until June.

It is possible that only eight days will be available for the September teal season in the High Plains. This potential restriction on the High Plains teal season is due to the 107-day annual limit (by treaty) on hunting of any one species. A regular High Plains duck season of 97 days allowed under the regular season liberal package, plus 2 days of youth hunting leaves only 8 days to reach the 107 day total.

Recommendation:

High Plains Zone - A bag and possession limit of 4 and 8, respectively, with the following season date possibilities:

A nine-day season running September 17 through September 25, 2011,

or, a 16-day season running September 10 through September 25, 2011,

or, an eight-day season running September 17 through September 24, 2011.

Low Plains Zones - A bag and possession limit of 4 and 8, respectively, with the following season date possibilities:

A nine-day season running September 17 through September 25, 2011,

or, a 16-day season running September 10 through September 25, 2011.

SHOOTING HOURS FOR ALL EARLY SEASONS:

Framework-Shooting hours frameworks are expected to be ½ hour before sunrise to sunset for all seasons.

Recommendation-Adopt maximum shooting hours allowed in the frameworks, probably ½ hour before sunrise to sunset.

Duck Zone Regulations 2011 Through 2015

Introduction and Background

The U.S. Fish and Wildlife Service (Service) considers requests, at five-year intervals, from states wanting to change the duck season “**Option**” they utilize. This “open window” period will occur this spring, 2011.

The **Basic Option** is a statewide season with one split (two segments) with no zones and may be selected by a state at any time during the five-year period.

Alternative Options, which must be selected during the open window period, include:

- 1) No more than three zones with no splits (continuous season in each zone).
- 2) A statewide season with two splits (three segments)
- 3) Two zones, plus the High Plains area of Kansas, with the option for one split (two segments) in each zone (current option).

And potentially for 2011, the following two options may be available:

- 4) three zones, plus the High Plains area of Kansas, with the option for one split (two segments) in each zone
- 5) four zones, plus the High Plains area of Kansas, with no splits

Although the zone boundaries are permanent for five years, the season dates and bag limits may be adjusted annually.

Discussion

Although zoning creates boundaries that can confuse some hunters, the result of zoning for duck hunting should be greater hunter opportunity and harvest. Zoning enhances the state’s ability to match season dates with available habitat types, migration chronology, and season preferences of duck hunters in specific areas.

The Service has requested that the regulatory option be selected by the states and submitted to the Service this spring. Season dates for the zones may be selected at the traditional Commission meeting in August, 2011.

Zoning benefits a large number of Kansas duck hunters, particularly those who prefer to hunt the major marshes during the early season in central and north-central Kansas, and those individuals in southeast Kansas who seldom benefit from October seasons. Zoning will effectively increase season length for hunters willing to travel. The benefits of zoning will increase under restrictive season-length frameworks, as were in place from 1988 through 1992 (39-day total season length).

Comments from field personnel regarding their recommendations, based on feedback from

hunters, for any changes in the zone boundaries are currently being solicited. We are also conducting a hunter opinion survey.

If the proposed changes are not adopted, the zones will continue as they have been for the 2006-2010 waterfowl seasons.

Proposed Action

The proposed boundary changes are as follows:

High Plains Unit- That part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-283 to its junction with interstate highway I-70, then east on interstate highway I-70 to its junction with state highway K-147, then south on state highway K-147 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-283. (Figure 1).

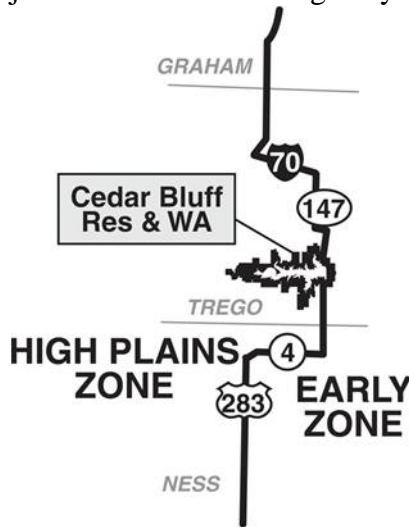


Figure 1. Proposed change to the High Plains Unit Boundary for the 2011-2015 duck seasons.

Early Zone - That part of Kansas bounded by a line from the Nebraska-Kansas state line south on state highway K-28 to its junction with federal highway US-36, then east on federal highway US-36 to its junction with state highway K-199, then south on state highway K-199 to its junction with Republic County road 563, then south on Republic County road 563 to its junction with state highway K-148, then east on state highway K-148 to its junction with Republic County road 138, then south on Republic County road 138 to its junction with Cloud County road 765, then south on Cloud County road 765 to its junction with state highway K-9, then west on state highway K-9 to its junction with federal highway US-24, then west on federal highway US-24 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-36, then west on federal highway US-36 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-24, then west on federal highway US-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on

highway US-24, then west on federal highway US-24 to its junction with state highway K-18, then southeast on state highway K-18 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-4, then east on state highway K-4 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with state highway K-61, then southwest on state highway K-61 to 14th Avenue, then south on 14th Avenue to its junction with Arapaho Road, then west on Arapaho Road to its junction with state highway K-61, then southwest on state highway K-61 to its junction with state highway K-96, then northwest on state highway K-96 to its junction with federal highway US-56, then southwest on federal highway US-56 to its junction with state highway K-19, then east on state highway K-19 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-56, then southwest on federal highway US-56 to its junction with Ford County road 126, then south on Ford County road 126 to its junction with federal highway US-400, then northwest on federal highway US-400 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with [federal highway US-77, then north on federal highway US-77 to its junction with Butler County, NE 150th Street, then east on Butler County, NE 150th Street to its junction with US-35, then northeast on US-35 to its junction with state highway K-68, then east on state highway K-68 to the Kansas-Missouri state line, then north along the Kansas-Missouri state line to its junction with the Nebraska state line, then west along the Kansas-Nebraska state line to its junction with state highway K-28.] the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with state highway K-28.

Southeast Zone-That part of Kansas bounded by a line from the Missouri-Kansas state line west on state highway K-68 to its junction with US – 35, then southwest on US- 35 to its junction with Butler County, NE 150th Street, then west on NE 150th Street until its junction with state highway K-77, then south on state highway K-77 to the Oklahoma-Kansas state line, then east along the Kansas-Oklahoma state line to its junction with the Missouri state line, then north along the Kansas-Missouri state line to its junction with state highway K-68 (Figure 3).

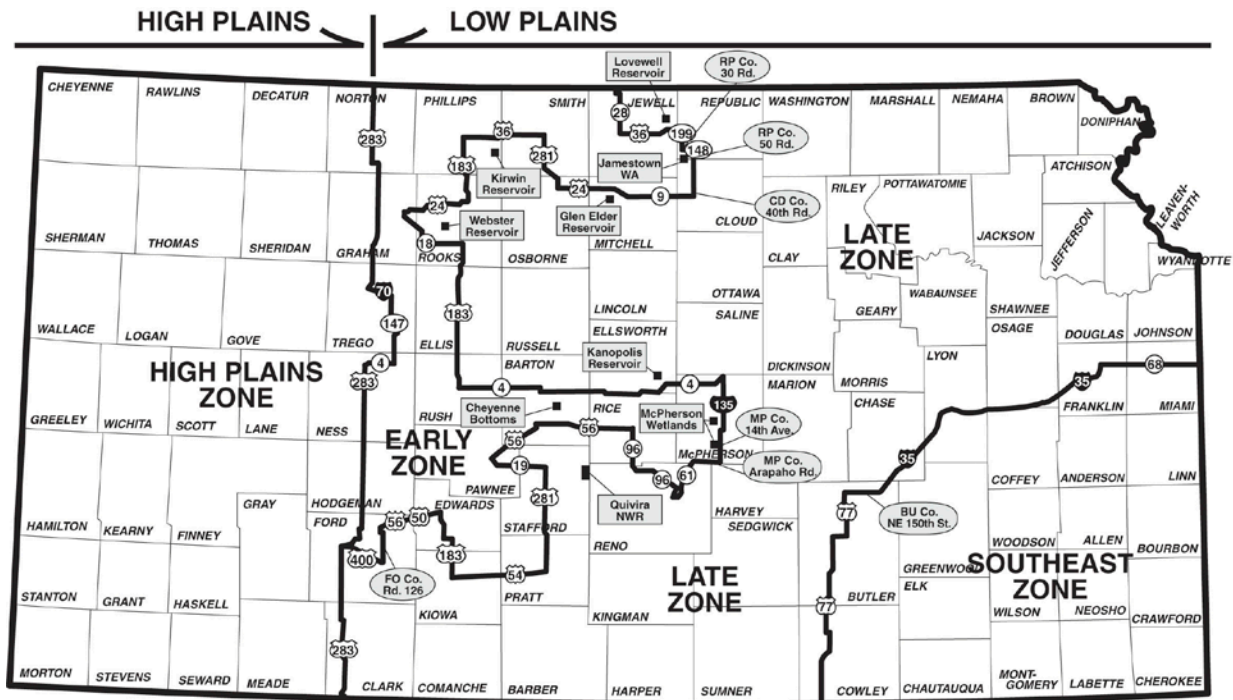
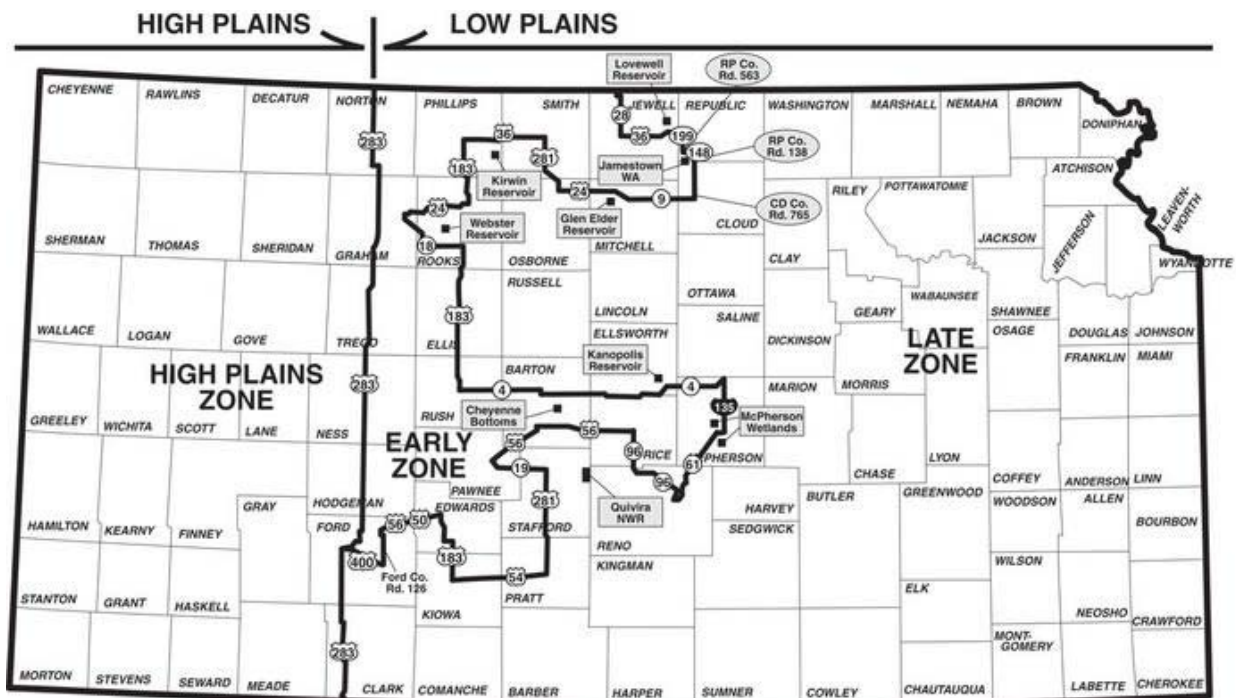


Figure 3. Proposed change to define a Southeast zone.

The current boundaries:



115-1-1. Definitions. (a) Except as specified in subsection (b), the following definitions shall apply to all of department's regulations.

(1) "Arrow" means a missile shot from a bow or a crossbow.

(2) "Bag limit" means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

(3) "Bait fish" means a member of the minnow or carp family (*Cyprinidae*), sucker family (*Catostomidae*), top minnows or killifish family (*Cyprinodontidae*), shad family (*Clupeidae*), and sunfish family (*Centrarchidae*), but excluding black basses and crappie. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

(4) "Bird dog" means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

(5) "Bow" means a handheld device with a cord that connects both of its two ends and that is designed to propel an arrow. This term shall include long, recurve, and compound bows.

(6) "Bridle path" means an established, maintained, and marked pathway for the riding of animals.

(7) "Camping" means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(8) "Camping unit" means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

(9) "Cast net" means a circular or conical weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

(10) "Creel limit" means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

(11) “Crossbow” means a transverse-mounted bow with a cord that connects the two ends and that is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

(12) “Culling” means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

(13) “Department lands and waters” means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the jurisdiction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

(14) “Depth finder” means an electronic device used to locate fish or determine underwater structures.

(15) “Dip net” means a handheld net that has rigid support about the mouth and is used to land fish.

(16) “Draft livestock” means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

(17) “Drag event” means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

(18) “Dryland set” means any trapping device that is placed or set on land or is not in contact with water.

(19) “Eyass” means a young of the year raptor not yet capable of flight.

(20) “Falconer” means the holder of a falconry permit.

(21) “Falconry” means the taking of wildlife with a trained raptor.

(22) “Field trial event for dogs” means a competitive event involving at least six dogs that are judged on hunting or running ability.

(23) “Firearm” means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.

(24) “Fire ring” means an open-topped, man-made, fire-retaining device.

(25) “Fireplace” means an enclosed, man-made, fire-retaining device.

(26) “Fishing line” means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

(27) “Fish trap” means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

(28) “Fully automatic firearm” means a firearm capable of firing more than one round with a single trigger pull.

(29) “Gaff” means a hook attached to a rigid pole.

(30) “Gig” means a hand-operated spear with one or more prongs with or without barbs.

(31) “Group camping area” means any area within a state park designated by posted notice for camping by organized groups.

(32) “Haggard” means an adult raptor in mature plumage.

(33) “Hook” means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

(34) “Imping” means the repair of damaged feathers.

(35) “Kill site” means the location of the wildlife carcass as positioned in the field immediately after being harvested.

(36) “Length limit” means the minimum length of a fish allowed in order to take it and not release it to the waters immediately. For the purpose of this paragraph, the length of the fish

shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.

(37) “Moorage site” means a location designated for the fastening or securing of a vessel.

(38) “Nonsport fish” means carp, drum, white amur, threadfin and gizzard shad, goldfish, gar, suckers including carpsuckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.

(39) “Orthopedic device” means a device that attaches to the body and is required to enable a handicapped person to walk.

(40) “Overflow camping area” means an area in a state park that is separate from the designated overnight camping area and that may be used for a maximum of 24 continuous hours of camping if no alternative camping facilities are available within reasonable driving distances.

(41) “Passage” means an immature raptor on first fall migration still in immature plumage.

(42) “Pen-raised wildlife” means any wildlife raised in captivity.

(43) “Pets” means domesticated wildlife, including dogs and cats.

(44) “Possession limit” means the maximum total number of a species that can be retained per person at any one time.

(45) “Prime camping site” means any site within a state park so designated by posted notice of the secretary and subject to an additional charge.

(46) “Raptors” means members of the order Falconiformes or Strigiformes and specifically falcons, hawks, and owls.

(47) “Raw pelt” means the undressed skin of an animal with its hair, wool, or fur in its natural state, without having undergone any chemical preservation converting the skin to a leather condition.

(48) “Recreational vehicle” means a vehicle or trailer unit that contains sleeping or housekeeping accommodations, or both.

(49) “Running” means the pursuing or chasing of furbearers or rabbits with hounds. This term shall not include the capturing, killing, injuring, or possessing of furbearers or rabbits, or having a firearm or other weapon in possession while running, except during established furbearer or rabbit hunting seasons.

(50) “Sanctioned or licensed coyote field trial” means a competitive event that involves only sight or trail hounds and that has been advertised in one of the national foxhound journals ~~no fewer than~~ at least 30 days before the event.

(51) “Sanctioned or licensed furbearer field trial” means a competitive event in which dogs pursue unrestrained furbearers and that is sanctioned or licensed by any of the national kennel or field dog organizations for the express purpose of improving the quality of the breed through the awarding of points or credits toward specific class championships or other national recognition.

(52) “Seine” means a net with a float line and lead line designed to be pulled through the water for the purpose of catching fish.

(53) “Set line” means a string or cord that is anchored at one point ~~that~~, does not have more than two hooks, and is not associated with a hand-operated mechanical reel.

(54) “Sight hound” means a dog used to pursue furbearers, rabbits, hares, or coyotes by sight.

(55) “Skin and scuba diving” means swimming or diving while equipped with a face mask or goggles, allowing underwater vision and possibly involving an underwater breathing apparatus.

(56) “Snagging” means the hooking of a fish in any part of its anatomy other than the inside of the mouth.

(57) “Speargun” means a device used to propel a spear through the water by mechanical means or compressed gas.

(58) “Sport fish” means northern pike, walleye, saugeye, sauger, yellow perch, striped bass, white bass, black bass including largemouth, spotted, and smallmouth bass, striped bass hybrid, trout, muskellunge, tiger muskie, channel catfish, blue catfish, flathead catfish, paddlefish, and panfish including bullhead, black and white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.

(59) “State fishing lake” means a department facility that contains the words “state fishing lake” in the name of the area.

(60) “Tip-up” means an ice fishing device designed to signal the strike of a fish.

(61) “Trail hound” means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.

(62) “Transfer;” means any of the following:

(A) To reassign one’s license, permit, or other issue of the department to another individual;

(B) to exchange any license, permit, or other issue of the department between individuals; or

(C) to carry another individual's license, permit, or other issue of the department when that individual is not present.

(63) “Trot line” means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.

(64) “Turkey” means wild turkey.

(65) “Unattended fishing line” means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.

(66) “Wake” means the waves thrown by a vessel moving on water.

(67) “Water race” means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.

(68) “Water set” means any trapping device that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.

(b) Exceptions to the definitions in this regulation shall include the following:

(1) The context requires a different definition.

(2) The defined term is specifically defined differently within the department’s other regulations. (Authorized by and implementing K.S.A. 32-807; effective Dec. 26, 1989; amended June 8, 1992; amended Sept. 19, 1997; amended Nov. 21, 2003; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-1-1. Definitions.

DESCRIPTION: This administrative regulation establishes definitions of certain terms used with department regulations. The proposed change deals with the definition of water set when used in furharvesting.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.

(a) Hunting equipment permitted during furbearer hunting seasons and during coyote hunting seasons shall consist of the following:

- (1) Firearms, except fully automatic firearms;
- (2) archery equipment;
- (3) crossbows; and
- (4) optical scopes or sights that project no visible light toward the target and do not

electronically amplify visible or infrared light.

(b) Trapping equipment permitted during furbearer and coyote trapping seasons shall consist of the following:

- (1) Smooth-jawed foothold traps;
- (2) body-gripping traps;
- (3) box traps;
- (4) cage traps;
- (5) colony traps;
- (6) snares; and
- (7) deadfalls.

(c) The following general provisions shall apply to the taking of furbearers and coyotes:

(1) Calls may be used in the taking of furbearers and coyotes.

(2) Handheld, battery-powered flashlights, hat lamps, and handheld lanterns may be used while trapping furbearers or coyotes or while running furbearers.

(3) Any .22 or .17 caliber rimfire rifle or handgun may be used to take trapped furbearers or trapped coyotes when using a light to check traps.

(4) Any .22 or .17 caliber rimfire rifle or handgun may be used while using a handheld,

battery- powered flashlight, hat lamp, or handheld lantern to take furbearers treed with the aid of dogs.

(5) Lures, baits, and decoys may be used in the taking of furbearers and coyotes.

(6) The use of horses and mules shall be permitted while hunting, trapping, or running furbearers and coyotes.

(7) The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes.

(8) The use of radios in land or water vehicles shall be permitted for the taking of coyotes.

(9) The use of dogs for hunting and during running seasons shall be permitted.

(10) Each conibear-type, body-gripping trap with a jawsread of eight inches or greater shall be used only in a water set.

(11) Only landowners or tenants of land immediately adjacent to the right-of-way of a public road, or their immediate family members or authorized agents, may set slide-locking wire or snare-type cable traps as dryland sets within five feet of a fence bordering a public road or within 50 feet of the outside edge of the surface of a public road. Only these landowners or tenants, or their immediate family members or authorized agents, may possess the fur, pelt, skin, or carcass of any furbearer or coyote removed from these devices located within these specified limits.

(12) A person shall not have in possession any equipment specified in subsection (a) while pursuing or chasing furbearers with hounds during the running season.

(13) All trapping devices included in subsection (b) shall be tagged with either the user's name and address or the user's department-issued identification number and shall be tended and inspected at least once every calendar day.

(14) Each foothold trap that has an outside jawsread greater than seven inches shall be used only in a water set. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. ~~2008~~ 2010 Supp. 32-1002, and K.S.A. ~~2008~~ 2010 Supp. 32-1003; effective March 19, 1990; amended Nov. 15, 1993; amended July 19, 2002; amended Feb. 18, 2005; amended Sept. 4, 2009; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.

DESCRIPTION: This administrative regulation establishes legal equipment, taking methods, and general provisions for the taking of furbearers and coyotes. The proposed amendments would clarify terminology related to foothold traps, allow the use of .17 caliber firearms, allow traps to be tagged with the user's KDWP number, and restrict foothold traps larger than 7 inches in jawspread to water sets only.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

115-5-2. Furbearers and coyotes; possession, disposal, and general provisions. (a) Legally taken raw furs, pelts, skins, carcasses, or meat of furbearers may be possessed without limit in time.

(b) Live furbearers legally taken during a furbearer season may be possessed only through the last day of the season in which taken.

(c) Legally acquired skinned carcasses and meat of furbearers may be sold or given to and possessed by another, and legally acquired raw furs, pelts, and skins of furbearers may be given to and possessed by another, if a written notice that includes the seller's or donor's name, address, and furharvester license number accompanies the carcass, pelt, or meat. A bobcat, otter, or swift fox tag as described in subsection (f) shall meet the requirements of written notice.

(d) Legally taken raw furs, pelts, skins, or carcasses of coyotes or legally taken live coyotes may be possessed without limit in time.

(e) Any person in lawful possession of raw furbearer or coyote furs, pelts, skins, or carcasses may sell or ship or offer for sale or shipment the same to licensed fur dealers or any person legally authorized to purchase raw furbearer or coyote furs, pelts, skins, or carcasses.

(f) Any bobcat, otter, or swift fox pelt legally taken in Kansas may be sold to any fur dealer or shipped from the state for the purpose of selling if an export tag provided by the department has been affixed to the pelt.

(1) The pelt of any bobcat or swift fox taken in Kansas shall be presented to the department for tagging within seven days following closure of the bobcat or swift fox hunting and trapping season.

(2) The pelt and skinned carcass of any otter taken in Kansas shall be presented to the department for tagging within four days following the harvest of the otter. The skinned carcass of the otter shall be permanently surrendered to the department at the time of presentation.

(3) Each pelt presented for tagging shall be accompanied by the furharvester license number under which the pelt was taken.

(g) Properly licensed persons may legally salvage furbearers and coyotes found dead during the established open seasons for hunting or trapping of furbearers or coyotes. Salvaged furbearers and coyotes may be possessed or disposed of as authorized by this regulation.

(Authorized by K.S.A. 32-807 and K.S.A. 32-942; implementing K.S.A. 32-807, K.S.A. 32-942, and K.S.A. ~~2008~~ 2010 Supp. 32-1002; effective March 19, 1990; amended Oct. 17, 1994; amended Nov. 29, 1999; amended July 19, 2002; amended Sept. 4, 2009; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-5-2. Furbearers and coyotes; possession, disposal, and general provisions.

DESCRIPTION: This administrative regulation establishes general requirements for possession and disposal of furbearers and coyotes. The proposed amendments to the regulation would require tagging of otter pelts and the carcass of any otter to be tagged to also be presented and surrendered to the department at the time of tagging.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

115-25-11. Furbearers; open seasons and bag limits. (a) All hunting, trapping, and running seasons shall begin at 12:00 noon on the opening day and close at 12:00 midnight on the closing day.

(b) The open season for the taking of badger, bobcat, gray fox, red fox, swift fox, mink, muskrat, opossum, otter, raccoon, striped skunk, and weasel by hunting and trapping shall be from the first Wednesday after the second Saturday in November through February 15 of the following year. The bag limit for these species shall be unlimited.

(c) The open season for the taking of beaver by trapping shall be from the first Wednesday after the second Saturday in November through March 31 of the following year. The bag limit shall be unlimited.

(d) The open season for the taking of otter by trapping shall be from the first Wednesday after the second Saturday in November and either through March 31 of the following year or until the date on which the trapping mortality quota is met. The trapping mortality quota for the entire state shall be 100 otters. In addition, those otters lawfully harvested during the three-day period after the mortality quota is met shall be authorized for harvest. The season bag limit shall be two otters per trapper. Each individual trapping an otter shall contact designated department personnel within 24 hours.

(e) The open season for the running of bobcat, gray fox, red fox, opossum, and raccoon shall be from March 1 through November 1. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2010 Supp. 32-1002.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-25-11. Furbearers; open seasons and bag limits.

DESCRIPTION: This exempt regulation establishes open seasons and bag limits for the various species of furbearers. This version of the regulation differs from previous versions in that it opens an otter trapping season.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

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

(a) In addition to the archery seasons specified in K.A.R. 115-25-9, the open archery season for the taking of deer in the Fort Riley subunit shall be September 1, 2011 through September 18, 2011 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

(b) In addition to the season for designated persons specified in K.A.R. 115-25-9, in the Fort Riley subunit the season for designated persons shall be October 7, 2011 through October 10, 2011.

(c) In the Fort Riley subunit, the open firearm season for the taking of deer shall be November 25, 2011 through November 27, 2011 and December 15, 2011 through December 23, 2011.

(d) During the extended firearm season specified in K.A.R. 115-25-9, in the Fort Riley subunit, antlered deer may also be taken January 7, 2012 through January 8, 2012 by individuals who possess the required authorization issued by Fort Riley to hunt for antlered deer during the specified days.

(e) In addition to the archery season specified in K.A.R. 115-25-9, in the Fort Riley subunit, the open archery season for the taking of deer in the Fort Riley subunit shall be January 16, 2012 through January 31, 2012 by individuals who possess the required authorization issued by Fort Riley to hunt for deer during the specified days.

(f) This regulation shall be effective on and after July 1, 2011, and shall have no force and effect on and after March 1, 2012. (Authorized by K.S.A. 32-807 and K.S.A. 2010 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 2010 Supp. 32-937, and K.S.A. 2010 Supp. 32-1002.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This exempt regulation establishes additional considerations for the 2011-2012 firearm, muzzleloader and archery deer seasons. The main items in the regulation set the deer seasons on Fort Riley only in order to better accommodate the changing training mission at Fort Riley.

FEDERAL MANDATES: None

ECONOMIC IMPACT: No significant economic impact to the department, state agencies, small businesses or the public is anticipated.

ALTERNATIVES CONSIDERED: None.