

Potential Changes For Public Lands Regulations 2012

Background:

The Public Lands Section, in the Fisheries and Wildlife Division, manages more than 335,000 acres of land and water for public hunting and angling opportunities. Although this is a small percentage of the total land base in Kansas, these areas provide thousands of user days for hunting, angling, and other public use opportunities. Because of the high use and demand of this limited land base, it is important to manage the wildlife and their habitats on these properties, as well as manage the users in a way that provides fairness and opportunity for all.

The combination of a limited land base and high use can result in user conflicts and limit opportunities. Regulations have been established to manage public use, protect the resources, and KDPWT property and infrastructure. Regulations that primarily pertain to public lands fall under KAR 115-8 series.

Recent developments and issues on KDWP public lands have been identified that are not covered in these regulations. Public Lands staff have discussed these issues and thoroughly reviewed the public lands regulations in order to determine how to appropriately address them. Two items involving hunting equipment were identified as issues in regards to opportunity and fairness. These include the use of tree stands/portable ground blinds and waterfowl decoys. Baiting was identified as a potential biological issue that is currently not prohibited on public lands.

To determine how users perceived these issues, a survey of hunters was completed after the 2010-2011 fall hunting seasons.

Discussion:

Tree Stands/portable ground blinds - the use of tree stands and portable ground blinds are addressed in KAR 115-8-2. This regulation addresses the duration, time period and removal requirements, and makes it clear that a stand or ground blind doesn't provide exclusive use. Many areas have been inundated with tree stands placed by a few individuals and in some cases stands were never removed. The use of portable ground blinds on public lands has increased significantly. It can be difficult to determine if a ground blind is occupied or unattended without approaching it. Survey results indicated that the majority of respondents feel the number of tree stands should be limited and that some form of identification should be required.

The use of decoys, in particular, waterfowl decoys are not addressed in the public lands regulations series. Unattended waterfowl decoys have been identified as an issue; this gives the impression that the area is occupied. The practice of leaving unattended waterfowl decoys in the water has been increasing on some areas, thus creating exclusive use by those leaving them. Public lands survey respondents indicated they are opposed to unattended decoys.

The popularity of baiting or artificial feeding, primarily used to attract deer or turkeys to a particular area, has rapidly increased across the state. This practice is used primarily to increase

harvest success. At the time most public lands regulations were adopted, this practice was not as popular as it is today, therefore it is not addressed in public lands regulations. Baiting is controversial and the ethical, biological and ecological issues surrounding its use have been debated. It has long been considered that baiting increased the potential for disease transmission, and aggression, injury, and habitat damage have been observed at bait sites. Surveys indicate that most hunters support the prohibition of baiting on public lands.

Another issue under consideration that requires further discussion is the use of non-toxic shot for dove hunting on KDWPT public lands. Increased lead in the environment continues to be an issue for those concerned about wildlife and human health. Fifteen WA's (primarily waterfowl areas) are designated as "non-toxic" shot only for all shotgun hunting. There are a number of other wildlife areas that have implemented a successful intensive dove management program by utilizing sunflowers or other food sources. These fields offer hunters great dove shooting on a relatively small area over a short period of time. The amount of lead deposited on these small fields, over time could become an issue in terms of toxicity to wildlife and lead impacts to the environment. Potential changes under consideration include requiring non-toxic shot for dove hunting on all public lands or requiring non-toxic shot only on areas with intensively managed dove fields. Texas recently completed a multi-year study on dove hunting with non-toxic shot and the results, which will be used to help format some regulations, should be available soon. If recommendations are brought forward, we would suggest implementation for the 2013 hunting season.

Another item under review is commercial activity on public lands, in particular guiding/outfitting for hunting and fishing. KAR 115-8-19 addresses personal conduct on department lands and waters. All other commercial activities on public lands are prohibited, unless authorized. Under consideration is requiring a permit authorizing commercial guiding and outfitting on KDWPT public lands. This would allow us to monitor commercial guiding activity on public lands.

Recommendations:

Tree stands – limit the number of tree stands to two per person on any wildlife area. All tree stands must be marked with name and address of owner and KDWPT number when used on public lands. This would still not allow exclusive use, meaning that anyone may use an unoccupied treestand on public land.

Portable Ground Blinds – cannot be left unattended and shall be removed at the end of each day on public lands. Requiring some type of orange marking on the blind is also under consideration.

Waterfowl decoys – cannot be left unattended and shall be removed at the end of each day on public lands.

Baiting – no person may place, use or hunt over bait on public lands. The definition of “baiting” will be developed, but the primary intent is to prohibit the placement of grain, minerals, or other

attractants on the ground to attract wildlife to a particular area. The use of scents and lures for furharvesting will still be allowed.