

REVISED AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, March 22, 2012
Kansas Historical Society History Center
6425 SW 6th Ave, Topeka, Kansas

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE January 5, 2012 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. Fort Riley Presentation**
 - 2. Agency and State Fiscal Status (Robin Jennison)**
 - 3. 2012 Legislature (Chris Tymeson)**
 - B. General Discussion**
 - 1. Tourism Briefing (Linda Craghead)**
 - 2. Webless Migratory Birds (Tom Bidrowski)**
 - 3. Early Migratory Bird Seasons (Tom Bidrowski)**
 - 4. Commercial Mussel Harvest (Ed Miller)**
 - 5. Prairie Chicken Seasons (Jim Pitman)**
 - 6. Outdoor Recreation Management System (ORMS) Update (Linda Lanterman)**
 - 7. Otter Season Update (Matt Peek)**
 - C. Workshop Session**
 - 1. Falconry Regulations (Mike Mitchener)**
 - 2. Public Land Regulations (Brad Simpson)**
 - 3. KAR 115-25-7. Antelope; open season, bag limit and permits. (Matt Peek)**

4. **KAR 115-25-8. Elk; open season, bag limit and permits. (Matt Peek)**
5. **KAR 115-25-5. Turkey; fall season, bag limit and permits. (Jim Pitman)**
6. **KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations. (Lloyd Fox)**

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

1. **KAR 115-4-2. Big game and wild turkey; general provisions. (Lloyd Fox)**
2. **KAR 115-4-4. Big game; legal equipment and taking methods. (Lloyd Fox)**
3. **KAR 115-4-4a. Wild turkey; legal equipment and taking methods. (Lloyd Fox)**
4. **KAR 115-25-9. Deer; open season, bag limit and permits. (Lloyd Fox)**
5. **Secretary's Orders for Deer (Lloyd Fox)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on March 22, 2012, to reconvene March 23, 2012, 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, April 26, 2012 at the Great Plains Nature Center, Wichita, KS

**Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
January 5, 2012
Kansas Wesleyan University, Salina, KS**

Subject to
Commission
Approval

Commissioner Tom Dill – Comments from Dr. Fletcher Lampkin, KWU President.

Dr. Lampkin – Kansas Wesleyan University has been here for 125 years. It was founded by pioneers and members of the Methodist Church. We are pleased to be a part of Salina. It is a great college town with great facilities for our students. KWU contributes a lot also. Besides education opportunities, we provide continued education, a masters program, art, entertainment, and athletics to the people of Salina. The college contributes \$40 million each year to the community at no cost to taxpayers. We require one percent of higher education budget, but turn out 25 percent of bachelor's degrees, and 30 percent of master's degrees. I urge you all to support your local universities. We are pleased to be part of Salina and KWU is pleased to welcome you here today. It's good to see those who are committed to all outdoors. Three years ago this facility was opened and it provides classroom space, sports, and student facilities. I hope you enjoy your time in our conference space and enjoy your meeting. God bless you and what you are doing for our country.

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

The January 5, 2012 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at the Kansas Wesleyan University in Salina. Chairman Lauber and Commissioners Debra Bolton, Don Budd, Randy Doll, Tom Dill, Frank Meyer, and Robert Wilson and were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – From first agenda distributed, we have added item 5 under General Discussion, Wildlife Rehabilitation Update and renumbered rest of items. Moved item 6, 75th Anniversary of Wildlife and Sportfish Restoration to the evening session; also added item 7, Public Lands Regulations. These items were not on original agenda.

IV. APPROVAL OF THE December 6, 2011 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Tim Donges, Quality Deer Management, El Dorado (Handout – Exhibit C). I brought up the topic of illegal hunting and stiffer poaching penalties before to Chris Tymeson. It is not mandatory for restitution, but at discretion of judges and attorneys. Is there any way around that item? Tymeson – That is a legislative item to be discussed shortly in legislature. It was a stumbling block before from county attorneys. A bill wouldn't move unless mandatory restitution was removed four years ago. Donges – With the Iowa bill, it seems that we don't care about our does. It should be a \$1,000 minimum fine. Next item I want to address is trespassing fines. The first time with no weapons involved should be \$500. We do not have an armed trespass law? Tymeson – There is a criminal hunting statute. Donges – Is it higher on penalties? Tymeson – They are 32 series and 21 series statutes, penalties for criminal hunting are more substantial. Donges – We're proposing a \$1,000 fine for trespass with a weapon. If the person is intoxicated there is no additional fine for that? Tymeson – Correct. Donges – I propose doubling the fine for that and if they are a repeat offender. On road hunting, what does the shooting from a public highway include? Tymeson – It is a public way, you can't shoot off of it, unless you have permission from the landowner on either side. Donges – Maneuvering a loaded long gun in the vehicle is difficult, and an ethical hunter wouldn't even do this. The handout includes a gun case law from Minnesota (MN). NRA said it was one of best because of the clear language. North Dakota (ND) and South Dakota (SD) have similar laws to Kansas (KS). A study done over a 10-year period used Hunting Institute Clearing House, higher accident rate from MN who had 6%. Iowa's laws are real general and it is cheap, \$25 and \$50; MN has \$250 for uncased weapon and another \$250 for loaded. Do \$250 fine for uncased, \$1,000 for loaded, because if it is loaded they are road hunting. Road hunting is affecting our access and costing the state money. We realize leasing is a problem, but next is landowner access because of road hunting. From MN (read) “statistical data was ...” Loaded weapons are core problem. Give law enforcement (LE) officers another tool to pull vehicles over and stop them. If you have to exit the cab, then it is a good system, also look at boats, ATVs and airplanes; use trigger locks, by code, three digits or a key. What we teach in hunter education goes against what is legal. I want to bring up spotlighting. Is there something to do with Kansas constitution? Tymeson – Case from 1990s, spotlighting in general, permits recreation spotlighting as long as no firearm in possession. Donges – Can we get rid of recreational part of that? Tymeson – I don't believe so. Donges – LE is using up their time on nuisance calls. I would give landowners sense of security with their property. They look at hunters in a negative manner, and classify all of us in that category, which affects our chance to hunt. In Minnesota, on case law, when officers used gun case law, they found it stopped other crimes. They took to heart that it was an important tool in their state. Quality Deer Management received career achievement award from the wildlife society with is the first organization to receive that award. The 2011 Budweiser Conservationist of the Year award was awarded to our founder, Joe Hamilton. And the next thing, our CEO Brian Murphy is up for the most influential person in the outdoors by Outdoor Life. Commissioner Doll – What was the group four years ago that needed to be dealt with? Tymeson – It was the District and County Attorney Association; there was a bill proposed by Wildlife Federation with mandatory minimum penalties, those were sticking point to get it out of legislature. Commissioner Doll – If anything presented by us, does it go to that committee? Tymeson – If it was determined that the department wanted to push for legislation; to get bill introduced have to have a sponsor, draft bill

and have a hearing, lay off, then work bill and send out of committee – I'm sure this issue of mandatory minimum sentence will be a sticking point. Tymeson – Yes. Commissioner Budd – Us taking action as commission, do we still need legislation? Tymeson – Yes, we need legislation. Donges – Could department present it to the legislature? Sportsmen's view is that you are sitting on your hands and drawing a paycheck, they believe no one cares. Trying to make a difference and move forward. Chairman Lauber – Couldn't put all of Frank's and my paychecks together and buy a shotgun, we get about \$30 a meeting. You want to take away judge's discretion to go lightly or harder on first time offenders, that is sacred and it will be hard to do it. Don't know how to respond to all of your issues; understand logic, but go to Topeka and get elected officials support. I don't think we sit on our hands, but if we meddle in agriculture affairs too much we hear about it. Tymeson – Looked at items you sent me and boiled them down to five main parts and there is one I think we could get passed. Lot of legislation to be passed this year, so it will be hard to get anything passed. Donges – Want to get message across, like coyotes and headline issues I had on my property; had two does shot on my property, next day two guys were shooting towards my house, etc. What are our legal rights; can we tackle him or bring him down? Tymeson – Can't give you personal legal advice. Chairman Lauber – That sounds like a local sheriff issue. Commissioner Budd – Take a smaller bite of the issue. Most of these items have happened to most of us and if we can focus on one issue and help you accomplish that we will. Commissioner Doll – The department would have to take a position on mandatory fines. Tymeson – Don't think it is going to make a difference. The district attorney group is not going to be overcome. If it affects every citizen of state, then you will see the tide shift, on this issue I don't see it happening.

Phil Taunton, KVOE Radio and KS Wildlife Federation and other groups – Thank Tim for presenting this to you and you for listening. We want to get kids in the woods, but parents are worried about them getting shot; did survey on radio, 244 to 66 in favor of stiffening fines. Why are you opposed to stiffening fines and penalties, the least reason people would accept. Have talked to several legislators, willing to talk and district attorney group and Mike Beam of the Kansas Livestock Commission and they are willing to listen.

Charlie Stevens, Downs – Thanks for new Conservation Officer (Landon Cleveland) in my area. He has made a tremendous difference. As landowner, I have seen no road hunting.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Chris Tymeson – The secretary was unavailable today, the Governor's budget is coming out next Wednesday night and we should have budget by next Thursday. Tax collections are up so that will bode well for the state.

2. 2011 Legislative Update – Chris Tymeson, Chief Legal Counsel presented this update to the Commission. This is second year of two-year cycle and bills that didn't see action could see action this year, only a couple. SB 120 - vessel titling, not sure going to move, passed Senate into House and didn't get hearing. SB 123 passed last year; it allows us to set fees for cabins. SB 152 passed last year; allows concealed carry firearms to be carried during hunting and

suppressors to be used during hunting, proposal came to Commission on animal damage control, carry those firearms and some other entity got it through legislature. HB2013 was brought up last year regarding sale of firearms to or from residents of states contiguous to Kansas; laws passed in 1970, repealed in 1986 but this did not get repealed; now as citizen of Kansas you can purchase long gun if ok in their laws. HB2089 regarding retrieving dogs from posted lands without permission, referred to Committee and has not moved. HB2152 -- boating under influence, routed back to another committee, not going anywhere. HB2168 would have given free park entrance to veterans and has been tabled in Committee. HB2295, expect movement, relates to deer -- who qualifies for permits, adding 60 days at end of deer season and crossbows. Had hearing, went to subcommittee, waiting to see what we do this year. HB2398 amends definition of feral swine and increases penalty for importing. House Concurrent Resolution No. 5017 relates to boats and taxation, on agenda this year, would require amending the constitution to reclassify watercraft. If it passes out of houses, then it goes to voters in November, then goes back to legislature the following year and they can change the taxation rate. Passed in 2007 on cars, RVs and aircraft. If passed, it will provide relief to watercraft owners in the state. ERO 36, which created dept, also topic this year. A number of sweeping changes proposed, not by our department: 1) budget, 2) tax reform. Governor's budget proposal out Wednesday, 3) KPERS reform, committee met, could eat up entire legislative session alone, 4), 5), 6) and redistricting, going on with judicial reform process ongoing and reducing number of judges. All of that going on plus what we would like to see. It is going to be a big year. First item is recodification of agency, and adding tourism statutes, several hundred pages. We have reached the cap on boating registration, but for future planning we need to raise that cap. Tax credit, depending on Governor's proposal, if deer donated could get tax credit. Department is proposing discontinuing senior exemptions for hunting and fishing. On park side, we will propose to sell park passes when renewing vehicle plates, like in Michigan (MI), which could double income for park entrance fees. Also, do away with 65 and disabled reduced fees for parks, everybody would pay the same fee. We'll propose a change in alcohol laws. Currently 3.2 percent is all that you could have on KDWPT property. Chairman Lauber – Talked about one bill involving junk deer bills. Any other features besides that in crossbow injections that would affect deer hunters? Tymeson – Crossbows or extended mandatory seasons only ones that have steam. Commissioner Wilson – Missed what you said about exemption on hunting and fishing licenses? Tymeson – We want to remove the senior exemption. Commissioner Meyer – Had individual talking to us about crossbows; I would favor using crossbows for people 70 years old and up. Tymeson – That will be a topic for discussion with Lloyd this afternoon. Commissioner Budd – These items come from us as a Commission, KDWPT or legislative action? Tymeson – All internal, can come to department or commission and filter through and Secretary, who makes decision on what we are going to pursue. No hard and fast rule as to how legislation comes about, but Secretary has to give his blessing to it. Is there an item you are interested in? Commissioner Budd – No. Commissioner Doll – Why is legislature concerned with crossbows? Tymeson – There has been increasing pressure in legislature to allow them for 10 years, or so. If they don't get satisfaction from us or the Commission, a bill can be introduced by their legislator and it is building steam. Last year it was use of suppressors and concealed carry while hunting. A bill allowing both passed last year; legislative mandate takes away from department and Commission control. Chairman Lauber – Legislature can do what they want, and we are limited to what we can do. Tymeson – Constitution, legislation, statutes, Commission or department has to work within those statutes.

Doug Phelps – On senior exemptions, how much PR/DJ are we foregoing by allowing exemptions? Tymeson – We lose license revenue and PR/DJ money. Don't have number for you because we have only had electronic licenses for five years. Phelps – Last number I saw was about \$8. Tymeson – We would recoup about \$12 for federal aid now. Growing number of people are reaching 65. Chairman Lauber – Be prepared for emails. Commissioner Budd – Mandatory maximum or minimum age for type of weapon? Tymeson – Not that I know of. Mike Pearce – Will certain ages be grandfathered in? Tymeson – Current proposal is no grandfathering. Pearce – Asking of legislature this year? Tymeson – Yes, legislature is a lengthy process. We hope to implement the park pass by July 1; alcohol by January 1; boat tax go to vote in November to be in place January 1; discontinue of exemption I would guess January 1. Pearce – Provide more numbers of sportsmen who are exempt in the future? Tymeson – Yes. Commissioner Meyer – Go visit with your legislators and let them know how you feel about the bills. Commissioner Bolton – In last few years, someone will bring a point to us and rely on department to bring research to us, can't make decision on the spot in most cases. People didn't get answer right away, went to legislature, and that is what happened with suppressors. I would hope they would work with us before you take something to the legislature.

B. General Discussion

1. Commissioner Permit Update and Drawing – Mike Miller, magazine editor and information production section chief, presented this report to the Commission (Exhibits D, E). We will draw for permits when this is over, but give update first, and then Jared McJunkin, NWTF will give presentation. This is seventh year we have held drawing for Commission Big Game Permits since that first drawing in 2006 when one elk and six deer permits were issued to applying conservation organizations. There can be one elk, one antelope or up to seven deer permits issued with a limit of seven total permits. Once issued, the organizations can then sell or auction the permits off as fundraising efforts. After the permits are sold by the organization, 15 percent can be spent at the organization's discretion and 85 percent of the proceeds are sent to KDWP to be used on approved projects. After the projects are approved, the money is sent back to the organization. Qualified applicants include local chapters of nonprofit organizations based or operating in Kansas that actively promote wildlife conservation and the hunting and fishing heritage. An organization or chapter is eligible to receive a permit only once in a three-year period. In 2006, 59 organizations applied and the seven permits sold for \$49,000. In 2007, permits sold for \$26,973.56 with 119 applicants. In 2008, permits sold for \$24,200 and there were 113 applications. In 2009, permits sold for \$34,951 with 111 applicants. Since 2006, an average of 100 applications has been received each year. Last January, one elk and six deer permits were issued to two Kansas Alliance of Wetlands and Streams (KAWS) chapters, two Ducks Unlimited chapters, two National Wild Turkey Federation (NWTF) chapters, and one Safari Club International chapter. Those permits were sold for a total of \$41,700, bringing \$33,320 to KDWP for approved projects. For the 2012 permits, 98 eligible applications were received.

Jared McJunkin, conservation field supervisor NWTF – (PowerPoint – Exhibit F) – Thanks for letting me have this opportunity to tell you about turkey federation. Our mission is dedicated to hunting heritage. We actively manage and conserve upland habitats and promote hunting heritage. NWTF has 2,100 chapters and 235,000 members, with 33 chapters and 2,800 members

in Kansas. Programs we have been involved in include: Families Afield legislation, 4-H shooting sports and National Archery in the Schools, conserving more than 17 million acres of habitat. We are a grassroots organization and have banquets throughout the year. Have several staff: director of conservation operations, Brandon Houck, myself, and two regional directors. We have a strong partnership with this agency. Jim Pitman and Mike Mitchener sign off on what we spend in the state, since 1985, we've spent \$885,000 in state and have improved more than 6,600 acres. NWFT is a strong supporter of the walk-in program, and we have invested over \$38,000; \$64,000 on equipment purchases to do habitat; and \$183,000 in wild turkey research. There are 15 projects approved to fund this year that you were directly a partner with. We're budgeting \$21,000 to women's organizations and youth. We raised over \$50,000 on Commissioner permits, last year -- won two and spent money on three projects: Spring WIHA in north central Kansas \$5,500; \$2,500 on forest stand improvement at Leavenworth SFL/WA; and \$2,000 for grassland restoration work on Big Hill. Thank you, these permits help us leverage super fund dollars to go further. *Chapter president Todd Adolf presented check representative of those 15 projects for \$57,950 to Chairman Gerald Lauber.*

Drawing Winners (Exhibit G):

Commissioner Randy Doll – (1) – NWTF, Hays (elk)
Commissioner Don Budd – (2) – DU, Wichita (antelope – later exchanged for deer)
Commissioner Robert Wilson – (3) – RMEF, Wichita (deer)
Commissioner Frank Meyer – (4) – NRA, Pratt County (deer)
Commissioner Debra Bolton – (5) – DU, Topeka (deer)
Commissioner Tom Dill – (6) – NWTF, Iola (deer)
Chairman Gerald Lauber – (7) – NRA, McPherson County (deer)

2. Tourism Briefing – Linda Craghead, assistant secretary for Parks and Tourism, presented this update to the Commission (Exhibit H). I want to reiterate Flint Hills importance; and thank Sylvia Rice, Salina Chamber of Commerce. Sylvia Rice - I don't have a \$57,000 check for you, but I join Dr. Lampkin and welcome you to Salina. Thank you to Commissioner Dill and Sheila for bringing you here. Like the definition that says, we are all about the outdoors. I thank Linda for asking me to say hi. We're excited about strengthening of our department with Wildlife and Parks and we are excited about the outdoors, too. Welcome and thank you for coming. Also, expect to hear state-of-state next week and budget figures. Tourism folks in Topeka are first notch. When you talk about great outdoors, close to Flint Hills, expect it to be very important to us as well. Craghead – Governor has reiterated ability for Flint Hills to play vital roll on economic impact of state. Challenge, put on agency, step up with pride and excitement, but no additional funding came with it. Regardless, we have been able to accomplish, back in May, first economic summit in Flint Hills to draw folks together. We had a terrific turnout of stakeholder groups, was oil and water relationship, only came together on issues they disagreed about. Lot of things going on since then, and we needed to work on some issues together. Formed Flint Hills workgroup, which includes landowners, trails groups (Commissioner Meyer very much involved) and other stakeholders. Commission Doll is on a group as a landowner. There is only 3 percent of tall grass prairie remaining in the world, all in the Flint Hills of Kansas, our common ground. Have received a \$1.98 million grant to plan the effort to move forward, to get stakeholder involvement from beginning, more coming out in future. To get this grant we had to come up with \$500,000, and we came up with \$1 million, and

we are pleased with this. Flint Hills Regional Council out of Fort Riley was the recipient of the grant. Flint Hills and Kaw River are two key areas being focused on by the Department of Interior: river trail issue and rail to trail issue and the USFWS has this natural land mass. There is a need for a gateway for facility on I-70. Need people to stop along the way. With help of U.S. Department of Commerce, we're looking at visitor center on the corner of I-70 and Highway 177. The next challenge is to get it built. Grassroots efforts going on, outdoor recreation, feasibility study for private landowners to develop horse trails. Public access, nature trail is abandoned railbank. Potential for partners for Flint Hills lodge, Governor sees this as a true opportunity to attract people to the Flint Hills. Serecia Ispedeza is a real problem there. The second summit is scheduled for January 17 in Topeka, and we would love to see Commissioners attend if possible. Commissioner Meyer – Working on needed changes in Kansas law because it almost prohibits us from using rail trails.

3. Update on the delivery of the Voluntary Public Access / Habitat Improvement Program – Jake George, wildlife biologist, and Tom Lang, fisheries biologist, presented this report to the Commission (Exhibit I, PowerPoint - Exhibit J). The Kansas VPA-HIP grant was authorized as a portion of the 2008 Farm Bill legislation and is administered through the U.S. Department of Agriculture's Farm Service Agency (FSA)/Commodity Credit Corporation (CCC). The primary objective of the VPA-HIP is to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting or fishing, and to improve fish and wildlife habitat on private lands that allow public recreational access. Funding for the grant is 100 percent (no state matching funds), and it is set up in a block grant format. Funds for program years one and two (\$3 million) were received in August 2011 after the Programmatic Environmental Assessment (PEA) was approved. We will not be receiving funding for the third year of the approved grant application because the program was removed from the Farm Bill. (27 tribes and states received those funds). We received 25 percent of those funds. Currently, all funds must be disbursed by September 30, 2012 (means spent by then); however efforts are underway to extend the contractual obligation of funds through at least September 30, 2013, but plan to have them spent by 2012 date. Main issues are CRP tracts are 60 percent of 1.1 million acres enrolled in state. Priority is being given to continuous practices west of Hwy 281 and those east of that line will require approval from the regional supervisor, however the eastern part of the state will be paid the incentive rate. Continuous CRP: CP33 & CP38E: 1) Newly or recently (sign-up 40) enrolled CP33 or CP38E; 2) minimum of 15 percent and up to 50 percent of cropland acres seeded to native warm-season grasses and forbs (maximum percent determined by Conservation Practice); 3) willing to allow public hunting access on the property (including cropland, buffers, and surrounding property as deemed appropriate) for at least 10-years or equal to the length of the CCRP contract if it is longer; and 4) expiring whole-field CRP where buffers are maintained through CP33 or CP38E is not eligible for the \$100/acre sign-on incentive payment (SIP) from FSA, but is still eligible for the \$100/acre SIP from VPA. General (Whole-Field CRP): 1) Enrolled or re-enrolled during sign-up periods 39 or 41 (2010 or 2011); 2) CRP contract must include wildlife habitat enhancements (food plots, wildlife plantings, and wildlife seed mixes) to maximize wildlife benefits; and 3) willing to allow public hunting access on the property for 10-years and maintain the conservation cover on the property for the duration of the access agreement (regardless of when the CRP contract expires). Fully funded habitat work on existing access properties: 1) must be willing to sign-up for at least a three-year hunting access

contract; and 2) projects exceeding \$3,000 will require an additional year of access (above and beyond three years) for every \$1,000 added to the project total cost. Hunting incentives and access payment rates by conservation program and dollars per enrolled acre: CCRP, \$100; and CRP (whole-field), \$20. VPA hunting access payment rates or dollars per acre) by access period, standard compensation and incentive compensation (average): November 1 – January 31, \$2.00/acre standard, and \$3.00/acre incentive; September 1 – January 31, \$2.50/acre standard, and \$3.75/acre incentive; and September 1 – May 31, \$4.00/acre standard and \$6.00/acre incentive. Received funds August 2011, spent time building program before that. Currently for access and habitat, we have \$530,000 committed. We have added 9,200 acres of access with 10-15 year contracts. For access we've spent \$450,000 in 18 counties. On habitat side, you have to be willing to enroll in access or already be enrolled in access through WIHA or new VPA. No cost share from the landowner is required for habitat work as long as we have the commitment to allow access.

Stream and Impoundment Access - Fishing and Paddle Sports

The Fishing Impoundments and Stream Habitats (F.I.S.H.) program has provided public fishing access to private waters for 13 years. We were maxed out in funding, lease rates were not competitive and we needed a shot in the arm; this program was just what we needed and Secretary Jennison offered other funding. One of the first things we needed to do was increase capacity of our program so we acquired new databases and added a paddle sports bonus to add participation. The influx of funding from the Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant has provided F.I.S.H. the opportunity to overcome its greatest issues in providing recreational fishing and boating access to private waters. This money has allowed the program to offer competitive lease rates that are designed to target specific areas of the state where additional recreational fishing and boating access will have the greatest impact on angling and boating participation. The retooled program also allowed us to: add paddle sports, add sign-on bonuses, and offer boating bonuses and bonuses for year-round access. We've developed a map that shows where the rates apply; increased rates are: \$75/acre, \$100/acre or \$125/acre depending on what county your pond is in. F.I.S.H. has delivered an aggressive outreach plan utilizing TV, video, online, and print media to reach potential program partners. Early results show that biologists have actively worked to deliver the program and have increased the amount of public access. Expansion has occurred via the leasing of new waters, expansion of existing contracts from standard open dates (March 1 to October 31) to year-round, expanding from shoreline fishing only to allowing boat fishing on existing waters, the addition of paddle sports to existing streams, signing up new stream segments, the addition of new access sites on big rivers, and adding waters in counties that did not have any public fishing opportunities. One success story: a landowner wanted to put in a boat ramp, but wanted a concrete ramp so he put it in himself and we pay him an additional \$25/acre. Commissioner Wilson – Do you have fishing access not on big water? Lang – Yes, 100 miles of stream. Commissioner Wilson – Where can I find those? Lang – In the Fishing Atlas.

Break

4. Status Report on ongoing 2011/12 Upland Bird Season – Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit K). The upland bird seasons appear to be shaping up pretty much the way they were projected by the department back in September.

The severe drought in south-central and southwestern Kansas greatly hampered production of all game bird species. As a result, reports from those regions of the state have generally been poor with a few localized exceptions. Hunter reports have generally been much better in other regions of the state where weather conditions were more conducive to production. Some good to very good reports have been received from pheasant and chicken hunters in northwestern Kansas. Many of the WIHA properties in northwest Kansas have received increased pressure from pheasant hunters this year because of such poor hunting conditions in other areas. Several people have also indicated finding more quail than past years, but that region of the state is at the fringe of the species range so quail densities are still fairly low. Field reports from north central and northeastern Kansas have generally been fair to poor for pheasants and chickens with a few localized exceptions where numbers are better. A substantial portion of those regions was affected by excessive rainfall and/or hail in early June, which led to poor production of those two species in the affected areas, but field reports from those regions indicate that quail numbers are probably improved over last year, which is likely due to the fact that they nest later in the summer and were less affected by those weather events. Hunter reports from the eastern part of the state are indicating improved chicken and quail numbers throughout the region, which is likely a result of favorable weather conditions last summer. Some of the field reports have indicated very good quail numbers in portions of the Flint Hills and Chautauqua Hills. At the end of the upland bird seasons, a portion of our hunters will be surveyed to assess their activity and harvest. Northeast Kansas pheasant and quail numbers will be down. When those data are analyzed, we will be able to more accurately compare this season to past years.

5. Wildlife Rehabilitation Briefing - Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibits L, M). This is an informational briefing on wildlife rehabilitation and position changes the department has taken. We haven't talked about this for several years. Prior to the current regulation, department requirements for wildlife rehabilitation were inadequate and led to numerous instances of poor effort and permittees who were poorly trained to accomplish effective wildlife rehabilitation. The current regulation covering wildlife rehabilitation was implemented on January 1, 2006 and established the following criteria for permitted wildlife rehabilitators: 1) must be 18 or older; 2) have one hundred hours of experience handling and caring for wildlife acquired over the course of one year; 3) must submit three letters of recommendation from wildlife professionals; 4) must complete one of the following: a) certificate of completion of an International Wildlife Rehabilitation Council course within past three years; b) certificate of completion of a National Wildlife Rehabilitators' Association course within past three years; or c) a test score of at least 80 percent on a KDWPT administered wildlife rehabilitation test; 5) complete eight hours of continuing education every three years; 6) facilities must be inspected annually by department official; 7) permits are renewed annually; and 8) records must be kept on each animal treated and disposition of animal and submit an annual report. In addition to the requirements for a permit, there are provisions that allow sub-permittees and volunteers to engage in wildlife rehabilitation efforts under the primary permittee. Volunteer and sub-permittees are subject to the same provisions for handling and caging as the permittee. The provisions for wildlife rehabilitation care and treatment include: 1) rehabilitation performed in consultation, as necessary, with a licensed veterinarian; 2) clean water must be available at all times; 3) cages must be cleaned and disinfected daily; 4) wildlife shall be kept in an environment that minimizes human contact and prevents imprinting and bonding to humans; 5) wildlife possessed under a rehabilitation permit shall not be allowed to come into contact with

any person other than those directly engaged in the rehabilitation effort; 6) wildlife shall be housed separately from domestic animals; 7) public viewing, display or exhibition of any kind is prohibited; and 8) wildlife must be released once it is determined it can survive in the wild. If it cannot survive in the wild it must be euthanized or transferred to an accredited zoological facility. The department currently permits 17 wildlife rehabilitators in the state who have 69 sub-permittees; with the majority covered under three permitted rehabilitators. Over the past few years, questions from the public, as well as a few complaints prompted Wildlife Section and Law Enforcement staff to conduct a review of how the current regulations were being implemented. Consensus was that current regulations are adequate to continue the implementation of the wildlife rehabilitation permit program; however, it was felt that change in department position was needed to more fully benefit the wildlife resource and protect both the wildlife rehabilitator and the department. In most cases, city ordinances preclude keeping wildlife inside designated city limits and particularly within primary residential areas, except where special provisions are written into the city ordinance that exempt facilities permitted by the department. As a result of our internal review, department staff concluded that exemption from city ordinance is not in the best interest of the department or the facility operator. Both parties are subject to complaints by neighbors, and the facility operator is subject to complaints dealing with visual, odor, and noise issues. An urban environment, we also felt, is not generally conducive to wildlife rehabilitation. An internal decision was made to no longer permit wildlife rehabilitators that have outdoor holding facilities located within city limits and primarily in residential areas. The department recognizes instances exist where initial care takes place by both permittees and sub-permittees inside of personal residences. This position is intended to initially address location of outdoor holding facilities and not the short-term instances of initial care inside of personal residences. Commissioner Meyer – Bombarded by emails, if industrial area inside city limits, like vet office, be permissible, but let it be up to city ordinances. Mitchener – That is exactly our position. Not in people's back yards. As long as they pass inspection that is exactly what we are looking at. This affected four out of the 17 individuals; and I personally spoke to each of them. Two indicated they would move their facility to continue rehabbing. Commissioner Wilson – Inside garage is acceptable, but outside pens is the issue. Mitchener – Sometimes the animal requires numerous feedings or care throughout the day, when animal gets hacked out to outside cage in preparation of turning it loose is where that is not an acceptable situation. Commissioner Wilson – When taking wounded animal to a vet, do they get a reduced fee? Mitchener – Individual rehabbers do what they can. The department doesn't provide any funding. They rely on donations. Commissioner Budd – If we have 17 rehabilitators and they have 69 sub-permittees, what are their qualifications? Mitchener – Working on getting their qualifications up. Commissioner Budd – Rephrase, what do I need to be a sub-permittee? Mitchener – Nothing, just volunteer. Commissioner Budd – If zoning regulation in the city, what do they need to do? Is that something we look at or not? Mitchener – No, some ordinances have exceptions if permitted by KDWPT, small cities may not address these issues. We are looking at situations that could be, not necessarily are, but could be, seen by neighbors as a nuisance. We need to make sure they are good neighbors and good part of community. Ron Klataske, Executive Director Audubon of Kansas – How do we apply #7, public viewing display is prohibited? In northeast they take birds to events; you are losing opportunity, animals can be valuable to education. For instance, snowy owls that are occurring within the state this year. Turns people's ideas when they see animals up close, should allow under certain kinds of permits. Should also revisit, totally precluding 90 percent if in cities and towns, not everybody

has a farm or ranch. Maybe this should be approval for location in town should be subject to protocols, like city commission has to approve; 100 yards from nearest neighbor or something like that. Commissioner Bolton – On #7, this permit is only to rehabilitate, it is zoos job to educate. Klataske – Wrong about that, zoos may not accept incomplete injured animals; once you slit the animals throat they no longer have education value. Don't believe rehabilitators are using animals to "feather their nest". Commissioner Bolton – It would muddy the water if in-home rehabbers display. Klataske – They could take to community groups. Not approve everybody, but come up with checklist for them to do it. Could be in Wichita and have 10 acres, but by having it hard and fast you are precluding 90 percent of individuals and outreach opportunities. Mitchener – Do have scientific and education permit to allow people to do exactly what Ron is talking about. Also, federal permits are required for birds as well.

Paula McKenna – In Salina, but way northern area. I don't think we are talking about teaching with animals that can be released but those that can't. I've been working in this area for 30 years. It falls on people who do this voluntarily to be the teaching too. That is how I learned, from friends who do these things. What you are supposed to do is deal with the cranks. If a million dollars landed in their laps they would complain about denomination of the bills, it is hard. Why are we talking about putting an extra burden on these individuals who are doing this voluntarily? If you take tools away, it is wrong. What is point in giving them more restrictions? City ordinances take care of these types of problems. Commissioner Meyer – There are rehabilitators and teachers and exhibitors. Rehabilitate it and if it can't be then give to exhibitors.

Mary Jo Stedley, Salina – Most of us live in residential areas. In exterior cages there could be more creative solutions used. Your regulations are adequate and clear, but to say, no longer allow cages in back yard, see that as a burden to people who are already giving of their time, efforts and money.

Christa Johnson, Salina – Rehabber here in Salina, my cages are in my yard, have privacy fence and cages are covered by tarp and I have only had one complaint. Have scientific and education permit also and have taken animals to schools, too. To have facility away from where you are is a problem. One rehabber had two great horned owls away from where he lived and someone let them go. Vets do not give us a break, but we do it because we love the animals. Agree with Audubon Society guy, why can't you grandfather us in because we have to rebuild cages, etc. (handouts – Exhibit N)

Denise Schmidt, Junction City – There should be no wildlife rescue in city limits; facility next to our property would hurt the value. My parents live next to one, odor is terrible. Animals need to be rescued, but not kept in residential areas.

Rachel Dix, Salina – Lived on same block as wildlife rescue center for several years. Also, agree with the fact that it hurts the value. Accept recommendation to not allow this in the city limits. I want the animals rescued. I didn't realize this was governed by you and just found out about this meeting today. Some people are pushing limits on what is going on in their homes. Have article that includes quote from one of the rehabilitators here about rehabbing animals in her home. Have seen the animals get out and go through my yard. There is a need for education, but it is separate. There needs to be some health and safety regulations imposed. You are not rehabbing when you are cuddling these animals. I have a question on sub-permits; do you inspect them? Mitchener – They are subject to same requirements as permittee. Monitored by permittee and they are liable for sub-committee. Dix – So basically they don't get checked? Mitchener – Permittee is responsible. Dix – Animals moved on edge of town to a mechanics shop, it is like a public zoo. No one in that area will be sad to see those animals go. What limits is somebody

going to push here? Commissioner Budd – We are not going to vote on this, it is going to be implemented? Tymeson – Yes. Johnson – Bobcat was not rehabbed there, but turned over to someone who could handle those. Chairman Lauber – I have had several emails, while I understand both sides of the argument. I will support the decision you have already made, creates conflict when we police subject to zoning and don't have the money to police this. Don't want to address it further and don't appreciate email harassment.

C. Workshop Session

1. KAR 115-25-5. Turkey; fall season, bag limit and permits. – Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit O). About 10,000 hunters purchased 12,000 permits. Fall turkey hunting has declined due to declines in turkey populations. Hunters are currently permitted to harvest one bird of either sex in Units 1, 2, and 3 and they can purchase three either-sex game tags valid only in Unit 2. Over the last 10 years, the wild turkey population has increased rapidly in the north central, northwest, and southwest regions. The department is recommending new fall hunting units. The new units will facilitate the implementation of an adaptive harvest strategy that will allow us to better use our data to guide harvest recommendations for both the spring and fall seasons. The harvest strategy was developed by the department turkey committee over a couple of years and mimics similar guidelines already in use in several states across the country. The strategy establishes standard criteria that would be used as a guide to help us determine when and how changes to bag limits should be recommended for each hunt unit. For the plan to be implemented, it is essential for static hunt units and corresponding management units to be established, which is the purpose of the recommended boundary change. The proposed hunt units would not result in any immediate changes to the current fall bag limits for any location in the state. If new units are adopted for the fall, the department would be recommending a change to corresponding spring hunt units at the next opportunity. Commissioner Doll – In southeast population trends are lower, but proposing higher numbers? Pitman – No, bag limits would be the same. Commissioner Doll – Where are you changing it then? Pitman – Central Kansas, from one to four. Matt Golvequest – There is talk of moving the line because populations have exploded? Pitman – If what we are proposing is approved, then bag limits would increase. Golvequest – Not 2 and 4, but good populations. Pitman – Hesitate to move boundary lines. The next step will be to go to over the counter permits.

2. KAR 115-25-7. Antelope; open season, bag limit and permits. – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit P). No changes are recommended for season structure, unit boundaries, bag limits, or permits. We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents.

3. KAR 115-25-8. Elk; open season, bag limit and permits Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit Q). Harvest is seven cows and four bulls and only one of 31 over the counter permits have been filled, to my knowledge. Sometimes Fort Riley does an aerial survey. At last meeting we covered season dates. Commissioner Budd – How big were the bulls? Peek – Mature bulls, 3½ to 4 years, one in 350 range, one 7x6.

4. Big Game 25 Series – Deer - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit R). I have KAR 115-25-9. Combination of factors in western units, 1, 2, 3, 4, 5, 6 and 7 in the east will allow harvest of white-tailed deer antlerless-only (WAO). Same general time periods in length since 2008 and are listed in your briefing book and handouts. Consideration is being made to allow hunters to purchase five white-tailed deer antlerless-only permits. Last year, the first permit was valid statewide including on lands managed by the department. The second WAO permit was valid in all units except 17 and 18 and was also valid at Cedar Bluff wildlife area (WA). Consideration is being given to increasing the wildlife management units where more than one WAO could be used. Also allow up to five permits on (listed WAs). Sounds like a large increase, but relatively small. This is an experiment at this time. The last three WAO permits were valid on a restricted list of units, (7, 8, 12, 13, 15, 16, and 19).

Mike Pearce – Repeat five permits again. Fox – I will provide you a map. Hunters may purchase up to five in some units, two in others. It sounds like a large increase, but reality is that it is not a big increase. Commissioner Budd – Is the goal to harvest more antlerless deer? Fox – Yes, and we have decided this is the time to make that move due to a whole host of factors.

5. Big Game Permanent Regulations – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibits S, T) – If the Commission makes no recommendations, these regulations will come forward as they are now. We have moved ahead in order for you to vote at the March meeting. I am only going to cover two regulations we will bring back in March, the other three will have no change. Items requiring discussion are: KAR 115-4-2 - Big game; general provisions (information on carcass tag, photo-check system, procedures for transferring meat, depredation, who may assist and how); to encourage hunters to process game in the field to minimize waste coming into town and minimize disease coming in. Have problems with people not having proper equipment, or don't have service to do proper registration. Coming out of turkey group, want to just take breast of turkey or meat they are planning to use and beard. What we have is three options: 1) continue transporting whole animal, with head or beard (if turkey) attached; 2) register by photo registration; or 3) take pictures and provide with registration. There is a couple of other sections that are a holdover from the 1960s and 1970s, where the carcass tag had to be attached to the permit and we want to change that. Also, internet sale of permits, the regulation says "no individual shall copy..." adding herding and driving and where people can assist in calling. Feel this will go fairly smoothly. Chairman Lauber – Staff is going to prepare draft of regulation for our review? Fox – Final regulation is drafted and being reviewed. On KAR 115-4-4 and 4-4a- Big game; legal equipment and taking methods. Historically, this is one of the most controversial regulations. This year the items we are looking at the use of crossbows and remove section (e). This is a recent subject and has to do with eliminating that language, having in possession most restrictive allowable equipment and would change what they could possess and carry. It would impact how we interact and our law enforcement entities. Would appreciate assistance of Kevin Jones on how this could influence his personnel as well. Kevin Jones – As Lloyd outlined, this segment is important and it does limit the type of weapon they are carrying. In other words, during archery season, you could only carry archery equipment. The removal of sub-section (e), would allow an individual to go into field with bow, but also be in possession of crossbow, rifle, etc., whatever is legal to take any other game during that season. We do hear gunshots during archery season, which could be legal

or not, like harvest a turkey with gun while archery hunting for deer. Not concerned with law abiding citizens, others could have substantial impact. It does restrict the weapon right now. Chairman Lauber – I understand the problem. I don't know how much illegal harvest would happen. Are there statutory movements afoot to change this? Tymeson – I did have a legislator contact me that he was going to introduce this issue. Chairman Lauber – We have hesitated before and it was done around us through the legislature. I would rather have it worded the way we want it. Is there a reason we would want to do it other than preempt a statute? Tymeson – Other than walking around with the wrong permit in their pocket. That language does constitute a violation. Jones – Could change language to carcass tag rather than permit which may alleviate that issue. Chairman Lauber – Do you believe there will be more illegal harvest? Jones – Yes, I do. Commissioner Dill – If you have to separate the carcass tags, I have those in my billfold all at the same time, which could be a problem for me? Jones – There is the ability to examine, but couldn't be proof positive to prove if wound was caused by rifle or archery equipment in the field. Commissioner Meyer – We need to educate legislature as to why we don't want these passed. Chairman Lauber – Can't carry any other weapon unless you have a concealed carry permit? Jones – Correct. Commissioner Budd – I agree with Frank, if we are going to make bad policy to put a burden on law enforcement, we can educate them. Tymeson – That is the struggle that goes on because you are shifting power back to the legislature. Be prudent in face of what you think is going to happen. This is framed as a second amendment issue, not wildlife issue. I have no doubt if something was proposed on this issue; I won't be able to stop it. Chairman Lauber – I value what Kevin says, but I would make it more liberal, could be confusion and see some opportunity for people to hunt with a gun in an archery season. Would be easier not to separate game tags, but assume if they are going to harvest game with gun in archery season they are going to do it anyway. We don't have any friends in legislature as it is. Don't want to be viewed as contrary. I wish you would just have a strong staff decision. Commissioner Doll – How long has this language been in this regulation? Tymeson – At least 10-15 years. Commissioner Doll – What brought this about? Tymeson – Legislator opinion; do you want to see control in legislative issue, you can say no and we can fight it or do something. Commissioner Doll – Prudent not to change it. Chairman Lauber – On the captive wildlife safety act requirements, the next thing we knew we were being viewed as not responding and within 36 hours the legislature had their own version. Don't want to perceive this as being irrelevant. Starbucks had this problem about carrying a gun in their store. If this person wants to push this through, it will happen. Commissioner Doll – If we are the experts and staff do the right thing because it is the right thing, then if legislature wants to do something then it is on them. Let it stand. Chairman Lauber – Don't know if unity of thought among the department, desire to be LE compliant, or add more opportunity. Internally not sure if in total agreement. Commissioner Meyer – We make the regulation, the stupid decision depends on who makes it. Fox – Hit nail on head, this happened recently and there was major repercussion through the department and lack of unity. We have regulation that will allow you to take action and make statements and vote. I don't think the department is ready to support a specific recommendation. Hope we can get together before March meeting and come up with a solid recommendation. We are hanging you out there. Commissioner Budd – Commissioners and staff as a whole are outdoorsmen. When was the last time we walked out there with a gun, machete and hand grenade? Chris is going to be the fall guy. Making poor policy for the sake of making policy is a poor decision. Chairman Lauber – Would like to have staff come back with something. Ron Klatske – Have a couple of thoughts. Fact that one person can go to one legislator and turn

everything upside down is upsetting. Look to LE and make their jobs easy whenever possible. Protecting ethics and credibility is important. Does it enhance the sport of hunting? I don't think it does. Hate to see Chris' job be any more difficult.

Mike Pearce – For clarification, if you have a concealed carry permit you can carry it anyway?

Jones – Yes. Pearce – If hunting squirrels, is he breaking the law? If Tom is hunting big game and other permits are in his billfold is he breaking the law? Jones – Yes. Chairman Lauber – Need to clean it up.

Tim Donges – What was purpose of wanting the change? Tymeson – So they can carry gun for self-defense. Donges – What Michael brought up, can we take care of that? Chairman Lauber – If you have all of that in your pocket you are breaking the law? Tymeson – Yes. Donges – Can help with letter.

Natalie Donges, Quality Deer Management – Have responsibility to do what staff recommends. I assume it was just one legislator; you have all the others, make your recommendation. Chairman Lauber – If I have my permits in my pocket I am breaking the law? Tymeson – Yes. Pearce – Some real wild stuff proposed by the legislature, how many times has department said “if we give you this” they have backed off? Tymeson – It happens every year, in order to prevent something worse from happening. Not clear consensus, so I can't get something back to you, but move past and prepare for ramifications as a result.

Fox – In KAR 115-4-4 we would also cover crossbows, allow youth permits and people 55 and over, but also in that regulation we will bring back in March. Have discussed crossbows and they are balistically similar to compound bow. May have minor effect on participation. Progressive decline in number of individuals from age 50 on down, similar on archery and firearm equipment and won't change too much if we allow older hunters to use crossbows. Not significant impacts biologically. Commissioner Doll – Looking at age structure, how does that jive with surveys done, where 75 percent are opposed to any type of crossbow hunting? Fox – It speaks for itself, archers are not in favor of crossbows. Have not surveyed other individuals, but will be able to get information from other hunter groups from survey in February. Commissioner Doll – How many of 128 were archers? Fox – Most of them. Commissioner Budd – How many under 16 and over 55? Fox – I have numbers and can provide that to you. Commissioner Budd – Impact is minimal? Fox – Yes. Commissioner Dill – Talking 16 and under; most regulations talk about under 16, for clarification we need to look at that. There is a small plateau at 55, 56 and 57. Chairman Lauber – Will have crossbows more liberally than this, and this could prevent that; too big of industry to hold back. Chairman Lauber – We will move the rest of the items to 7:00 pm and kick this around some more.

VII. RECESS AT 5:45 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber – Had nice meal provided by Chamber of Commerce. This is a nice facility and we appreciate the hospitality.

Frank Berwell - Consider a lower creel limit for crappie on Glen Elder Lake. Enforcement infractions, 50 fish per angler. Chairman Lauber – Good point and worth looking into.

Doug Nemechek, Salina – When Mr. Nyhoff was up at Glen Elder, there was a petition being circulated on Walnut Creek youth area, we collected about 1,600 signatures. We wanted to change that youth area to another area and feel it didn't get much attention. Chairman Lauber – I will look into it to see what it is about.

XI. DEPARTMENT REPORT

C. Workshop Session (continued)

5. Big Game Permanent Regulations (continued) – Fox - Left off with 4-4, with crossbow, 125 pound draw, broadhead regulations are the same. Looked at it from equipment standpoint, and it is similar to a compound bow with some advantages. It could have effect on recruitment and retention and may have some impact on deer. Commissioner Meyer – I think it should be after age 70 instead of 55. Primitive weapon is English longbow. Commissioner Doll – Where did 55 age come from? Fox – Looked at what some other states had done. Most states opening up to archery hunters, some putting on age restrictions, 62, 65, etc. Looked at age structure of our hunters with archery permit and see a plateau at about 55, actually from 50 and over see less hunting. Commissioner Doll – How many pounds is that? Commissioner Wilson – 70 pounds. Fox – Crossbow locks at full draw and hunter can operate similar to gun, compound, recurve or longbow need to be pulled back and held. Recurve holds full weight, compound has cams and holds 65 percent (45 percent to 75 percent range) draw. Commissioner Doll – Age 55 is low end? Fox - Most states have either opened it up or not allowed it at all. Commissioner Budd – In the handout you passed out (Exhibit T), you based on your recommendation of 16 and 55, impacts less than 255 hunters. Fox – Of archery hunters, but it would also impact firearm hunters who may become archery hunters. Chairman Lauber – The concern is that it eases the chase for game. It is easier to become a horizontal archer than a vertical archer and perceived to have more range. Concern is less sporting, lot of debate if that is the case or not, but theme to opposition. In Cabela's archery catalog as many pages devoted to crossbows as others, which means serious industry interest? The amount of interest is why we are going forward with this. Commissioner Meyer – Can use crossbow in rifle season? Fox – Yes, can also use it if disabled. Commissioner Meyer – I like to protect the art of the old tradition. Doug Phelps, Manhattan – Declining participation with age, most reasonable people would agree that physical ability declines with age. Right now we have regulation that anyone can go to their doctor and get the disability permit that covers those older hunters. Modern bow season started in 1930s and granted early season because it was harder to take deer with that primitive weapon. The easier we make it; we are going down a road when you have a modified firearm. It's not easy to draw a bow undetected. Chairman Lauber – If you were to summarize your opposition to crossbows, what would be your reason? Phelps – No opposition to crossbows, but want to keep archery season traditional. I don't know how Cabela's became the arbiter of what is proper equipment. You can double the price of a bow just with the additional equipment. Chairman Lauber – Do you feel it would hurt the resource or deer herd? Phelps – May hurt the quality. We eliminated minimum draw weight eight years ago, or so. So we have accommodated these issues over the years and it seems like the more we give people the more they want. Want doesn't

translate the need.

Chairman Lauber – Show of hands who wants to speak on this issue, need to keep comments shorter. Pearce – You let one individual talk for 30 minutes, why would these people be any different? Chairman Lauber – No answer to that.

Matt Palmquist – At deer meetings, I attended in Scott City, on crossbow issue has deer committee been consulted on this? Fox – That is where we got into the problem so it could be voted on in March, next meeting of deer committee is in February; also hope to have survey back by then. Had to have something ready for the regulation without their input. Palmquist – On deer numbers, if look at opposed and strong opposed, said mostly bow hunters, how do you know it was mostly bow hunters? Fox – Based on people I know. Palmquist – Discounting what bowhunters want? Fox – No. Palmquist – As rifle hunter, can pick up crossbow, but don't have time to learn compound. It will reduce opportunity. Where there is access, we'll have more people in the woods at the same time. Commissioner Budd – Feel more people hunting during archery season? Palmquist – Yes, but have long standing agreements to hunt property because I am a bowhunter and that may impact that. Commissioner Budd – About 250 people, so masses won't be affected. Palmquist – What about next year, we will do away with age restriction?

Commissioner Budd – Do you feel you can shoot further with crossbow than compound? Palmquist – Shoot further, faster. There is motion involved with compound, stand ready with crossbow. Commissioner Budd – What do the rest of you want? Audience – Leave it as it is. Palmquist – People 55 and over, hard time believing it is only 250 people. Phelps – If 250 people is archery hunters who will move to crossbow what about the others? Chairman Lauber –

Reflecting on Mr. Pearce's response, should have tried to limit guy at beginning of meeting. Time when rehashing the same thing, but yes they should be allowed the same amount of time. Dave Easton, Pottawatomie County – Handicap takes care of crossbow issue, age limit is another step to putting crossbows out there for everyone. I shoot 65 pound longbow, several years ago drawlock was an issue, which is what a crossbow is. The difference is the drawlocks were cheap, these crossbows are four figures. It is not people saying they want to shoot these; it is people wanting to sell these. I have emailed Commissioners for years; I want to outlaw magnifying optics during archery season. Like to address this problem before it becomes an issue.

Steve Wood, Hays – Spoke to you in Hays, wanted to hunt with crossbow in archery season. There is controversy in every state. Hays Daily News had poll online on crossbows, 900 people had voted and 93.1 percent said yes. Commissioner Meyer – Were they aware crossbow was legal already? Wood – Don't know. Commissioner Meyer – Someone in your family sells crossbows? Wood – Yes, my son. There are 26 states with regulations; 18 states supporting crossbows with growing numbers. Think proposal in front of you is outstanding, would have rather saw open, but 55 and over is good. Contend lot of space in the woods and a lot of deer. Lot of people out there using recurve and longbow that still don't agree with compound. No other state has addressed youth and what a feather in Kansas' cap for doing such a thing.

Commissioner Doll – Saying 18 or 20 states allowing some form of crossbow, when that happens is there empirical evidence, half crossbow, want to see impact? Wood – Ohio started 30 years ago and have half of each and hunt together. Other states won't have a big impact. Hope to see some retention on the 55 and above. Chairman Lauber – Is Ohio a shotgun-only state? Wood – Yes. Commissioner Doll – Aware of other states? Fox – The easiest to understand is Tennessee. Commissioner Doll – Is it half and half. Fox – About 10-15 percent of archery hunters in first five years, jump in first year then drops back. Wood – Ohio is exception because they have been in it so long. Pearce – You said 26 states have better regulations than Kansas, you

translate the need.

mean more liberal? Wood – Yes. Commissioner Budd – Were you around when Kansas went from muzzleloaders to inline? Fox – In 1980s. We've never called it a primitive season but those using primitive muzzleloaders actually make up a small portion of muzzleloader hunters. Almost all of archers in Kansas use compound bows. Commissioner Budd – Same problem? Fox – If you try to define primitive, you'll have a hard time because there were civil war muzzleloaders with scopes.

Palmquist – More important sheet to look at is 6,000 hunters, a lot more than 200 people that could be going into the woods. Most will continue bowhunting so you could see a different view.

Commissioner Budd – Ask advocate bowhunter? Commissioner Dill – I have been bowhunting for 34 years. This is what you want to do versus what I want to do is a matter of choice. I think appropriate, for youth for recruitment; and over 55 for retention. Boils down to a matter of choice. Simplicity is pulling the trigger, but haven't eliminated sight, sound, etc. Look at technology changes in compound bows over the last year. We haven't limited individual's choice, but by putting in regulation that appears to recruit and retain, you are ahead. It hasn't limited anyone else's access, from my perspective this is the right choice.

Jerry Vierra, Topeka – Study done in Alabama, shows three times more success rate, 50 percent coming over will increase harvest and quality of our hunt. Commissioner Dill – Is it success rate? Ohio is only 33 to 34 percent, from what I have read there hasn't been that much difference. I have bowhunted with the same individual for 24 years and he and I don't agree on this issue.

Richard Showalter – I am 69 and shoot a recurve and age is not necessarily the end all and be all. It doesn't have to be that low, age 55.

Bob Griffin, Lebo – What are numbers of rifle hunters that will pick up crossbow and hunt during archery? Fox – Don't know. Griffin – Seen increase in number of bowhunters, probably tripled in the 20 years I have bowhunted. Now lump in crossbow hunters on top of the archery hunters. There is no reason why if a kid that practices or puts forth effort why they can't shoot a bow. Commissioner Budd – When you give us these recommendations, is your objective to increase or decrease the harvest each year? Fox – Depends, but objective is to maintain healthy deer populations in tolerance level of Kansas citizens. Commissioner Budd – Where are we right now? Fox – Pretty good right now. We had individuals in past upset with vehicle damage and crop damage and those that can't find deer where they used to be. When I look at our numbers, they are stable since about 1999, as far as populations and accidents; we're doing fine adjustments now instead of major adjustments. Commissioner Budd – When you submit these, encourage or discourage hunters? Fox – Always trying to encourage hunters. Try to get people to enjoy the opportunity out there. Commissioner Budd – If that is the objective I don't see the downside.

Hard to talk about archery and bowhunting without talking about romance and tradition. Have done a lot of reading and research. No problem with crossbows in gun season or for handicapped. Always have called them crossguns. Got into reviews, NRA gave reviews on crossbows, on 10 point, polymer stock and barrel groove, etc, not talking about bows, talking about strike zone made by Savage Arms. Tach 10 made by PFC, decided to do because states were starting to legalize, AR15, same trigger and mount limbs, just like shooting a rifle. Then I read about the quick draw and you don't have to cock it, has CO2 cartridge. Mount on crossbow, have full semi-automatic. Don't have problem with them in rifle season. Bought first bowhunter license in 1971. How many gun hunters are going to take up the crossbow, now hunt during the rut, easy way to do that? Talked to a guy in Safari Club, easier to get world records with

crossbows. Commissioner Doll – Going into this, have you run numbers to what really is the impact, will it increase number of people hunting in Kansas? Businesses project revenues and profits, you are a smart guy so I know you can do this? Fox – No I haven't. I can look at Tennessee and Ohio data, but don't have good feel on how to look at impact. I will see if I can find the data. Chairman Lauber – You think there would be a greater propensity to go to crossbows since Ohio is a shotgun-only state.

Kyle Adams, Wichita – Youth hunts, every year for last six years. Can't ever remember having any of them ask me about a crossbow. Where did request come from? And if we give kids chance to use crossbows then take it away when they reach 16, what is going to happen? Main goal seems to be with revenue.

Jerry Vierra – Increase opportunity, any season tag, can hunt crossbow in archery and with gun in rifle season.

Dave Easton – Old rock star named Ted Nugent, he has film of his son loading 10-22 ruger with arrows. Have to draw a line or there isn't anything left.

Ron Klataske – One thing that constantly concerns me is enforcement with poachers on night hunting. Poaching is a real problem.

Drew McCartney, Gorham – Talking statistics and throwing numbers out. President of physically challenged friends who shoot crossbows and have seen accurate range and he can shoot three out of five arrows into a paper plate day after day. Nothing wrong with rifle, but keep in that season.

Trying to get kids out there with bows constantly and hard to find places to hunt. Concerned with quality of our herd, not dramatic, but proven that more deer are killed with crossbow. Tymeson – Move forward or not? Commissioner Bolton – When we talk about quality of deer herd that is left because more people talking about bucks; trophy bucks? Unknown - Most of good bucks running during rut. Commissioner Bolton – Talking trophy bucks to get quality deer.

Tymeson – Consensus to move forward or not? Have next two months to look at the information. Commissioner Meyer – Would like to mull this over and change my mind and do something different and continue considering this.

Janet Post – Bowhunter in whole house of rifle hunters. Goal is to bring people to the state, kill more trophy deer during rut, tourist dollars and tag dollars will suffer. Protecting our herd is important.

Chairman Lauber – Propose that we go forward with what Lloyd has presented. I can't have too much information and I respect all of the opinions I have heard tonight. Expect could happen in legislature anyway, not supposed to care about that but I do. Pull idea and make no change or go forward, nobody is committed to a vote. Don't have to vote until March. Commissioner Budd – In March, vote up or down what is in front of it? Tymeson – Yes, move forward, doesn't mean you are going to vote yes or no. Commissioner Doll – Get view of each commissioner?

Commissioner Budd – I shoot competitive trap and clay targets across the world, have same issues. You are going to win in the end, too many other factors involved. If you have legitimate compromise and want input, my suggestion is you do that. Equipment is not going to make the harvest better. Chairman Lauber – If we don't bring up for vote, will it be in effect for 2012?

Tymeson – Will affect whether information will be available to give to hunters or not.

Nonresident applications go out April 1. Yes, you could vote in April. Commissioner Dill – This isn't the vote, go down the line.

McCartney – Can make amendments, on age 55? Tymeson – Yes. Chairman Lauber – Kill this now or have vote in March? This does not commit you to a vote. Commissioner Dill, Bolton and Meyer – go forward; Commissioner Wilson – not move forward. Commissioner Budd – Get with

Lloyd and come up with compromise. Commissioner Doll – I need more information first. Chairman Lauber – How big of an issue if we voted in March? Impact is information and putting it in publications. Miller – Can put on website when decision is made. Chairman Lauber – Expect same issue. Don't have problem having another workshop in March and go to public hearing in April. Fox – Would still have 60 days to publish something. Tymeson – Have to guess, may have to prepare amendments. Chairman Lauber – Make final decision one way or the other. Commissioner Budd – Do you think you could get answers before March then do it at March meeting? Fox – I think a lot of the questions don't have solid answers. No magic number, these are going to be vague. Commissioner Budd – Want impact on harvest, etc. Bob Griffin - Expect letter from Association. Commissioner Meyer – Any number of amendments go forward or not. Chairman Lauber – Go forward and vote in March and add as many amendments as possible. We care what you (the bowhunters) say.

6. Potential Changes in Deer Regulations 2012 - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit U). – We have had inability to get our survey through Kansas Ag Statistics so won't have survey by March so without that I will have 35,000 hunter surveys, but won't have landowner survey so should table this until next year to give deer committee extra time to discuss these issues.

7. Falconry Regulations – Mike Mitchener, wildlife section chief, presented this report to the Commission (Exhibit V). – This was brought to you last year and several times since then. Nothing has changed from last Commission meeting. Ron Klataske – It says we have 71 falconers, do you know the number and type of birds these falconers have? Mitchener – Would have to put together from all forms they turn in, they trap them and turn them loose and then breeding goes on. I don't have number right off the top of my head. Point out that falconers live in town, this afternoon rehabilitators can't keep birds in town. Falconers can educate the public also. Rehabilitators are one of your constituents too, gave them short end of the stick today. You should go back and make these things consistent. Commissioner Meyer – A rehabilitator can have several animals, big difference there, good healthy animals. Not prohibited from communities. I wouldn't want to live next to menagerie either, but don't cast them all out. Commissioner Bolton – Not throwing them all aside, no one talked about raptors this afternoon. Why are we rehabilitating possums and skunks in town? Klataske – May think it is helpful. Most people got interested from close association from wildlife.

B. General Discussion (continued)

6. Presentation celebrating 75th Anniversary of the Wildlife and Sportfish Restoration Program – Mike Miller, Information Production Section chief, presented this report to the Commission (Exhibit W, PowerPoint – Exhibit X). This is to call attention to an important event that happened 75 years ago. On September 2, 1937, President Franklin D. Roosevelt signed the Federal Aid in Wildlife Restoration Act, now called the Pittman-Robertson Wildlife Restoration Act (P-R) after its principal sponsors, Sen. Key Pittman of Nevada and Rep. A. Willis Robertson of Virginia. That Act extended the life of a 10 percent tax on ammunition and firearms used for sport hunting and earmarked the funds to be distributed to the states for wildlife restoration. The money is distributed to the states based on the number of hunting licenses they sell, and it pays for wildlife-related programs on a 75-25 match. State license and permit fees make up the other

25 percent. Since P-R was signed into law, more than \$2 billion in excise taxes have been sent to the states, which provided \$500 million in matching funds for wildlife restoration. More than 62 percent of the funding is used to buy, develop, maintain and operate wildlife management areas. Four million acres have been purchased and nearly 40 million acres have been managed for wildlife under agreements with other landowners. Twenty-six percent of the funding is used for surveys and research, two efforts extremely important to modern wildlife management programs. But it's accurately called the wildlife restoration bill. Since it was signed, historical wildlife comebacks have been witnessed again and again. In Kansas, we've seen species such as pronghorn, wild turkey, white-tailed deer and Canada geese go from nearly extirpated to thriving, healthy populations. Following in the footsteps of Pittman and Robertson, Sen. Edwin Johnson of Colorado and Rep. John Dingell Sr. of Michigan passed the Sportfish Restoration Act in 1950. Commonly called the Dingell-Johnson, or D-J, Act, this legislation was modeled after the P-R Act, and creates revenues from excise taxes on sport fishing equipment, import duties on fishing tackle, yachts and pleasure craft and a portion of the gasoline fuel tax attributable to small engines and motorboats. That money is distributed to the states based on fishing license sales and also requires a 25 percent match. This year marks the 75th anniversary of the Wildlife and Sport Fish Restoration programs. Since they began, nearly \$14 billion has been generated and apportioned back to the states. Wildlife agencies have matched these funds with more than \$3.4 billion. Grants to the state from the Sport Fish Restoration program can be used for fishery projects, boating access and aquatic education. Money from the Wildlife Restoration Program is used for projects to restore, conserve, manage and enhance wild birds and mammals and their habitat, as well as projects that provide public use and access to wildlife resources, hunter education and development and management of shooting ranges. Kansas receives approximately \$15,000,000 annually. The 25 percent match comes from hunting and fishing license sales. Some of the higher profile programs funded included Hunter Education, wildlife research and surveys, public lands and fishery maintenance, boating access, the Walk-in Hunting Access Program and acquisition of public lands. Last year, WSFR funds helped the department purchase land at the Parsons Ammunitions Plant that will be managed for public hunting, begin construction on the Hillsdale Shooting Range, and enhance the Fancy Creek Shooting Range at Tuttle Creek State Park. WSFR funds make up 25 percent of KDWPT's total budget.

7. Public Land Regulations - Brad Simpson, Public Lands Section chief, presented this update to the Commission (Exhibit Y). – There were two items we were discussing as late as Friday afternoon, and Keith sent that to you earlier this week. The public lands section 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. 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. 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 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. Tree Stands/portable ground blinds: the use of tree stands and portable ground blinds are addressed in KAR 115-8-2 and it 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 (in some areas 20-50 stands). 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, 58 percent in favor, 17 percent opposed and the rest had no opinion. In survey, recommend ground blinds be removed at the end of every day. Sixty-eight percent in favor of tagging or some form of identification, six percent opposed. The department recommends: 1) to 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 tree stand on public land. 2) 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. The use of decoys, waterfowl decoys in particular, are not addressed in the public lands regulations. 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. 3) Waterfowl decoys cannot be left unattended and shall be removed at the end of each day on public lands; 61 percent in favor, 12 percent opposed. The popularity of baiting or artificial feeding used to attract deer or turkeys to a particular area has rapidly increased across the state 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. 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. 4) No person may place, use or hunt over bait on public lands; 47 percent approve, 43 percent opposed. 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. Use of lead shot on dove fields, mix of sunflower and wheat stubble and considering recommending the dove managed fields and run it through our reference document, already have 15 areas nontoxic shot for everything, but will make some for dove only. The last issue is commercial guiding, and there has been consideration to create a permit system for guides on public lands. We'll give free permit so we can monitor them. This will give us an opportunity to see how much guiding is occurring on our public lands. Commission Budd – On commercial activity, I would like to see proof of insurance and permit fee be \$2,000. On waterfowl hunting, hunters should remain 200 yards apart for safety. If they are guiding they are guiding for a fee, they are taking our resources, there should be a dollar fee attached to that. Simpson – We are spending millions of dollars managing our public lands. Tymeson – The legislature took that authority from us. What Brad is proposing is to establish a baseline on wildlife areas to have an idea of impact to average user. Need to take a baseline look at it first. Commissioner Budd – What are you asking from them now? Simpson – Fill out application and give them free permit and form at end of season to see how many people

they took out, what the harvest was, etc. to give us some idea of information we don't have. Simpson – One other issue, area at Texas Lake, sloughs are relatively close, can't see other hunters in the other depression and would be limiting number of hunters that could be hunting. Chairman Lauber – You have four recommendations and two others you are studying. Simpson – Cover tree stands, waterfowl decoys and baiting. Implement lead and dove hunting in 2013. Chairman Lauber – Use agency number on tag? Don't know what to do about concern on 200 yards apart. Tymeson – It will come back in April or June for vote. Tim Donges – Define wildlife area for tree stand regulations. I hunt El Dorado SP, two stands per person? I set 20; I hunt the wind and two stands is not enough. The problem I see is the stands that don't get taken down. That would severely impact my hunting and I would have to move them daily. The baiting and CWD, do we restrict baiting where we have CWD? Simpson – No we do not. Donges – Then why for archery? Matt Palmquest – Commendable to be proactive with CWD and take the first step and lead by example, regardless of the people's stance on that.

D. Public Hearing

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

1. Free Park Entrance and Free Fishing Days by Secretary's Orders Todd Lovin, Tuttle Creek State Park manager, gave this report to the Commission (Exhibits AA, BB). Free fishing days are the first weekend in June (June 2 and 3, 2012). Have a few changes on park entrance days, two days in the past. Those entrance days are left up to the events that each manager chooses at that park. We have listed those for you, and we would like approval to go forward with dates as listed. Put together a small committee, and we came up with one free day and call it an open house or free entrance and that would be March 31, the last day to purchase permit at off-season rates. Something else would be to have open house at a cabin, for instance 11:00 PM to 3:00 PM. We want to do something that identifies individual parks, for example, at Tuttle Creek we have an archery range. It would more of a department event rather than a state park event. The second free day would still be individual state park's choice. Would have the best of both worlds; something marketable and something for their own events. OK Kids is one of the bigger events.

XII. Old Business

XIII. Other Business

A. Future Meeting Locations and Dates

March 22 – Topeka (Kansas Historical Society/Museum)

April 26 – Wichita (GPNC)

June 21 – Kansas City (Cabela's)

August 23 – Great Bend (Wetland Education Center)

October 18 – Flint Oak Ranch

XIV. ADJOURNMENT

The meeting adjourned at 9:37 p.m.

(Exhibits and/or Transcript available upon request)

Exhibit CC – Email from constituent on Proposed Deer Hunting Changes

Exhibit DD – Email from constituent on Guiding on Public Lands

Secretary's Remarks

**Fort Riley Presentation
Agency and State Fiscal Status
2012 Legislative Update**
No briefing book items – possible handout at meeting

General Discussion

IMMEDIATE RELEASE

January 23, 2012

Second Governor's Flint Hills Summit Builds on the First
Gov. Brownback, stakeholders discuss ongoing efforts to bring vitality to the Flint Hills

Topeka – A collaborative effort to develop an ongoing strategy for the Kansas Flint Hills gained momentum last week with more than 150 people attending at the Second Governor's Flint Hills Visioning Summit at Maner Conference Center in Topeka

"We need to keep this going, to keep it real," said Governor Sam Brownback told the group. "We don't want to lose the authenticity of the Flint Hills experience."

The Governor's summit brought together stakeholders and community leaders representing a variety of interests including agriculture, ranching, tourism, natural resources, commerce, the arts and others.

Like the first summit held last May, this meeting focused on growing the Kansas economy and creating jobs. Governor Brownback said his administration and the stakeholders will use the additional input gathered at this summit to continue to strengthen local and regional relationships for the benefit of the Flint Hills region.

At the summit, regional stakeholders and policy makers made presentations to help participants understand the challenges and strategies. During breakout sessions, participants discussed specific issues and offered feedback, recommendations and direction for the future. The topics included rural business development, invasive plants threatening the tallgrass prairie, agricultural marketing, voluntary conservation easements, and successfully communicating with legislators.

Robin Jennison, Secretary of the Kansas Department of Wildlife, Parks and Tourism, opened the summit by encouraging participants to work together to build a long-term vision for the Flint Hills. "The Governor and state agencies are happy to be a part of making the Flint Hills a vital part of the Kansas, but it will take commitment and cooperation from the people who live and work in the Flint Hills to achieve lasting success."

Secretary Jennison pointed to resounding success of the recent Inaugural Governors' Pheasant Hunt in western Kansas as an example of a people pulling together for the benefit of the region.

-more-

Summit Builds Momentum

January 23, 2012

Page 2

Linda Craghead, Assistant Secretary for Parks and Tourism for KDWPT, also emphasized the importance of collaboration.

"All of us who are passionate about the Flint Hills must put aside our differences," she said, "and focus on the areas where we agree to create a vision we can support and build. It is vital to understand that each of us has a role in the Flint Hills picture, like the pieces of a jig-saw puzzle, and each piece must be in place for the image to be complete."

Governor Brownback noted that more summits will be held in the future, "to be sure we're getting things accomplished and that we're doing the right things."

Anyone who wants to leave a comment or suggestion for growing the economy in the Kansas Flint Hills can fill out a short form at the Summit website at fhs.ksoutdoors.com.

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Kansas Flint Hills Symposium

Governor's Flint Hills Visioning Summit II

Join us for the Second Governor's Flint Hills Visioning Summit on Tuesday, January 17th 2012 at the Capitol Plaza Hotel and Convention Center in Topeka, KS. The summit will again bring together stakeholders from throughout the Flint Hills Region and across the state of Kansas.

The Second Flint Hills Visioning Summit is a follow up to the successful first summit held in May 2011, and is focused on growing the Kansas economy and creating jobs. Governor Sam Brownback's administration will continue to use the input gathered from this summit to help develop an ongoing strategy for the Flint Hills region. Regional stakeholders and policy makers will make presentations to help participants understand existing challenges and strategies. Presenters include representatives from Kansas Livestock Association, The Nature Conservancy, the Flint Hills Regional Council, K-State Research and Extension (KSRE), Kansas Travel & Tourism, and more. Participants will be involved in breakout sessions to discuss specific issues, and offer feedback, recommendations and direction for the future. In addition to Governor Brownback, Wildlife, Parks and Tourism Secretary Robin Jennison will also attend. The day will conclude with a legislative reception.

Public involvement is crucial to the success of the program. The Second Governor's Flint Hills Visioning Summit will be another step to creating thriving and sustainable rural communities throughout the Flint Hills of Kansas. Please pass this opportunity along to others who may wish to participate.

Contact Linda Craghead, Asst. Secretary of Kansas Department of Wildlife Parks and Tourism with questions concerning this summit. Linda.Craghead@ksoutdoors.com or 785.296.2281.

Agenda and Online Registration Available

fhs.ksoutdoors.com

Registration fee ~ \$20

Space is limited, so register early!





Kansas Flint Hills Symposium

Governor's Flint Hills Visioning Summit II

AGENDA

Tuesday, January 17th, 2012

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| <p>9:00 Registration begins @ Topeka Expo Center</p> <p>10:00 Welcome - <i>KS Dept. of Wildlife, Parks & Tourism Secretary Robin Jennison</i></p> <p>10:15 Ag Tourism Liability Issues – an introduction to Ag/Recreational/Trail Statutes
<i>Chris Wilson - Deputy Secretary, KS Dept. of Agriculture</i></p> <p>10:30 Flint Hills Tourism Efforts – What does that mean for my local economy?
<i>Becky Blake – Director, Kansas Tourism</i></p> <p>10:45 Sericea Lespedeza –A serious threat to the Tallgrass Prairie
<i>Brian Obermeyer – The Nature Conservancy</i></p> <p>11:00 Conservation Easements – Preserving the Tallgrass Prairie for Future Generations
<i>Mike Beam – Kansas Livestock Assoc./Ranchland Trust</i></p> <p>11:15 The Flint Hills – Creating a Sustainable Frontier – What does that mean to me?
<i>Ty Warner - The Flint Hills Regional Council</i></p> <p>11:45 Break for Lunch</p> <p>12:30 Governor Brownback</p> <p>1:00 Break-Out Sessions begin</p> <p>1:15 #A Ag Tourism Risk Management – What are the options? <i>Shawna Oliver, Ag Max & Chris Wilson, Dept. of Ag</i>
#B Sericea Lespedeza – How to identify it & What do we do?
<i>David Kraft, Ranchland Specialist, NRCS; Walt Fick, Associate Professor, KSU/KSRE; Jeff Davidson, Greenwood County/KSRE; K.C. Olson, Associate Professor, KSU; Moderated by Brian Obermeyer, The Nature Conservancy</i>
#C Entrepreneurial Mindset: Key Resource for Profitable Ventures in the Flint Hills and Other Rural Kansas Communities.
<i>Vincent Amanor-Boadu, Associate Professor, KSU</i></p> | <p>2:00 #A Conservation Easements – How do they work?
A panel discussion with landowners - <i>Jim & Cathy Hoy; Paul & Jackie Seeley</i>
<i>Moderated by Mike Beam, Kansas Livestock Association</i>
#B Flint Hills Tourism – What's happening now? A panel discussion.
<i>Suzan Barnes, FHTC; Bob Workman, The Flint Hills Discovery Center; Doug Walker, Flint Hills Nature Trail; Wendy Lauritsen, Tallgrass Prairie National Preserve; Josh & Gwen Hoy, Flying W Ranch - Moderated by Becky Blake, KDWPT</i>
#C Ag Tourism Risk Management – What are the options? <i>Shawna Oliver, Ag Max & Chris Wilson, Dept. of Ag</i></p> <p>2:45 #A The HUD Grant – Now What? Putting it into action.
<i>Ty Warner, Flint Hills Regional Council; Harland Priddle, former Sec. of Commerce & Ag</i>
#B Sericea Lespedeza – How to identify it & What do we do?
<i>David Kraft, Ranchland Specialist, NRCS; Dr. Walt Fick, Associate Professor, KSU/KSRE; Jeff Davidson, Greenwood County/KSRE, Dr. K.C. Olson, Associate Professor, KSU/KSRE; Moderated by Brian Obermeyer, The Nature Conservancy</i>
#C Entrepreneurial Mindset: Key Resource for Profitable Ventures in the Flint Hills and Other Rural Kansas Communities.
<i>Vincent Amanor-Boadu, Associate Professor, KSU</i></p> <p>3:30 General Session – Advocacy 101 – Communicating with your legislator.
<i>Kathy Damron, Political Consultant; Senator Laura Kelly & Rep. Tom Moxley</i></p> <p>4:00 Adjourn (optional break-out sessions by individual stakeholder groups to discuss legislative agenda for upcoming session – <i>FHTC, KLA, Tallgrass Ranchers, Farm Bureau, Trails</i></p> <p>4:30-6:30
Legislative Reception (<i>Interested in sponsoring? Contact Linda at Linda.Craghead@ksoutdoors.com</i>)</p> |
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Webless Migratory Birds

115-20-7. Doves; legal equipment, taking methods, and possession

Background

Current Kansas regulation requires that game birds shall be shot only while the bird is in flight (KAR 115-3-1). However, game birds in Kansas are defined as “any grouse, partridge, pheasant, prairie chicken or quail” (KSA 32-701 h). Doves and other migratory game birds are defined as “those species covered under the migratory bird treaty act” (16 USCA 703-711) under KSA 32-1008.

As a federally-defined migratory bird, dove (excluding exotic dove species) methods of illegal take are stated in 50 CFR 20.21. In that regulation, there is no federal provision that prevents the take of migratory game birds while on the ground, perched, swimming, flying, or otherwise in a state of motion or rest. In addition KAR 115-20-7 designates legal equipment, taking methods and possession of doves, none of which addresses shooting doves on the ground or perched (i.e. utility wires or trees).

Discussion

Utility wires (power, telephone, cable, etc.) are preferred perches for doves as they provide safe loafing sites well above ground predators and good visibility to detect avian predators. Many times the habitats around these wires are attractive to doves (early succession plant communities and gravel roads). Many dove hunters select sites within close proximity of such sites, and a small minority take advantage of this loafing behavior to take birds while perched on wires. Many in the hunting community and the general public may view the take of doves while stationary as unsporting, while others may deem it acceptable practice to harvest a bird that is known for its difficult “wingshooting.”

The shooting of doves while perched may cause damage to utility wires. This can lead to loss of electrical service, loss of communication, and other hazards associated with downed utility lines. The cost of repair, loss of services, damage of personal property and other safety and potential risks (i.e. fire, electrocution, and etc) by shooting could lead to significant impacts. Damages and subsequent inconveniences caused while attempting to take doves while perched on utility wires may affect public relations/image of hunters with utility providers, consumers and general public.

Recommendation

Amend KAR 115-20-7as to allow the take of doves only while the doves are in flight.

Webless Migratory Birds

KAR 115-25-20. Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation

Background

Kansas is one of nine U.S. states and two Canadian provinces in the Central Flyway that has a hunting season for sandhill cranes. Kansas is also an important migration stop for endangered whooping cranes. As such, sandhill crane regulations are designed to provide recreational opportunities and relief from crop depredation while continuing whooping crane conservation. Kansas has taken several conservative measures to meet these objectives such as delayed season dates, mandatory annual crane identification testing for all sandhill crane hunters, and limited shooting hours.

Discussion

Sandhill cranes that migrate through Kansas are part of the Mid-Continent Population (MCP), the most abundant of all North American crane populations. MCP numbers have been relatively stable since the early 1980s. The 2011 index for sandhill cranes was 600,892. This is well above the established population-objective range of 349,000-472,000 cranes set in the MCP Cooperative Flyway Management Plan.

The U.S. Fish and Wildlife Service (USFWS) provides the basic frameworks for sandhill crane hunting in the United States from which individual states can develop state specific regulations. States can opt for more restrictive measures than those of the USFWS. Generally, the federal frameworks follow the guidelines set forth in the 2006 Cooperative Management Plan for the MCP of sandhill cranes. The current federal frameworks for the hunting of sandhill cranes for Kansas allows up to 58 consecutive days of hunting, which must be held between September 1 and February 2. In addition, only that part of Kansas west of the line formed by U.S. 81, Interstate 135, and Interstate 35 and the daily bag limit can be up to three sandhill cranes with six in possession, and shooting hours a half hour before sunrise to sunset.

Hunting for sandhill cranes in Kansas is regulated by KAR 115-25-20. This authorizes an open season for the taking of sandhill cranes beginning on the Wednesday after the first Saturday in November and continuing for 58 days, including the opening day. It establishes the area open for the taking of sandhill cranes during the established hunting season (that part of Kansas bounded by a line from the junction of interstate highway I-35 and the Oklahoma-Kansas state line, then north on interstate highway I-35 to its junction with interstate highway I-135, then north on interstate highway I-135 to its junction with interstate highway I-70, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then west on Nebraska-Kansas state line to its junction with the Colorado-Kansas state line, then south on the Colorado-Kansas state line to its junction with the Oklahoma-Kansas state line, and then east on the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries). This regulation also limits shooting hours from the opening day through November 30 as one-half hour after sunrise until 2:00 p.m., and shooting hours from December 1 through

the close of the season shall be from sunrise until 2:00 p.m. The daily bag limit is three sandhill cranes and the possession limit shall be six sandhill cranes. Each person hunting sandhill cranes in Kansas must possess a federal sandhill crane hunting permit that has been issued through and validated by the department. Each person desiring to hunt sandhill cranes in Kansas is required to pass an annual, on-line sandhill crane identification examination before acquiring a permit.

Seasons dates, bag limits and shooting hours have been more restrictive than federal frameworks allowed due to the importance of Kansas as a migration stopover for endangered whooping cranes. For example, in the inaugural 1993 season only portions of 17 counties were open to sandhill crane hunting but by 2003 the area was expanded to 62 counties. Kansas has taken extra caution in response to the illegal takes of three whooping cranes in Kansas prior to the opening of the 2004 season. This included increased educational efforts including the mandatory crane test for all sandhill crane hunters and reduced shooting hours.

Although the federal frameworks for sandhill crane hunting seasons permit hunting seasons to begin as early as September and sandhill cranes begin arriving in Kansas by mid-September and a substantial portion of the sandhill crane population has passed through the state by the first week in November, KDWP has elected to delay the opening to allow most whooping cranes to migrate through Kansas before the sandhill crane hunting season would start. However, in recent years both sandhill cranes and whooping cranes have been migrating in Kansas later into November. Kansas and Texas are currently the only two states that delay the opening of sandhill crane season for the benefit of whooping cranes. They are also the only states that limit shooting hours for sandhill cranes to a daytime period excluding sunrise and sunset to allow hunters a better chance of differentiating whooping cranes.

All migratory bird hunting regulations must undergo Biological Opinion for Section 7 Consultation by the USFWS to ensure there are no undo impacts to endangered and threatened species. In addition, the USFWS and the states within the whooping crane distribution developed a federal-state cooperative contingency plan for the protection of whooping cranes. Components of this plan have specific guidelines for important staging areas as Quivira NWR and Cheyenne Bottoms WA. The federal-state plan provides guidelines for reporting whooping crane sightings; responses to exposure of whooping cranes to hazards from disease, contaminants, and shooting; and responding to sick, dead, or injured whooping cranes. Quivira NWR is closed to sandhill crane hunting and when whooping cranes are present, the entire refuge is closed to hunting for all species. When whooping cranes are present at Cheyenne Bottoms, the goose hunting zones are closed to sandhill crane and light goose (snow and Ross') hunting and the pool the whooping cranes are using is closed to all activities (e.g., hunting, wildlife photography, and birding). Blaze orange signs are posted at Quivira and Cheyenne Bottoms to inform visitors about these closures. Visitors are also informed of closures via telephone message machines at Cheyenne Bottoms, websites and news releases.

In 1941 there was an estimated 21 whooping cranes in the wild. After 50 years of conservation efforts, their numbers have grown to over 400 in the wild and 165 in captivity, including the 278 of the Wood Buffalo-Aransas flock that utilizes the marshes of Kansas. This flock passes through Kansas on its annual migration from the boreal forest of northern Alberta/southwestern Northwest Territories near Wood Buffalo National Park to its wintering area in the Texas Gulf

Coast near Port Aransas National Wildlife Refuge. Quivira National Wildlife Refuge (NWR) and Cheyenne Bottoms Wildlife Area (WA) are two of the four migration stopover areas designated as Whooping Crane Critical Habitat in the U.S. Quivira NWR receives more whooping crane use in migration than any spot in North America. For fall usage, Quivira NWR ranked first and Cheyenne Bottoms WA third for both whooping crane use days and total birds. For example in fall 2004, 62 different whooping cranes (28.6 percent of the flock) were documented at Quivira. Whooping cranes use Quivira and Cheyenne Bottoms primarily for loafing and roosting. During the day, whooping cranes may fly out to surrounding areas to feed. This high usage calls for special measures to better ensure the protection of whooping cranes during stopovers in Central Kansas.

Hunting the Mid-Continent Population is a biologically justified activity. Population and harvest surveys for this population are some of the best for all migratory birds. Hunting of sandhill cranes in the Central Flyway has occurred over a 40-year period and the population has increased. If the Kansas hunting season were to be closed, the approximately 200,000 sandhill cranes in the Stafford-Barton county area would likely generate substantially more complaints of crop depredation. Although sandhill crane numbers and length of stay in central Kansas has increased since 1993, crop depredation seems to be at manageable levels. Hunting activity moves sandhill cranes and other migratory game birds around central Kansas so that they distribute their feeding in numerous crop fields, rather than concentrating in a few fields.

Whooping cranes would still be exposed to hunting hazards even if the sandhill crane hunting season in Kansas were closed. The number of hunters and hunting days for ducks and geese in Kansas are far higher than those for sandhill cranes. Furthermore, whooping cranes would still be exposed to sandhill crane hunting almost entirely through their migration corridor. Hunting occurs in all of the Central Flyway states except Nebraska.

As with any harvest management considerations, any changes to the sandhill crane season should be biologically sound for both sandhill and whooping crane populations, and regulations should not be unreasonably burdensome (overly complicated or unnecessarily reducing opportunity) while protecting hunters from making a life-changing mistake (up to 1 year in jail and up to \$100,000 fine for killing a whooping crane).

Participation in sandhill crane hunting in Kansas has remained relatively low. Most cranes are taken opportunistically by waterfowl hunters. However, there is a small fraction of dedicated sandhill crane hunters. In Kansas' 11 hunting seasons, a total of 4,284 hunters have hunted 15,269 days and bagged 10,908 sandhill cranes (means per year are 438, 1,388, and 992, respectively).

Recommendation

Amend Kansas Administrative Regulation (KAR 115-25-20) to permit the taking from sunrise to sunset.

To safeguard from accidental take of whooping cranes, KDWPT will still implement its delayed opener (Wednesday after the first Saturday in November) to allow passage of whooping cranes prior to the Kansas sandhill crane season. KDWPT will remain committed to adhere to the guidelines set in the Aransas-Wood Buffalo Population Whooping Crane Contingency Plan. This includes the closure of hunting in areas where whooping cranes are present. KDWPT will also continue its education effort including mandatory testing of sandhill crane hunters as well other educational and outreach efforts to improve crane identification and whooping crane conservation efforts.

Early Migratory Bird Seasons September Teal Season

Background

Blue-winged teal are one of the earliest of the migratory waterfowl with most passing through Kansas from late August through September, prior to the opening of the regular duck season. Green-winged teal are also early migrants, and many arrive in September and October but many remain in the state throughout the winter, depending on weather conditions. Special seasons were initiated to provide harvest opportunities on blue-winged and green-winged teal. As long as teal populations are above 3.3 million (on the May survey), a nine-day teal season can be held. If the blue-winged teal breeding population exceeds 4.7 million, a 16-day season can be offered. The 2012 blue-winged teal breeding population total will not be known until June but based on last year's (2011) blue-winged teal breeding population of 9 million and spring habitat conditions in the Prairie Pothole Region, the 2102 count is expected to allow for a 16-day season.

Anticipated U.S. Fish & Wildlife Service Frameworks*

Season Dates: ** Between September 1 and September 30, 2011

- 16 days if blue-winged teal breeding population is above 4.7 million

- 9 days if the breeding population is between 3.3 - 4.6 million

Bag Limit: 4 daily, 8 in possession (any combination of blue-winged and green-winged teal)

Shooting Hours: ½ hour before sunrise to sunset for all seasons

* Final Federal Frameworks will not be set until the June 21 USFWS Service Regulatory Committee Meeting.

** It is possible that only eight days will be available for the September Teal Season in the High Plains (West of Highway 283). This potential restriction on the High Plains Teal Season is due to the 107-day annual limit on hunting of any one species set by the Migratory Bird Treaty Act. A regular High Plains duck season of 97 days is allowed under the regular season liberal package, and with two days of youth hunting there are only eight days left to reach the 107-day total.

Table 1. Kansas September Teal Season Dates and Harvest (1999-2010) Based on the Harvest Information Program (HIP).

Year	High Plains Season Dates	Low Plains Season Dates	Greenwing	Bluewing	Total Harvest
2010	Sept. 18-26	Sept. 11-26	1,812	16,829	18,641
2009	Sept. 19-26	Sept. 12-27	2,775	15,165	17,940
2008	Sept. 13-20	Sept. 13-28	7,200	15,120	22,320
2007	Sept. 15-22	Sept. 8-23	4,534	25,582	30,116
2006	Sept. 16-23	Sept. 9-24	4,733	23,664	28,397
2005	Sept 17-24	Sept. 17-25	2,200	10,387	12,587
2004	Sept. 18-25	Sept. 18-26	2,901	19,173	22,074
2003	Sept. 20-27	Sept. 13-28	9,024	21,393	30,417
2002	Sept. 14-22	Sept. 14-22	3,783	8,723	12,506

2001	Sept. 15-22	Sept. 15-30	1,790	10,741	12,531
2000	Sept. 9-16	Sept. 9-24	4,621	27,724	32,345
1999	Sept. 11-19	Sept. 11-26	3,052	28,022	31,074

Commercial Mussel Harvest Moratorium

In the last few decades, the demand for freshwater mussel shells has been driven by the cultured pearl industry in Japan and China. Freshwater mussel shells were cut and milled into spheres to be implanted into pearl oysters. In time, these are harvested and sold as cultured pearls. The market for freshwater mussels peaked in 1996. In that year, 209 individual commercial mussel harvest permits were sold and 721,000 pounds of shell were harvested from Kansas waters. These shells were then sold for export and valued at \$620,000.

Prior to 1992, there were no refuge, size, or species restrictions on freshwater mussels, although a permit was required. Regulations regarding commercial mussel harvest became more stringent in 1992. Harvest was restricted to four native species (threeridge, monkeyface, mapleleaf, and bleufer) and size restrictions were imposed with the idea that mussels could be protected until they had a chance to spawn. Designated harvest and refuge reaches were described in the regulation and on each permit issued. Threeridge mussels were the mainstay of the harvest because they were relatively large, locally abundant, and easily harvested in Kansas streams. However, these regulations were not sufficient to protect the threeridge population, which declined dramatically and has not recovered to former levels in the rivers open to harvest. Because of the declining population of threeridge mussels, a 10-year moratorium was imposed in 2003. The 10-year moratorium that ended the issuance of commercial mussel harvest permits will sunset December 31, 2012. The recommendation from KDWPT field personnel is to extend this moratorium for another 10 years for the following reasons.

1. The most heavily harvested species of the 1990s, threeridge, has not recovered from the depletion caused by commercial harvest in the Verdigris, Fall, Elk, and Neosho rivers.
 - From 1992-2002, there were over 700,000 pounds of threeridge harvested from the Verdigris River and over 600,000 pounds harvested from the Neosho River. Threeridge dominated the river harvest of mussels and accounted for 81 percent of the total yield from 1992-2002.
 - The relative abundances of threeridge at mussel sampling sites in the Verdigris and Neosho rivers reveal far fewer threeridge than previously documented. For example, recent sampling shows that threeridge make up only 2 percent to 3 percent of the relative abundance of native mussels in the Verdigris River. A 1982 survey of Verdigris River sampling sites documented that threeridge made up 32 percent of the total.
 - Moreover, in unharvested streams, the threeridge made up 43 percent of the native mussels in the Marais des Cygnes River, 58 percent in the Marmaton River, 51 percent in Pottawatomie Creek, and 55 percent in Grouse Creek.
 - Since 1991, over 16,000 mussels were examined from sampling sites in the Verdigris River. Over that time, the threeridge has shown a significant decline and no recovery since the 2003 moratorium, meanwhile, seven other species have shown significant increases in number at the same survey sites (two of these are on the Kansas Threatened and Endangered Species List).
2. An exotic invasive species, zebra mussel, has been documented in the Neosho Basin and will probably expand to other southeast Kansas rivers.

- The effect of zebra mussels on native mussel populations in streams is unknown. However, zebra mussels have been shown to compete with native mussels in reservoir environments.
3. The demand for commercial shells remains low and is reflected in the low market prices.
 - Commercial mussel harvest is legal in Oklahoma; however, in the last three years (2009-2011) only one permit was sold.
 - It is unknown when the demand might peak again, and current populations may not withstand harvest pressure.
 4. Healthy native freshwater mussel populations provide ecosystem services that are probably more valuable to Kansans than their commercial value.
 - Freshwater mussels are an important part of the food web and filter bacteria and plankton from the water column. Excessive bacterial counts reveal one of the major pollutant problems identified in Kansas waters. Mussels also clarify water by removing suspended organic and inorganic material. One large mussel is capable of siphoning and filtering eight gallons of water per day.
 - Freshwater mussels are eaten by waterbirds, turtles, fish, and mammals.
 - Mussel beds stabilize the substrate.
 - Mussels indicate water quality because they are sensitive to ammonia, heavy metals, and some pesticides.
 5. Freshwater mussels do not recover quickly from population depletion.
 - In the United States, freshwater mussels are one of the most imperiled groups of aquatic organisms due to dams, river manipulation, pollution, and invasive species.
 - Freshwater mussels require proper fish hosts and hydrology to successfully reproduce.
 - Although freshwater mussels have long reproductive lives, they may go several years without successfully reproducing because of adverse water conditions.
 6. Administrative, monitoring, and law enforcement costs to the department outweigh revenue from permit fees.
 7. Trespass and refuge violations were a problem during the 1990s.
 - In 1996-1997 over 100 citations were written for illegal mussel harvest activity.
 - Landowners complained of trespass violations as mussel harvesters sometimes drove over cropland to access rivers. A petition was originated to close the commercial harvest on mussels in one county.
 8. With the regulations remaining on the books, limited harvest or salvage harvest would be an option.
 - During low water levels at Toronto Reservoir in 2011, a shell-salvage was requested and harvest of exposed dead mussels was allowed. After staff preparation and review, the permittee never acted on this permit.

- There may be instances in the future due to droughts or pollution events that a salvage operation for freshwater mussels would be feasible.

Recommendation:

Extend the moratorium on commercial freshwater mussel harvest in Kansas for another decade. This will allow staff to monitor populations and flexibility to manage populations.

Alternatives:

- a. Allow the moratorium to expire with no action. This would allow harvest to resume with the possibility that threeridge populations could be depleted further.
- b. Restrict harvest to only reservoirs where threeridge populations are unlikely to be affected. This creates a law enforcement issue and makes it difficult to regulate harvest.
- c. Permanently close all commercial harvest for mussels in Kansas. This removes future options for mussel harvest without major regulatory action changes.
- d. Remove threeridge mussels from the list of legally harvested mussels. Because of their high demand, this option creates a possible problem for law enforcement and disturbance of riverine mussel beds.

KAR 115-25-1. Prairie Chickens; seasons, bag limits & possession limits

Distribution and Status

There are two species of prairie chicken that occupy Kansas: the greater prairie-chicken (GPCH) and the lesser prairie-chicken (LPCH) and they both occur in landscapes dominated by native grasslands. Generally, the GPCH occupies the eastern and northern portion of the state, while the LPCH occupies the southcentral and southwestern regions (Figure 1). However, there is a substantial area in westcentral Kansas that is occupied by both species. Currently, the occupied range in Kansas is considered to be core habitat for both species.

Recent prairie chicken population densities and trends have varied greatly across the state (Figures 2 & 3). The greatest breeding population densities during 2011 and most recent years have occurred in northcentral and westcentral Kansas. Over the past 15 years, the distribution and density of chickens have both greatly increased in those regions of the state, surpassing their historic distribution in many areas. In fact, the highest density of chickens in the state now occurs in areas where they were not known to exist as recently as 15 years ago. In Kansas, the most imperiled chicken populations occur within the southern Flint Hills where GPCH have been declining steadily since the early 1980s. They have been completely extirpated from some regions of the eastern Flint Hills. The Flint Hills once harbored the most robust chicken population in the state, but a major shift in the prevailing range management practices resulted in inadequate burning and grazing regimes over the last 30 years.

The LPCH is currently listed as a candidate species for federal protection under the Endangered Species Act, and Kansas is the only state throughout their five-state range that still permits regulated harvest. Harvest of LPCH can be justified in Kansas because populations in our state have remained fairly stable or increased since the species was first petitioned for listing in 1995. Additionally, a long-term research project in southwest Kansas found that hunter harvest of LPCH was an insignificant source of mortality (Hagen et al. 2009). Another study of LPCH further north in the Kansas LPCH range (Gove County) also found hunter harvest to be negligible (Fields 2004), as did a recent study of GPCH in the Flint Hills, where chicken populations are struggling the greatest in our state (McNew 2010). Researchers and management agencies have consistently pointed toward poor recruitment of young as the primary reason for prairie chicken population declines where they are occurring (Davis et al. 2008, Hagen et al. 2004, McNew et al. 2011, Pitman et al. 2005, Pitman et al. 2006). The U.S. Fish and Wildlife Service even acknowledged in their most recent species assessment that, "Given the low number of LEPCs harvested per year in Kansas relative to the population size, the statewide harvest is probably insignificant at the population level."(USFWS 2010).

Current Harvest Management

Currently, the Kansas Department of Wildlife, Parks, and Tourism (KDWPT) regulates harvest of prairie chickens within three hunt units (Figure 4). The most liberal harvest regulations exist in the eastern half of the state, and more restrictive regulations are in place for western Kansas. The KDWPT currently estimates harvest and hunter effort through a post-season mail survey to a random selection of small game license holders. This method only provides coarse estimates for

prairie chickens because only 3 percent and 1 percent of small game license holders pursue GPCH and LPCH, respectively. Thus, we receive relatively few completed questionnaires from chicken hunters greatly reducing the precision of our estimates compared to other more commonly pursued species.

Recommendations Being Consideration

The KDWPT is planning to recommend an increase in the season length and/or bag limits for portions of western Kansas where our chicken populations are the most robust. The specific recommendation has not yet been formulated, but it could include changes to the current unit boundaries in western Kansas. Maintaining and expanding recreational hunting opportunity helps to ensure financial and political support for conservation programs that address the habitat degradations known to be responsible for declining populations (e.g. inadequate fire frequency, poor grazing management, habitat fragmentation, etc.). Recreational hunting is also a tool that enhances landowner interest in conservation and this is particularly important for restoration of species that occur almost exclusively on private land (e.g., prairie chickens). For these reasons, sustainable harvest of game species should always be encouraged.

The KDWPT is also planning to recommend a mandatory registration for people planning to hunt prairie chickens. This will give us the ability to better target post-season harvest surveys to a smaller pool of potential chicken hunters greatly improving the accuracy and precision of our harvest estimates. The results from a more targeted survey would allow us to more accurately delineate the occupied range of each species and better assess the impacts of hunter harvest on prairie chicken populations. These pieces of information would greatly improve our ability to target conservation programs and help us to defend the continuation of sustainable hunter harvest. The KDWPT is considering two options for the mandatory chicken hunter registration, which include: 1) a required privilege that could be issued through our automated licensing system (requires a minimum fee of \$2.50) or 2) a free online registration outside of our automated licensing system. In either case, the hunter would be required to have the privilege or verification number in possession before a chicken could legally be harvested.

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Figure 1. The estimated occupied ranges of greater and lesser prairie-chickens in Kansas, 2011.

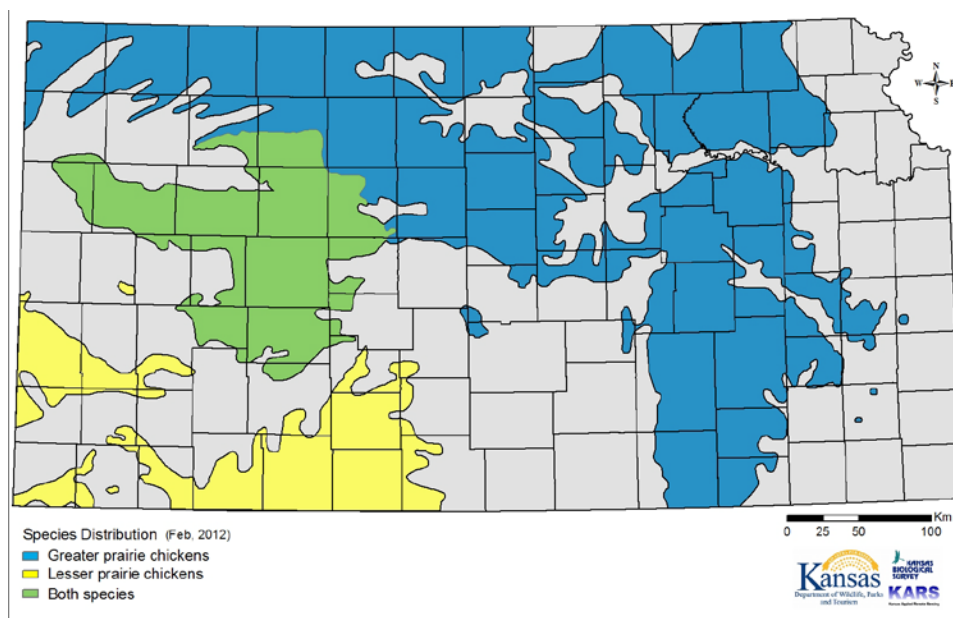


Figure 2. Estimated spring breeding density (birds/mi.²) throughout the known range of greater and lesser prairie-chickens in Kansas, 2011. Density was estimated within standardized KDWPT survey areas and interpolated across the known range.

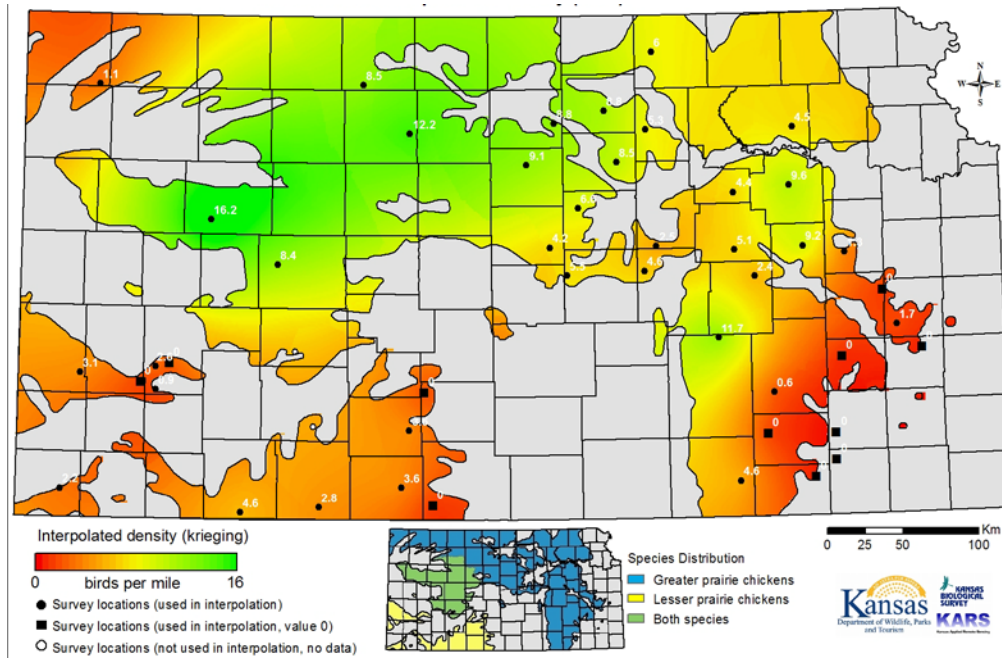


Figure 3. Estimated average annual change (%) in prairie chicken populations across Kansas, 2007-2011. Trends were estimated from standardized KDWPT surveys and interpolated across the known occupied range.

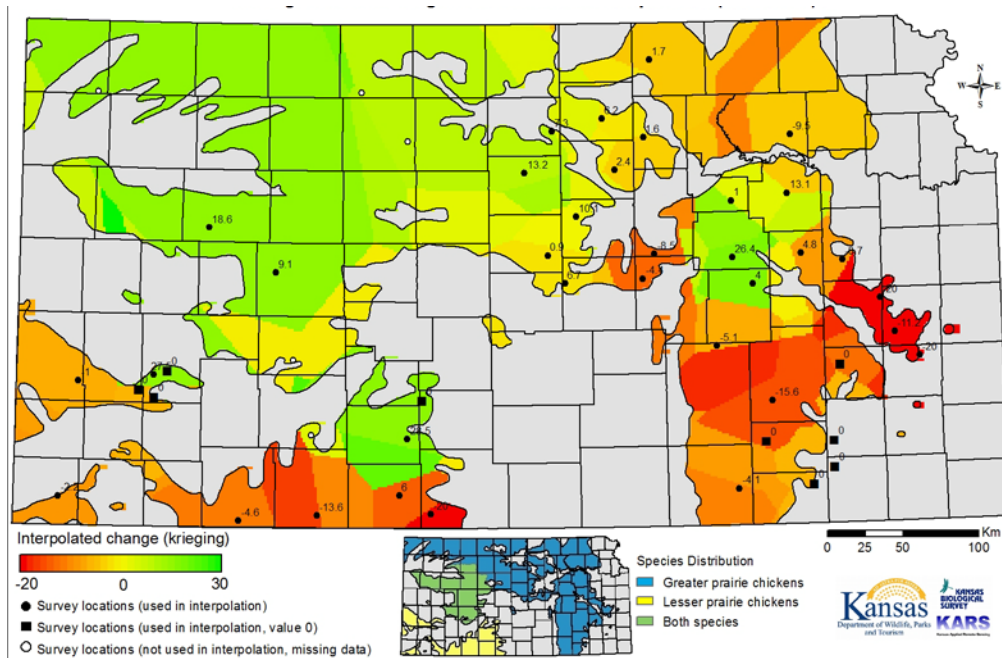
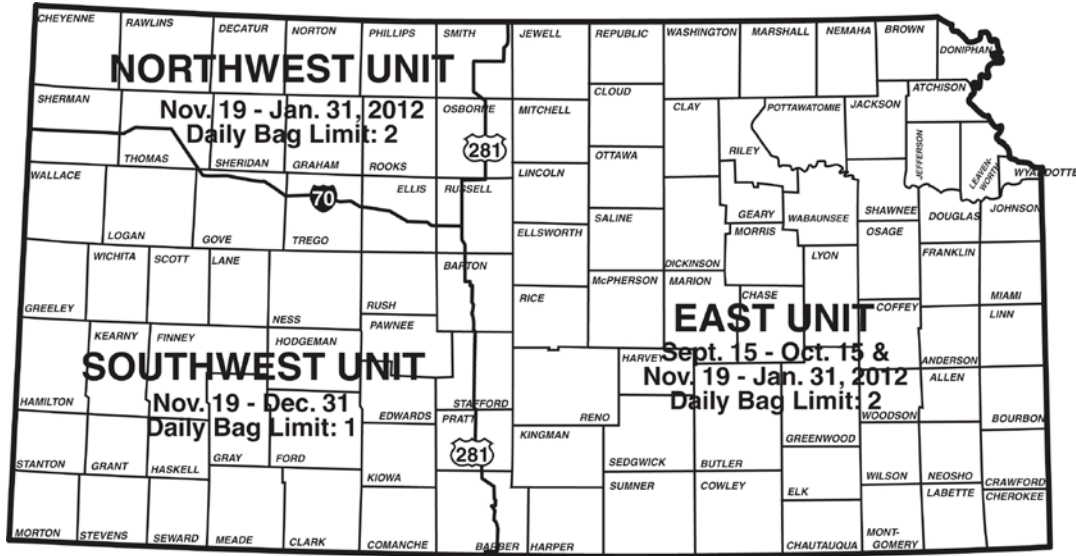


Figure 4. Current prairie chicken hunting units, season dates, and bag limits in Kansas.



Outdoor Recreation Management System (ORMS)

On April 17, 2012, the Kansas Department of Wildlife, Parks and Tourism will launch our new Outdoor Recreation Management system (ORMS), hosted by Reserve America. Park visitors will be able to use the new system to buy park permits or reserve their favorite campsites or cabins at state parks, fishing lakes and wildlife areas from the comfort of their home. Most importantly, our visitors can reserve their site in advance and rest assured they will have a place when they arrive.

This new system will help KDWPT enhance customer service, better manage its facilities, prevent double-booking, assist in emergency response, improve accounting accuracy and money-handling in the field, help staff better understand our constituents' needs, improve internal reporting and provide more accurate visitor information.

**Otter Season Update –
No briefing book item – possible handout at meeting**

Workshop Session

**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.

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 of and demand for this limited land base, wildlife and their habitats must be intensively managed, and public access must be controlled 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, which may limit opportunities. Regulations have been established to manage public use, protect the resources, as well as KDPWT property and infrastructure. Regulations that primarily pertain to public lands fall under KAR 115-8 series.

Recent developments and issues on KDWPT public lands, which are not covered in these regulations, have been identified. 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, which is currently allowed on public lands, was identified as a potential biological issue. 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 is addressed in KAR 115-8-2. This regulation addresses the duration 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 in recent years. 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 is not addressed in the public lands regulations series. Leaving waterfowl decoys unattended has been identified as an issue because hunters encountering the unattended spread may believe the area is occupied. The practice of leaving unattended waterfowl decoys in the water has been increasing on some areas, providing exclusive use for those leaving them. Public lands survey respondents indicated they are opposed to unattended decoys.

At the KDWPT Commission meeting on Jan. 5, 2012, a request was made by the Commission for staff to consider a 200-yard minimum distance requirement between waterfowl hunters. However, after consideration, no recommendation is being brought forward. There are several

factors and issues with establishing a predetermined distance or separation between waterfowl hunters, including enforcement and limited hunting opportunities.

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 increases the potential for disease transmission, and aggression, injury, and habitat damage have been observed at bait sites. Currently, Kansas is the only state in the Midwest that allows unrestricted baiting. Surveys indicate that most hunters support the prohibition of baiting on public lands.

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. Under consideration is requiring a permit authorizing commercial guiding and outfitting on department managed lands.

Recommendations:

Tree Stands

Tree stands shall be limited to two per person on all department-managed lands. All tree stands must be marked with name and address or KDWPT number of owner when used on department-managed lands. This would still not allow exclusive use, meaning that anyone may use an unoccupied tree stand on department-managed lands.

Portable Ground Blinds

Portable Ground Blinds cannot be left unattended and shall be removed at the end of each day on department-managed lands. In addition, portable ground blinds shall be marked with owners' name and address or KDWPT number.

Waterfowl Decoys

Waterfowl decoys shall be removed at the end of each day on department-managed lands and waters.

Baiting

No person shall place, deposit, expose, distribute, or scatter bait while hunting or preparing to hunt on department lands. The definition of "bait" is considered to be grain, fruit, vegetables, nuts, hay, salt, sorghum, feed, or other mineral or food that is capable of attracting wildlife. Liquid scents and sprays are not considered bait. Nothing in this regulation shall prohibit hunting or taking of wildlife over standing crops, grain crops properly shucked on the field where grown, grain found scattered solely as the result of normal agricultural operations, or grain found scattered solely as the result of normal weather conditions.

Guiding/Outfitting

A permit will be required for all guiding/outfitting for hunting on department-managed lands and waters. Permits will be issued after Guide/Outfitter (Permittee) completes application process. Permittee will be required to provide an annual report by July 1 of each year. Failure to provide annual report or compile with terms and conditions of permit may result in non-renewal of permit.

KAR 115-25-7
Antelope; open season, bag limit and permits

Background

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

Western Kansas pronghorn antelope populations have supported a hunting season since 1974. The firearm pronghorn season has been four days long since 1990, starting on the first Friday in October. The archery pronghorn season was nine days long from 1985 to 2004, and included the two weekends prior to the firearm season. Since 2005, the archery season has reopened on the Saturday following the firearms season and continued through the end of October. A muzzleloader season was initiated in 2001. It has begun immediately after the archery season and ran for eight days, the last four of which overlap with the firearm season.

Discussion & Recommendations

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

We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents. One hundred fifty firearms permits and 46 muzzleloader permits are proposed in the three management units as follows:

Unit 2 – 100 firearms permits and 26 muzzleloader permits

Unit 17 – 40 firearms permits and 12 muzzleloader permits

Unit 18 – 10 firearms permits and 8 muzzleloader permits

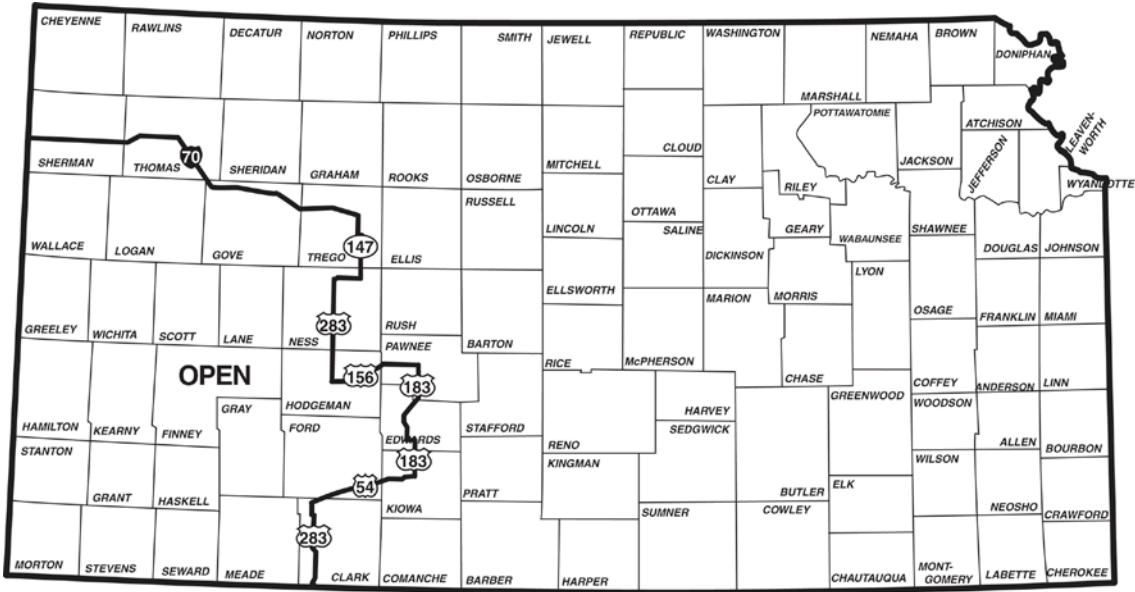
Unit boundaries are proposed to coincide with firearm deer management units defined in K.A.R. 115-4-6, with units 2, 17, and 18 being open. The proposed season dates are:

September 22, 2012 through September 30, 2012 and October 13, 2012 through October 31, 2012 for the archery season.

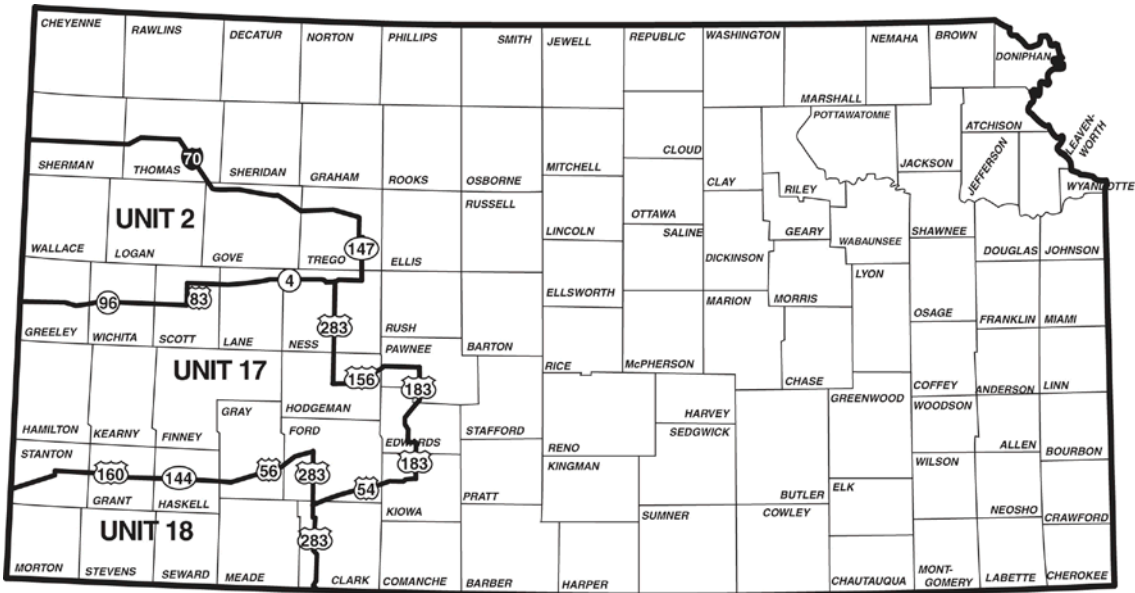
October 1, 2012 through October 8, 2012 for the muzzleloader season.

October 5, 2012 through October 8, 2012 for the firearms season.

Antelope Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



KAR 115-25-8

Elk; open season, bag limit and permits

Background

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

Elk hunting on and around Fort Riley was initiated in 1990, and most of the hunting opportunity in the state occurs on the Fort. However, elk do exist on private lands, though unpredictably in most of the state, with parts of southwest Kansas being the main exception. Elk also occur in the vicinity of Cimarron National Grasslands, but these elk are primarily found in neighboring states, and the Grasslands haven't been open to elk hunting since 1995, following several years of herd reduction.

Discussion & Recommendations

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

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

The proposed season dates on Fort Riley are:

- a) September 1, 2012 through September 30, 2012 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1, 2012 through December 31, 2012 for the firearms seasons with one-third of the antlerless only permits valid during each of the following segments:
 - 1) First segment: October 1, 2012 through October 31, 2012.
 - 2) Second segment: November 1, 2012 through November 30, 2012.
 - 3) Third segment: December 1, 2012 through December 31, 2012.
- c) October 1, 2012 through December 31, 2012 for a firearms season for all holders of any-elk permits.

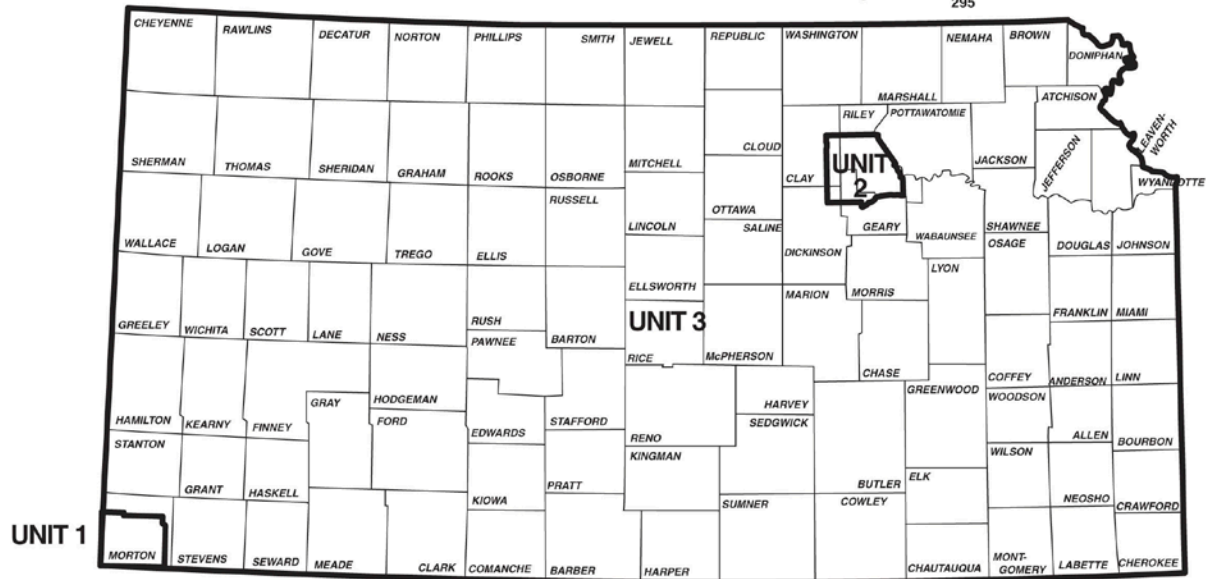
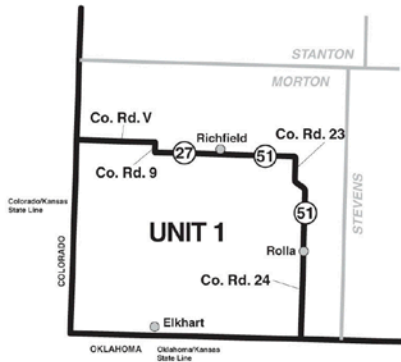
The proposed season dates outside the boundaries of Fort Riley are:

- a) September 1, 2012 through September 30, 2012 for the muzzleloader season.
- b) September 17, 2012 through December 31, 2012 for the archery season.
- c) November 28, 2012 through December 9, 2012, and January 1, 2013 through March 15, 2013 for the firearms seasons.

It is recommended that 10 any elk permits and 15 antlerless elk permits be authorized for Units 2 and 3. An unlimited number of hunt-on-your-own-land antlerless only and any elk permits will also be authorized in Units 2 and 3. An unlimited number of general resident and landowner tenant antlerless only and any elk permits will be authorized in Unit 3. We recommend elk hunters be required to contact the Department when an elk is harvested to submit samples for CWD testing.

Elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants. The bag limit shall be one elk as specified on the permit.

Elk Units



KAR 115-25-5. Turkey; fall season, bag limit and permits

Background

Over the last five years, the fall turkey season in Kansas has averaged nearly 100 days in length and three of four turkey units have been open to hunting (Figure 1). Hunters are currently permitted to harvest one bird of either sex in Units 1, 2, and 3 and they can purchase three either-sex game tags valid only in Unit 2. The number of permits and game tags issued for the fall 2010-2011 turkey season was 12,989 (includes 2,978 game tags). Total permit sales were very similar to the previous fall but down about 3,500 from the peak in 2006. Thirty-nine percent of hunters harvested at least one turkey during the fall 2010-2011. These hunters harvested an estimated 3,954 turkeys (930 archery and 3,024 firearm) of which 38 percent were identified as females. Harvest taken with all the game tags accounted for only 17.6 percent (about 694 birds) of the total statewide harvest and 24 percent (about 513 birds) of the harvest in Unit 2 where all three game tags were valid.

Population Status and Productivity

Over the last 10 years, the spring wild turkey population has increased rapidly in the north-central, northwest, and southwest regions. Spring populations in the northeast, southeast, and southcentral regions peaked in 2004 and are now much lower. The primary cause for lower populations in those regions is due to above-average summer rainfall that was recorded within those regions every summer from 2005-2009. The wet weather caused nest abandonment and poor poult survival and resulted in five years of below-average production, including the two worst production ratios ever recorded in 2007 and 2008. However, drier summer weather resulted in productivity near the long-term average within each of those regions in 2010 and/or 2011 and populations appear to be rebounding somewhat. The severe drought in southwestern Kansas resulted in extremely poor production in that region this summer, so populations will be lower in future years as a result. Production was near average in the northcentral and northwestern regions this summer, so populations should have remained stable or slightly increased.

Recommendation

The department is recommending new fall hunting units, which would require bag limit changes for some portions of the state (Figure 3). The proposed units 2 and 5 will encompass the bulk of central Kansas where a fall bag limit of one currently exists. However, the eastern boundaries of those two proposed units would also encompass portions of Kansas where the fall bag limit is currently four. Thus, it would be necessary for the fall bag limit to change for portions of the state that would be included in those two new units. The department is recommending that the fall bag limit be set at four for units 2 and 5 if the new boundaries are adopted. Turkey populations are strong throughout all of central Kansas, and the proposed bag limit increase for much of central Kansas would not greatly impact total harvest or population growth in that region. The new unit boundaries would not require fall bag limit changes for any other region of the state, and the department isn't recommending any other changes.

The new units will facilitate the implementation of an adaptive harvest strategy that will allow us to better use our data to guide harvest recommendations for both the spring and fall seasons (see appendix 1). The harvest strategy was developed by the department turkey committee over the course of a couple of years and mimics similar guidelines already in use in several states. The strategy establishes standard criteria that would be used as a guide to help us determine when and how changes to bag limits should be recommended for each hunt unit. For the plan to be implemented, it is essential for static hunt units and corresponding management units to be established, and that is the purpose of the recommended boundary change. If new fall units are adopted, the department would be recommending a change to corresponding spring hunt units at the next opportunity.

Figure 1. Current fall wild turkey hunting units for Kansas.

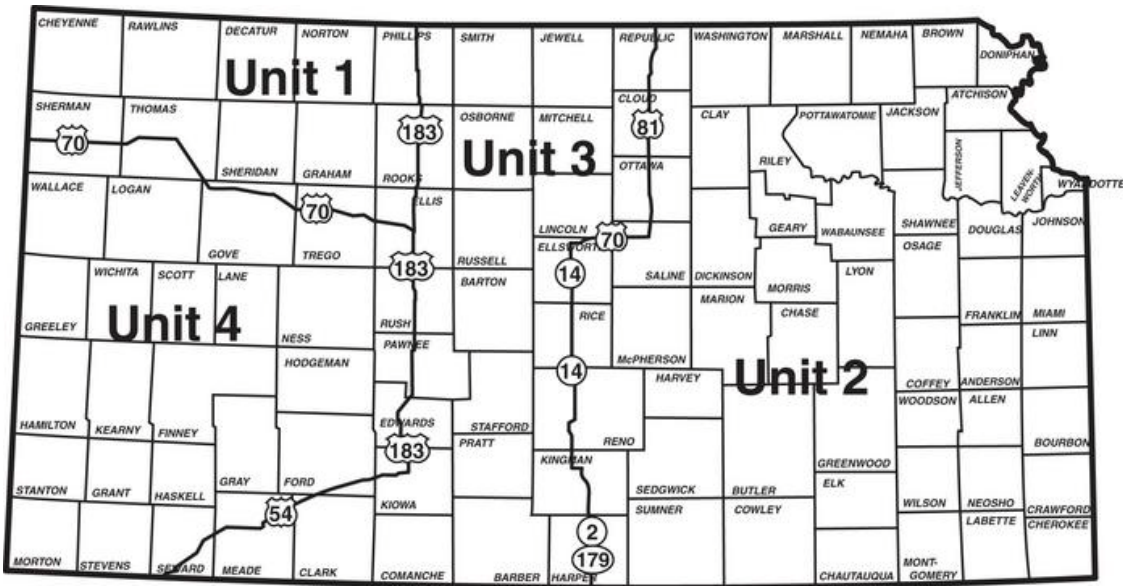
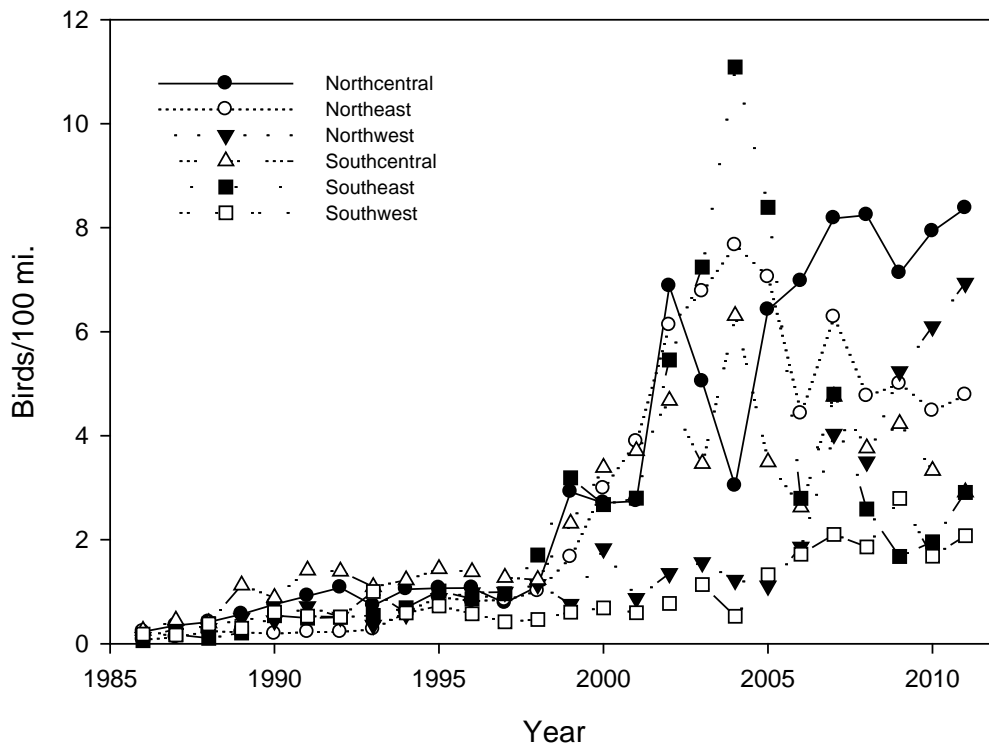


Figure 2. Regional indices (birds/100 mi.) to Kansas' wild turkey population derived from the April rural mail carrier survey, 1986-



2011.

Figure 3. Proposed fall wild turkey hunting units for the 2012-2013 season.

Appendix 1. Adaptive harvest strategy that would be used to guide recommended changes to fall and spring wild turkey bag limits if the new hunt units are adopted. The strategy would set the spring 2011 season as the baseline year which would mean no changes to bag limits would be recommended until at least 2013.

<u>Bag Limit Hierarchy</u>	<u>Hunt Unit (proposed unit numbers)</u>
A.) 3 spring and 4 fall	
B.) 2 spring and 4 fall	2, 3, 5, 6
C.) 2 spring and 1 fall (most liberal package for Units 1 & 4)	
D.) 2 spring and no fall or 1 spring and 1 fall	1
E.) 1 spring and no fall	
F.) Resident-only limited draw spring (moving down) Quota Increase (moving up)	4
G.) Quota Reductions (moving down) Resident-only limited draw spring	

Triggers that would result in recommend changes to bag limits within a hunt unit

1. The percentage of active resident hunters harvesting at least one bird must be equal to or greater than 60 percent for each of the previous three years, and the percentage of the total harvest composed of jakes must average less than 25 percent over the same period before upward movement would be recommended.
2. The percentage of active resident hunters who harvest at least one bird must be equal to or less than 55 percent for two consecutive years before downward movement would be recommended.

Regional and statewide estimates of the percentage of the total spring harvest composed of jakes and the percentage of active resident and non-resident hunters who harvested at least one bird during Kansas' spring turkey season, 2005-2011.

Resident Active Hunter Success (%)

Year	STWD	NC	NE	NW	SC	SE	SW
2005	65	63	68	71.8	61.1	64.4	65.7
2006	62.7	62	63.1	57.6	65	59.4	66.4

Jake Harvest (%)

Year	STWD	NC	NE	NW	SC	SE	SW
2005							
2006	14	15.3	12.6	25.0	14.4	12.0	16.2
2007	18	21.6	15.8	17.7	14.2	19.2	16.6
2008	14	11.9	11.9	17.2	14.7	15.4	11.6
2009	15	19.7	13.3	14.3	13.7	14.9	14.3
2010	14	14.6	13.5	16.3	13.2	15.5	12.6
2011	15.4	13.1	15.7	13.1	14.9	20.4	12.7
2007	58.7	57.1	62.5	61.3	56.5	56.3	62.7
2008	58.5	58.8	65.4	42.9	53.7	54.3	60.5
2009	56.1	59.7	57	68.6	55	52.5	56.3
2010	57.6	63.6	58	66	57.4	55.9	57.4
2011	55.7	58.8	53.6	54.9	54.5	49.9	63.4

Nonresident Active Hunter Success (%)
(presented only for reference)

Year	STWD	NC	NE	NW	SC	SE	SW
2005	75.3	77.2	75	70.4	75.3	78.2	73.3
2006	74.6	79.4	76.4	72.7	75.2	75.8	66.7
2007	68.8	73.6	75.4	76.5	69.8	63.4	60
2008	77	80.4	81.9	73.3	83.5	75.3	62.5
2009	70.1	76.5	74.1	67.6	68.2	67.3	66.1
2010	72	71.6	75.5	76.3	76.2	70.7	75.2
2011	69.3	72.7	69.2	68.3	69.2	66.5	67.9

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

Background

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

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

Discussion

Fort Riley personnel have requested regular archery season dates and regular muzzleloader season dates listed in K.A.R. 115-25-9.

Fort Riley personnel have requested an extended firearms season dates for the taking of antlerless white-tailed deer listed in K.A.R. 115-25-9, note that this does not include the additional week allowed in DMU 8 for the special extended season.

Fort Riley personnel have requested additional days to those listed in K.A.R 115-25-9 for designated persons (i.e., 16 years or younger and people with a permit issued according to K.A.R. 115-18-4 or K.A.R. 115-18-15). They have requested the additional period from October 5, 2012 through October 8, 2012.

Fort Riley personnel have requested season dates for firearms deer hunting at Fort Riley to be from November 23, 2012 through November 25, 2012, and December 15, 2012 through December 23, 2011.

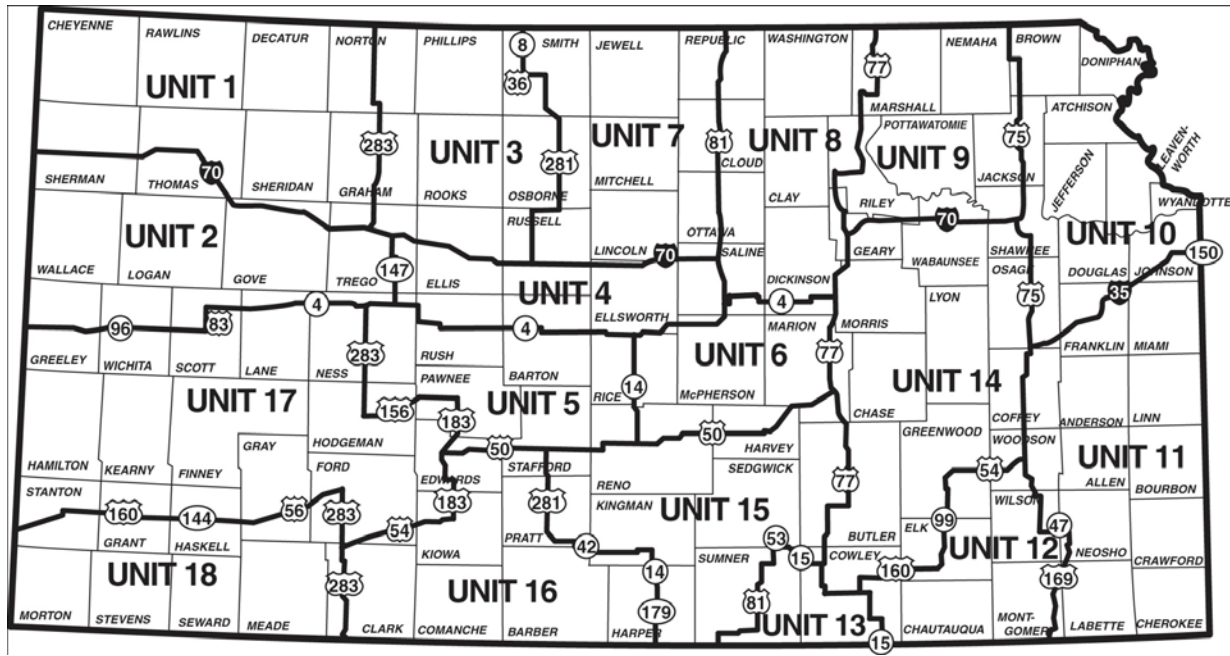
Fort Riley personnel have requested additional firearms hunting days in January when individuals authorized by Fort Riley to hunt and take antlered deer. The days requested are January 19, 2013 through January 21, 2013.

Fort Riley personnel have requested additional archery hunting days before the regular archery season and also in January when individuals authorized by Fort Riley to hunt and take antlered deer. The days requested are from September 1, 2012 through September 16, 2012 and from January 14, 2013 through January 31, 2013.

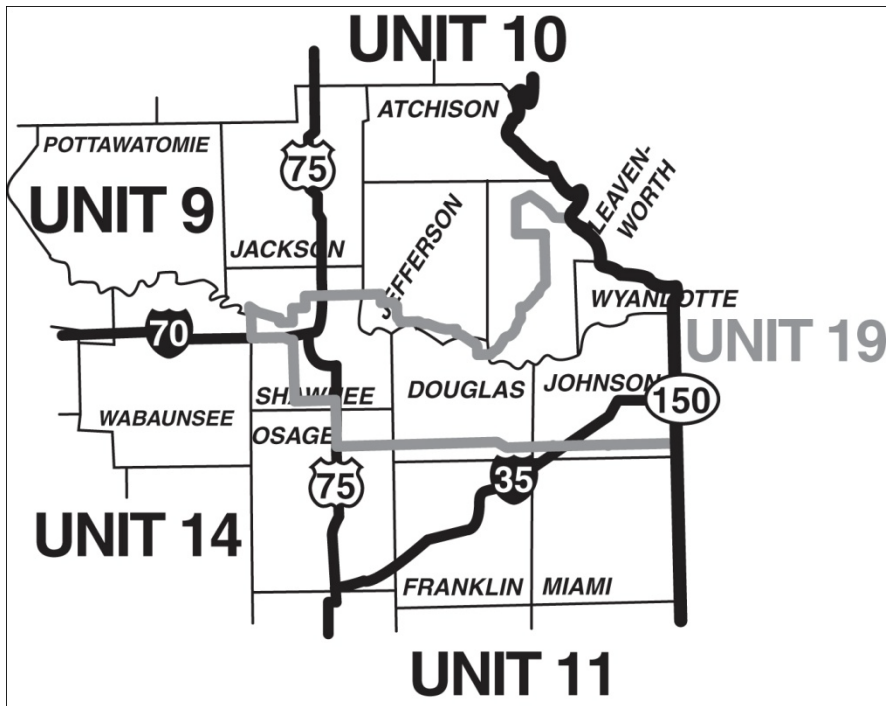
Recommendation

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

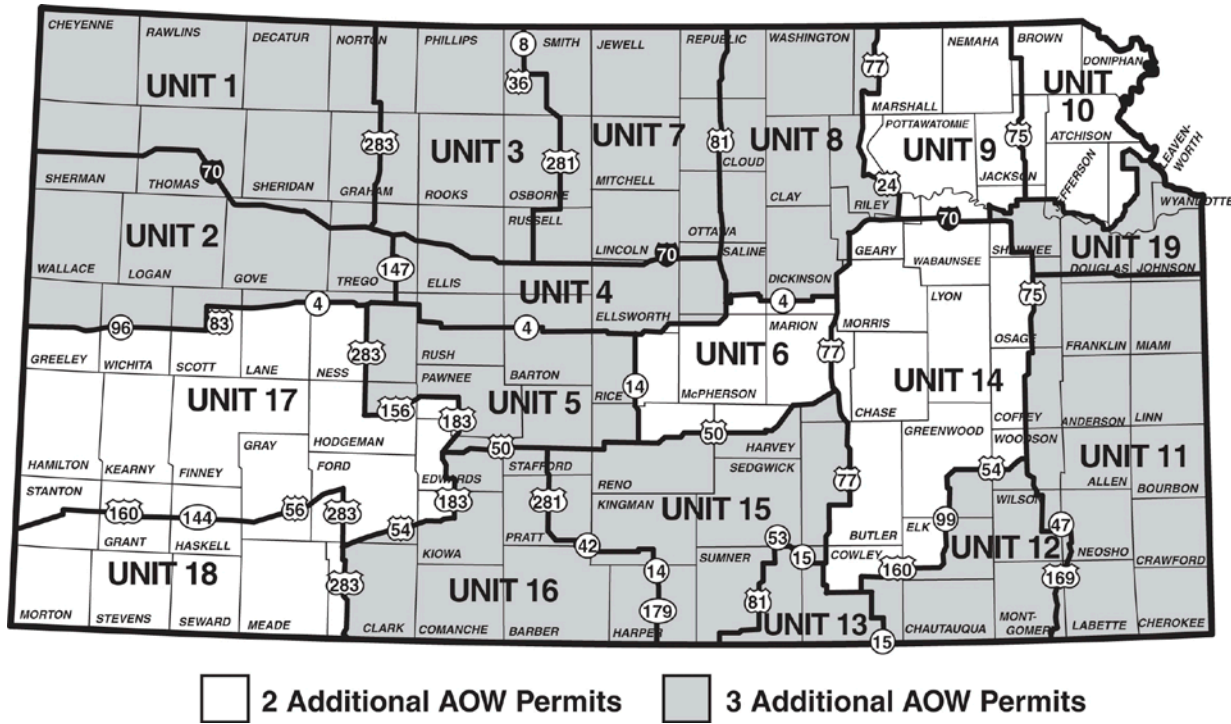
Deer Management Units



Deer Management Units with Sub-Unit 19



Proposed 2012 Antlerless White-tailed Deer Units



Public Hearing

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

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

Topeka, Kansas 66612-1233

Title of Document -- Public Meeting

Desired Date of Publication - January 19, 2012

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, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 7:00 p.m., Thursday, March 22, 2012 at the Kansas Historical Society History Center, 6425 SW 6th, Topeka, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A regulatory hearing on business of the Wildlife, Parks, and Tourism Commission will begin at 7:00 p.m., March 22 at the location listed above. There will be public comment periods at the beginning of the evening meeting 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. March 23 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, Parks, and Tourism, 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. 115-4-2. This permanent regulation establishes general provisions for big game and wild turkeys. The proposed amendments address further concerns with transportation of wildlife, remove language that is no longer necessary and make it unlawful to copy or possess copies of big game and wild turkey permits.

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. 115-4-4. This permanent regulation establishes big game legal equipment. The proposed amendments would allow certain individuals to use crossbows during the archery season and remove restrictions on possessing certain equipment.

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. 115-4-4a. This permanent regulation establishes wild turkey legal equipment. The proposed amendments would allow certain individuals to use crossbows during the archery season and remove restrictions on possessing certain equipment.

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.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, 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

January 9, 2012

Chris Tymeson
Chief Legal Counsel
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Ave., Suite 200
Topeka, KS 66612-1327

RE: K.A.R. 115-4-2; K.A.R. 115-4-4; K.A.R. 115-4-4a

Dear Susan:

Pursuant to K.S.A. 77-420(b), we have determined that the above-referenced regulations are within the statutory authority of the agency and do not present any other legal issues of concern. We have therefore approved the regulations for legality. The regulations are stamped and enclosed with this letter.

The originals are enclosed herein.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Sarah Fertig
Assistant Attorney General

Enclosures

cc: Rep. Carl Holmes, Chair, Joint Committee on Rules and Regulations
Sen. Vicki Schmidt, Vice Chair, Joint Committee on Rules and Regulations
Rep. Janice Pauls, Ranking Minority Member, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 545N
Kenneth Wilke, Revisor of Statutes, State Capitol, Ste. 24-E

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

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

Topeka, Kansas 66612-1233

Title of Document -- Public Meeting

Desired Date of Publication - February 16, 2012

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, Parks, and Tourism Commission

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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 30-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, Parks, and Tourism, 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. 115-25-9. This exempt regulation establishes the open season, bag limit and permits for deer. The proposed version addresses updates in season dates and where antlerless deer permits may be used.

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.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, 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

February 6, 2012

Chris Tymeson
Chief Legal Counsel
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Ave., Suite 200
Topeka, KS 66612-1327

RE: K.A.R. 115-25-9

Dear Chris:

Pursuant to K.S.A. 77-420(b), we have determined that the above-referenced regulation is within the statutory authority of the agency and does not present any other legal issues of concern. We have therefore approved the regulation for legality. The regulation is stamped and enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Sarah Fertig
Assistant Attorney General

Enclosure

cc: Sen. Vicki Schmidt, Chair, Joint Committee on Rules and Regulations
Rep. Carl Holmes, Vice Chair, Joint Committee on Rules and Regulations
Rep. Janice Pauls, Ranking Minority Member, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 545N
Kenneth Wilke, Revisor of Statutes, State Capitol, Ste. 24-E

STATE OF KANSAS



RANEY L. GILLILAND
Interim Director
J.G. SCOTT
Chief Fiscal Analyst
Amy Deakard
Assistant Director for Information Management

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/kld> E-MAIL: kslegres@ktrd.ks.gov

February 15, 2012

Mr. Robin Jennison, Secretary
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Avenue, Room 200
Building Mail

Dear Secretary Jennison:

At its meeting on February 10, 2012, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning big game and wild turkey, general provisions; big game, legal equipment and taking methods; wild turkey, legal equipment and taking methods. 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
Acting Director

RLG/db

115-4-2. Big game and wild turkey; general provisions. (a) Possession.

(1) Each permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the carcass in a visible manner immediately following the kill and before moving the carcass from the site of the kill. ~~Except for a wild turkey or big game animal taken with an “either sex” permit, the beard of the wild turkey or the head of the big game animal shall remain naturally attached to the carcass while in transit from the site of the kill to the permittee’s residence or to a place of processing or preservation, unless the carcass has been tagged with a department check station tag or the permittee has obtained a transportation confirmation number after electronically registering the permittee’s deer on the department’s electronic registration site. “Electronically registering” shall mean submitting any necessary and relevant information and digital photographs of the deer head and of the completed carcass tag of sufficient clarity to display the species and antler class of the deer and the transaction number and signature on a completed carcass tag.~~ The carcass tag shall remain attached to the carcass or in the possession of the permittee if transporting a quartered or deboned animal until the animal reaches the permittee’s residence or a commercial place of processing or preservation and is processed for consumption. The permittee shall retain the carcass tag until the animal is consumed, given to another, or otherwise disposed of.

(2) Except for a wild turkey or big game animal taken with an “either sex” permit, the beard of the wild turkey shall remain naturally attached to the breast or the head of the big game animal shall remain naturally attached to the carcass while in transit from the site of the kill to the permittee’s residence or to a commercial place of processing or preservation, unless the carcass has been tagged with a department check station tag, the permittee has obtained a transportation confirmation number after electronically registering the permittee’s deer or wild turkey on the department’s electronic registration site, or the permittee retains photographs necessary for electronic registration until registration occurs. “Electronically registering” shall mean submitting any necessary and relevant information and digital photographs of the deer head or turkey breast and of the completed carcass tag of sufficient clarity to display the species and the antlered or antlerless condition of the deer, the beard of the wild turkey, and the transaction number and signature on a completed carcass tag.

(3) Any legally acquired big game or wild turkey meat may be given to and possessed by another, if a dated written notice that includes the donor's printed name, signature, address, and permit number accompanies the meat. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.

~~(3)~~ (4) Any person may possess a salvaged big game or wild turkey carcass if a department salvage tag issued to the person obtaining the carcass is affixed to the carcass. The salvage tag shall be retained as provided in paragraph (a)(1). Big game or wild turkey meat may be donated as specified in paragraph ~~(a)(2)~~ (a)(3) using the salvage tag number. Each salvage tag report prepared by the department agent issuing the tag shall be signed by the individual receiving the salvaged big game or wild turkey carcass. Each salvage tag shall include the following information:

- (A) The name and address of the person to whom the tag is issued;
- (B) the salvage tag number;
- (C) the species and sex of each animal for which the tag is issued;
- (D) the location and the date, time, and cause of death of each animal; and
- (E) the date of issuance and the signature of the department agent issuing the salvage tag.

(b) Big game and wild turkey permits and game tags.

(1) A permit or game tag purchased during the open season shall not be valid until the next calendar day.

(2) Big game and wild turkey permits and game tags shall not be transferred to another person, unless otherwise authorized by law or regulation.

~~(3) Removal of the carcass tag from the permit or game tag shall invalidate the permit or game tag for hunting, unless otherwise authorized by law or regulation.~~

~~(4)~~ In addition to other penalties prescribed by law, each big game and wild turkey permit or game tag shall be invalid from the date of issuance if obtained by an individual under any of these conditions:

- (A) Through false representation;
- (B) through misrepresentation; or
- (C) in excess of the number of permits or game tags authorized by regulations for that big game

species or wild turkey.

(4) No individual shall copy, reproduce, or possess any copy or reproduction of a big game or wild turkey permit or carcass tag.

(c) Hunting assistance. Subject to the hunting license requirements of K.S.A. 32-919 and amendments thereto, the license requirements of the implementing regulations, and the provisions of paragraphs (c)(1), (c)(2), and (c)(3), any individual may assist any holder of a big game or wild turkey permit or game tag during the permittee's big game or wild turkey hunting activity. This assistance may include herding, ~~or driving, or calling.~~

(1) An individual assisting the holder of a big game or wild turkey permit or game tag shall not perform the actual shooting of big game or wild turkey for the permittee, unless authorized by K.A.R. 115-18-15. However, a permittee who is, because of disability, unable to pursue a wounded big game animal or wild turkey may designate any individual to assist in pursuing and dispatching a big game animal or wild turkey wounded by the disabled permittee.

(2) The designated individual shall carry the disabled permittee's big game or wild turkey permit or game tag and shall attach the carcass tag to the carcass immediately after the kill and before leaving the site of the kill.

(3) The designated individual shall use only the type of equipment authorized for use by the disabled permittee. (Authorized by and implementing K.S.A. 32-807, K.S.A. ~~2008~~ 2010 Supp. 32-937, and K.S.A. ~~2008~~ 2010 Supp. 32-969; ~~implementing~~ K.S.A. 32-807, K.S.A. 2008 Supp. 32-937, K.S.A. ~~2008~~ 2010 Supp. 32-969, K.S.A. 2008 Supp. 32-1001, K.S.A. 2008 Supp. 32-1002, and K.S.A. 2008 Supp. 32-~~1004~~; effective June 1, 2001; amended April 22, 2005; amended April 16, 2010; amended P-
_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-4-2. Big game and wild turkey; general provisions.

DESCRIPTION: The proposed changes would further address concerns with transportation of carcasses beyond the borders of the state and preventing potential disease transmission by allowing a method of electronic registration. The proposed changes would also remove language related to permits that is no longer valid with an electronic licensing system and make it unlawful to reproduce and possess big game and turkey permits.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

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

(1) Archery equipment.

(A) Each bow shall be hand-drawn.

(B) No bow shall have a mechanical device that locks the bow at full or partial draw.

(C) Each bow shall be designed to shoot only one arrow at a time.

(D) No bow shall have any electronic device attached to the bow or arrow, with the exception of lighted pin, dot, holographic sights, or illuminated nocks.

(E) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

(F) No bow with less than 50 pounds of draw weight shall be used to archery hunt for elk.

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

(3) For any individual possessing a youth big game permit or any individual 55 years of age or older, crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

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

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

(2) muzzleloading rifles and muskets that can be loaded only through the front of the firing chamber with separate components and that fire a bullet of .39 inches in diameter or larger, except for the hunting of elk, which shall require a bullet of .49 inches in diameter or larger; and

(3) single-barrel muzzleloading pistols .45 caliber or larger that have a barrel length of 10 inches

or greater and can be loaded only through the front of the barrel with separate components, except for the hunting of elk, which shall require a bullet of .49 inches in diameter or larger. Only hard-cast solid lead, conical lead, or sabot bullets shall be used with muzzleloading pistols.

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

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

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

(3) centerfire rifles and handguns that are not fully automatic, that fire a bullet larger than .23 inches in diameter, and that use a cartridge case that is 1.280 inches or more in length, while using only hard-cast solid lead, soft point, hollow point, or other expanding bullets, except for the hunting of elk, which shall require a bullet larger than .25 inches in diameter and a cartridge case that is 1.75 inches or more in length;

(4) shotguns using only slugs of 20 gauge or larger, except that the hunting of elk shall require a slug of 12 gauge or larger; and

(5) crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter using ~~archery~~ crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

(d) Accessory equipment.

(1) Each individual hunting deer or elk during a firearms deer or elk season and each individual assisting an individual hunting deer or elk as authorized by K.A.R. 115-4-2 or K.A.R. 115-18-15 during a firearms deer or elk season shall wear clothing of a bright orange color having a predominant light wavelength of 595-605 nanometers, commonly referred to as daylight fluorescent orange, hunter orange, blaze orange, or safety orange. This bright orange color shall be worn as follows:

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

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

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

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

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

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

(6) Devices capable of dispensing chemicals to take big game animals shall not be used.

(e) ~~Big game permittees shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive big game permit in possession while hunting.~~

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

~~(g)~~ (f) Horses and mules may be used while hunting big game, except that horses and mules shall not be used for herding or driving elk. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2009 2010 Supp. 32-937; ~~implementing~~ K.S.A. 32-807, K.S.A. 2009 Supp. 32-937, K.S.A. 2009 Supp. 32-1002, and K.S.A. 32-1015; effective June 1, 2001; amended April 19, 2002; amended April 22, 2005; amended June 2, 2006; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended P-_____.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This regulation establishes legal equipment and taking methods for big game species. The proposed amendments would allow the use of crossbows by certain individuals in the archery season as well as remove restrictions related to possessing certain equipment for the permit type possessed.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

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

As a result of internal Commission comment and publication timing on the proposed regulation, the Department suggests that the following amendment be made to the version of the regulation submitted for public comment.

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

1. Not Amend proposed subsection (e) as follows and re-alphabetize as original:

(e) Big game permittees shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive big game permit in possession while hunting.

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

(1) Archery equipment.

(A) Each bow shall be hand-drawn.

(B) No bow shall have a mechanical device that locks the bow at full or partial draw.

(C) Each bow shall be designed to shoot only one arrow at a time.

(D) No bow shall have any electronic device attached to the bow or arrow, with the exception of lighted pin, dot, holographic sights, or illuminated nocks.

(E) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

(3) For any individual possessing a youth wild turkey permit or any individual 55 years of age or older, crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

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

(2) shotguns and muzzleloading shotguns not less than 20 gauge and using only size two shot through size nine shot; and

(3) only during the spring wild turkey firearm season, crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A

wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:

- (1) Nonelectric calls, lures, and decoys, except live decoys;
- (2) blinds and stands;
- (3) range-finding devices, if the devices do not project visible light toward the target; and
- (4) optical scopes or sights that project no visible light toward the target and do not electronically

amplify visible or infrared light.

(d) ~~Each wild turkey permittee shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive wild turkey permit or game tag in possession while hunting.~~

(~~e~~) Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

(~~f~~) (e) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

(~~g~~) (f) Dogs may be used while hunting turkey, but only during the fall turkey season.

(Authorized by and implementing K.S.A. 32-807 and K.S.A. ~~2009~~ 2010 Supp. 32-969; ~~implementing~~ ~~K.S.A. 32-807, K.S.A. 2009 Supp. 32-969, and K.S.A. 2009 Supp. 32-1002~~; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-4-4a. Wild turkey; legal equipment and taking methods.

DESCRIPTION: This regulation establishes legal equipment and taking methods for wild turkeys. The proposed amendments would allow the use of crossbows by certain individuals in the archery season as well as remove restrictions related to possessing certain equipment for the permit type possessed.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

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

As a result of internal Commission comment and publication timing on the proposed regulation, the Department suggests that the following amendment be made to the version of the regulation submitted for public comment.

K.A.R. 115-4-4a. Wild Turkey; legal equipment and taking methods.

1. Not Amend proposed subsection (d) as follows and re-alphabetize as original:

(d) Each wild turkey permittee shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive wild turkey permit or game tag in possession while hunting.

115-25-9. Deer; open season, bag limit, and permits. (a) The open season for the taking of deer shall be as follows:

(1) Archery season.

(A) The archery season dates shall be September 17, 2012 through December 31, 2012.

(B) The entire state shall be open for the taking of deer during the archery deer season. However, nonresident archery deer permits shall be valid in only two adjacent deer management units designated at the time of application and unit 19.

(C) All archery deer permits also shall be valid during the portion of the extended firearm season beginning on January 1, 2013 and extending through the last open day in units open during an extended firearm season and shall be valid with any legal equipment authorized during a firearm season, but shall be valid only for antlerless white-tailed deer during those dates.

(D) The number of archery deer permits based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information shall be as established by the secretary with the concurrence of the commission.

(E) The urban antlerless-only white-tailed deer archery season shall begin on January 14, 2013 and extend through January 31, 2013 in all units designated as an urban deer management unit.

(2) Firearm season.

(A) In the Fort Leavenworth subunit, the firearm season dates shall be November 17, 2012 through November 18, 2012, November 22, 2012 through November 25, 2012, December 1, 2012 through December 2, 2012, December 8, 2012 through December 9, 2012, and December 15, 2012 through December 16, 2012. In the Smoky Hill Air National Guard subunit, the firearm season dates shall be November 20, 2012 through December 1, 2012. The regular firearm season dates in all other deer management units shall be November 28, 2012 through December 9, 2012.

(B) The urban firearm deer season in all units designated in K.A.R. 115-4-6 as an urban deer management unit shall be October 13, 2012 through October 21, 2012. White-tailed either-sex deer permits issued for a deer management unit adjacent to or encompassing an urban deer management unit shall be valid only in the urban deer management unit during the urban firearm deer season.

(C) During the regular and extended firearm deer seasons, white-tailed either-sex deer permits issued for a deer management unit adjacent to or encompassing an urban deer management unit shall be valid in both the designated unit and the urban deer management unit.

(D) The number of firearm deer permits for each management unit based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information shall be as established by the secretary with the concurrence of the commission.

(3) Muzzleloader-only season.

(A) The muzzleloader-only season in all deer management units shall be September 17, 2012 through September 30, 2012. Muzzleloader deer permits shall also be valid during established firearm seasons using muzzleloader equipment, except that during the portion of the extended firearm season beginning on January 1, 2013 and extending through the last open day in units open during an extended firearm season, these permits shall be valid with any legal equipment authorized during a firearm season. During an extended firearm season, only muzzleloader deer permits for deer management units open during these dates shall be valid, and only for antlerless white-tailed deer.

(B) The number of muzzleloader deer permits issued for each management unit based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information shall be as established by the secretary with the concurrence of the commission.

(4) Season for designated persons.

(A) The season for designated persons to hunt deer shall be September 8, 2012 through September 16, 2012 in all deer management units.

(B) Only the following persons may hunt during this season:

(i) Any person 16 years of age or younger, only while under the immediate supervision of an adult who is 18 years of age or older; and

(ii) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4 or a disability assistance permit issued according to K.A.R. 115-18-15.

(C) All resident and nonresident deer permits shall be valid during this season.

(D) All persons hunting during this season shall wear blaze orange according to K.A.R. 115-4-4.

(5) Extended firearm seasons.

(A) Any unfilled deer permit valid in unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, or 19, as applicable, shall be valid during the extended firearm season beginning January 1, 2013 and extending through January 13, 2013 in those units.

(B) Any unfilled deer permit valid in units 7, 8, and 15 shall be valid in a special extended firearm antlerless-only season in units 7, 8, and 15. The special extended firearm season shall be January 14, 2013 through January 20, 2013. The bag limit shall be one antlerless deer.

(C) Only antlerless white-tailed deer may be taken.

(D) Permits restricted to a specific unit shall remain restricted to that unit during the extended firearm season.

(E) Equipment legal during a firearm season shall be authorized with any permit.

(b) Unlimited resident hunt-on-your-own-land, special hunt-on-your-own-land, and nonresident hunt-on-your-own-land deer permits shall be authorized for all units. These permits also shall be valid during the portion of the extended firearm season beginning on January 1, 2013 and extending through the last open day in units open during an extended firearm season, but shall be valid only for antlerless white-tailed deer during an extended firearm season.

(c) Any individual may apply for and obtain multiple deer permits, subject to the following limitations:

(1) Any individual may apply for or obtain no more than one deer permit that allows the taking of an antlered deer, except when the individual is unsuccessful in a limited quota drawing and alternative permits for antlered deer are available at the time of subsequent application.

(2) Any individual may obtain no more than five antlerless white-tailed deer permits. One antlerless white-tailed deer permit shall be valid statewide, including lands managed by the department. One antlerless white-tailed deer permit shall be valid statewide, on lands not managed by the department, except Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster, and Wilson Wildlife

Areas. Three antlerless white-tailed deer permits shall be valid in units 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 15, 16, and 19 on lands not managed by the department, except Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster, and Wilson Wildlife Areas.

(3) Any resident may obtain no more than one either-species, either-sex permit through the application period described in K.A.R. 115-4-11.

(4) Nonresidents shall be eligible to obtain antlerless white-tailed deer permits. Otherwise, a nonresident shall be eligible to apply for and obtain only those permits designated as nonresident deer permits.

(5) No resident or nonresident shall purchase any deer permit that allows the taking of antlerless-only deer without first having obtained a deer permit that allows the taking of antlered deer, unless the antlerless-only deer permit is purchased after December 30, 2012.

(6) Any individual may obtain one antlerless-only either-species deer permit, subject to the number of antlerless-only either-species deer permits authorized.

(d) The bag limit for each deer permit shall be one deer, as specified on the permit issued to the permittee.

(e) No deer permit issued pursuant to this regulation shall be valid after January 31, 2013.

(f) This regulation shall be effective on and after May 1, 2012, and shall have no force and effect on and after March 1, 2013. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2011 Supp. 32-937.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: The proposed exempt regulation establishes hunting bag limits, application periods and season dates for the 2012-2013 firearm, muzzleloader and archery deer seasons. There are very few changes from 2011-2012 seasons. Season dates are adjusted to coincide with the calendar and some public lands where additional white-tailed antlerless deer may be taken have been added to the regulation.

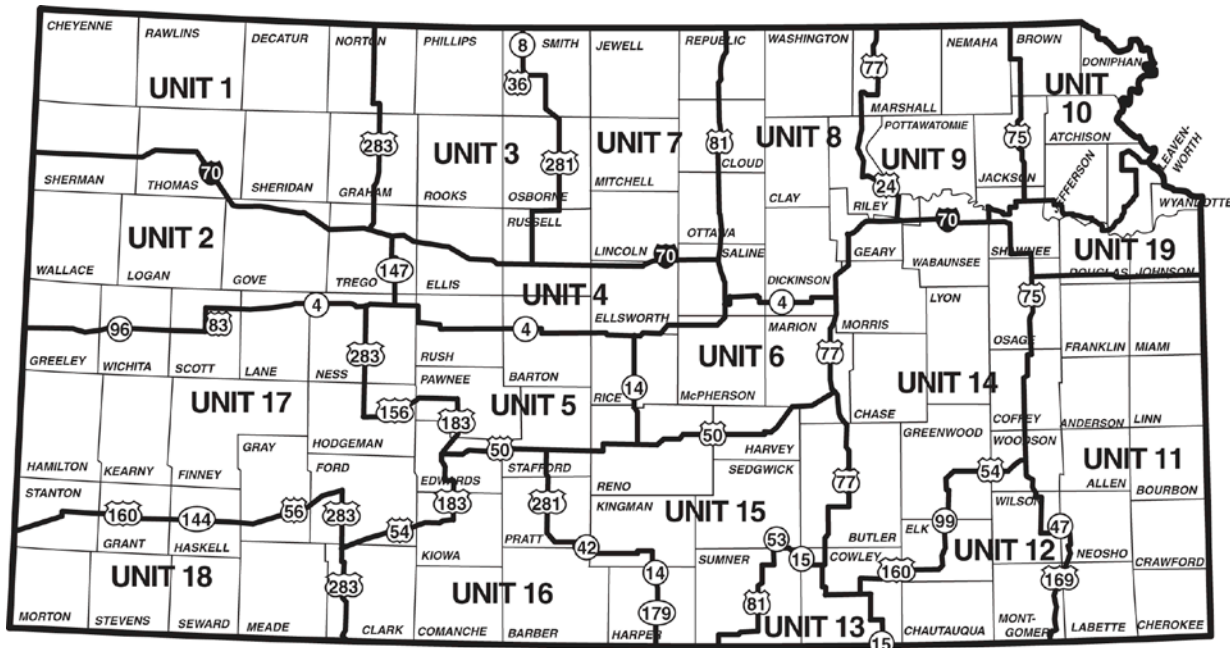
FEDERAL MANDATES: None

ECONOMIC IMPACT: If the economic impact to the department, the general public, small business and other agencies from the 2012-13 seasons were to be similar to the estimate for the 2011-2012 seasons, total revenue to the department from the sale of all resident, nonresident, and landowner/tenant deer permits is estimated to be approximately \$10,045,760.

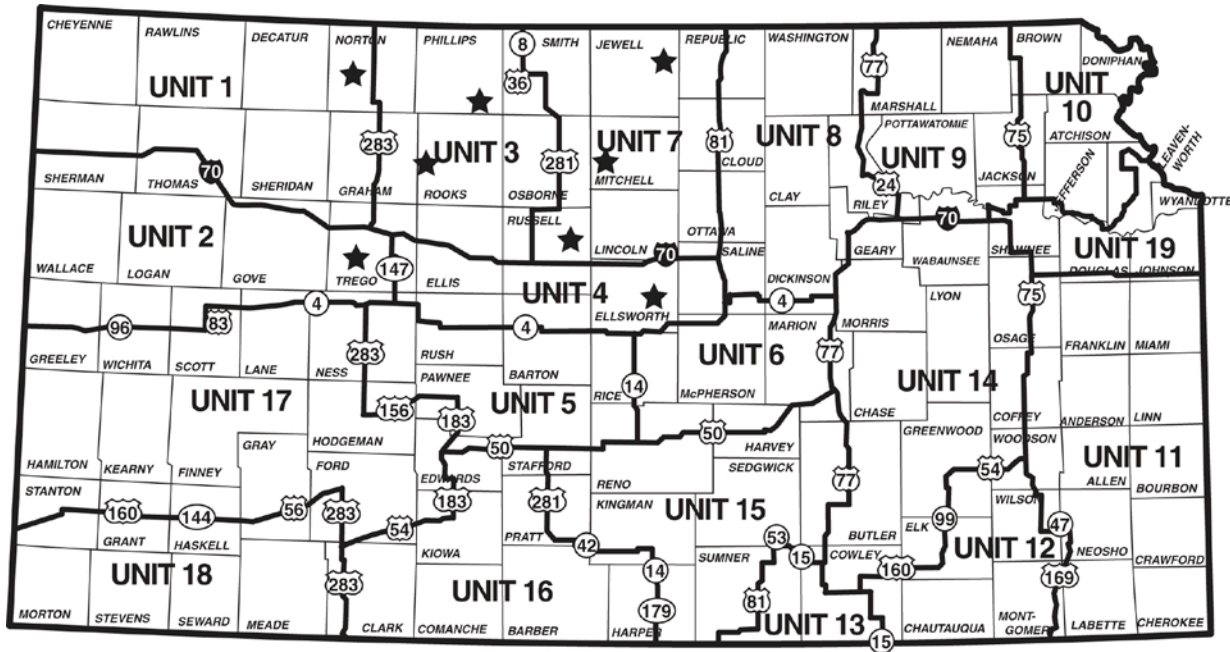
Approximately 575,000 days of hunting activity by 115,000 hunters are anticipated. A 2006 survey conducted by the U.S. Fish and Wildlife Service estimated that big game hunters spent approximately \$1100 per year on trip and equipment expenditures, thus the 2011-12 deer seasons in Kansas are anticipated to generate approximately \$126.5 million worth of direct economic benefit to businesses providing big game goods and services. No other economic impact to state agencies, small businesses, or other individuals is anticipated.

ALTERNATIVES CONSIDERED: None.

Deer Management Units



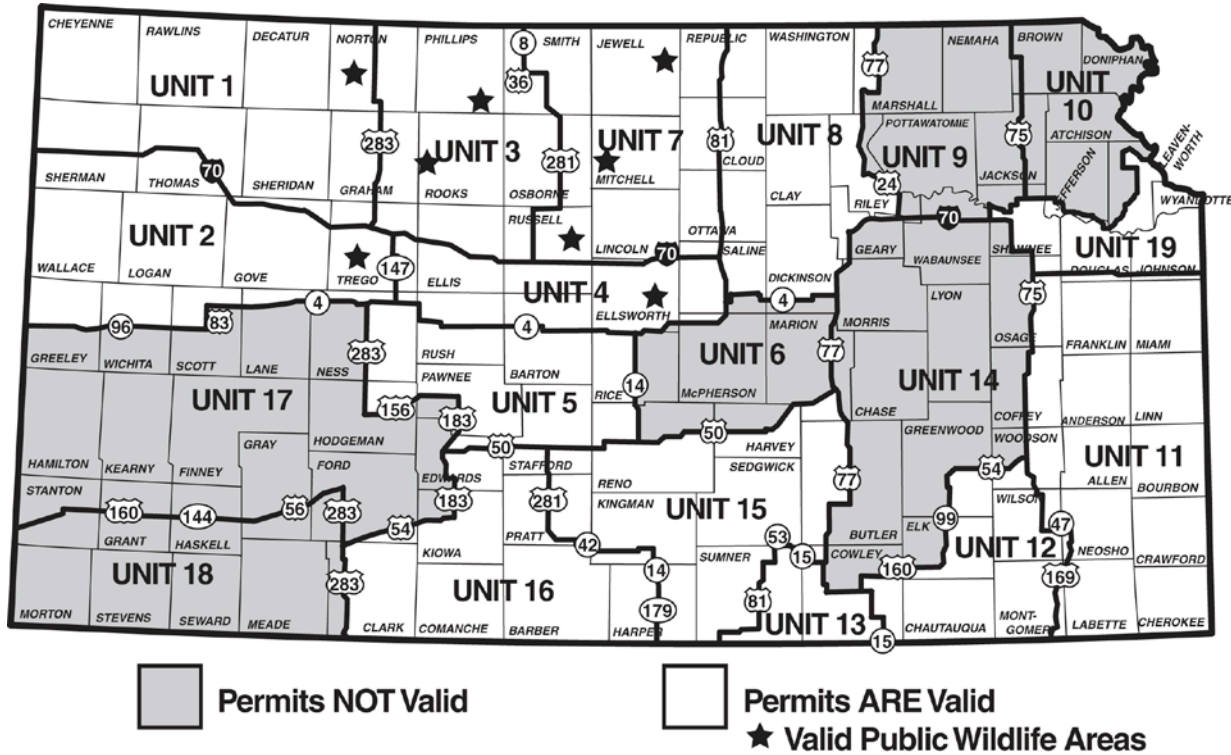
1st White-tailed Deer Antlerless-only Permit valid statewide,
including all KDWPT managed lands



★ Valid Public Wildlife Areas

2nd White-tailed Deer Antlerless-only permit valid statewide on private lands
and WIHA, also valid on the following public areas: Cedar Bluff, Glen Elder, Kanapolis,
Kirwin, Lovewell, Norton, Webster and Wilson Wildlife Areas

Proposed 2012 Antlerless White-tailed Deer Units



3rd, 4th and 5th White-tailed Deer Antlerless-only permits valid in DMUs 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 15, 16, & 19 on private lands and WIHA, also valid on the following public areas: Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson Wildlife Areas

SECRETARY'S ORDERS
2012 DEER SEASON PERMIT QUOTAS

The Secretary of the Kansas Department of Wildlife Parks, and Tourism as authorized by K.A.R. 115-25-9,
 hereby establishes the 2012 deer season permit quotas in the following deer management units:

2012 DEER SEASON PERMIT QUOTAS
KANSAS RESIDENTS

STATEWIDE; ARCHERY ONLY:

Either Species Either Sex..... open availability ^e

STATEWIDE; ARCHERY, FIREARMS & MUZZLELOADER:

White-tailed Deer Either Sexopen availability ^e

HUNT-ON-YOUR-OWN-LAND:

UNITS 1-19:

Either Species Either Sexopen availability ^e

WESTERN MULE DEER:

UNITS 1, 2, 17, & 18:

Firearms Either Species Either Sex 1290 ^e

Muzzleloader Either Speciesopen availability ^e

EASTERN MULE DEER:

UNITS 3, 4, 5, 7, & 16:

Firearms Either Species Either Sex 1000 ^e

Muzzleloader Either Speciesopen availability ^e

^a One WTAO permit valid statewide and on KDWPT public hunting areas.

^b One additional WTAO permit valid statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas .

^c Three additional WTAO permits valid within the area of DMUs 1, 2, 3, 4, 5, 7, 8, 10A, 11, 12, 13, 15, 16, and 19 statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas.

^d Resident either species permit valid in DMU 1, 2, 17, &18 or in DMU 3, 4, 5, 7, & 16.

^e One option for an antlered deer permit, One per hunter.

HIGH PLAINS; UNIT 1:

Antlerless Only Deer..... 80

Whitetail Antlerless Only..... ^{a b & c}

SMOKY HILL; UNIT 2:

Antlerless Only Deer..... 80

Whitetail Antlerless Only..... ^{a b & c}

KIRWIN-WEBSTER; UNIT 3:

Antlerless Only Deer..... 100

Whitetail Antlerless Only..... ^{a b & c}

KANOPOLIS; UNIT 4:

Antlerless Only Deer..... 40

Whitetail Antlerless Only..... ^{a b & c}

PAWNEE; UNIT 5:

Antlerless Only Deer..... 40

Whitetail Antlerless Only..... ^{a b & c}

MIDDLE ARKANSAS; UNIT 6:

Whitetail Antlerless Only..... ^{a & b}

SOLOMON; UNIT 7:

Whitetail Antlerless Only..... ^{a b & c}

REPUBLICAN; UNIT 8:

Whitetail Antlerless Only..... ^{a b & c}

TUTTLE CREEK; UNIT 9:

Whitetail Antlerless Only..... ^{a b}

KAW; UNIT 10:
 Whitetail Antlerless Only..... a b

OSAGE PRAIRIE; UNIT 11:
 Whitetail Antlerless Only..... a b & c

CHAUTAUQUA HILLS; UNIT 12:
 Whitetail Antlerless Only..... a b & c

LOWER ARKANSAS; UNIT 13:
 Whitetail Antlerless Only..... a b & c

FLINT HILLS; UNIT 14:
 Whitetail Antlerless Only..... a b

NINNESCAH; UNIT 15:
 Whitetail Antlerless Only..... a b & c

RED HILLS; UNIT 16:
 Whitetail Antlerless Only..... a b & c

WEST ARKANSAS; UNIT 17:
 Antlerless Only Deer..... 100
 Whitetail Antlerless Only..... a

CIMARRON; UNIT 18:
 Antlerless Only Deer..... 80
 Whitetail Antlerless Only..... a

KANSAS CITY URBAN; UNIT 19:
 Whitetail Antlerless Only..... a b & c

^a One WTAO permit valid statewide and on KDWPT public hunting areas.

^b One additional WTAO permit valid statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas .

^c Three additional WTAO permits valid within the area of DMUs 1, 2, 3, 4, 5, 7, 8, 10A, 11, 12, 13, 15, 16, and 19 statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas.

^d Resident either species permit valid in DMU 1, 2, 17, &18 or in DMU 3, 4, 5, 7, & 16.

^e One option for an antlered deer permit, One per hunter.

**2012 DEER SEASON PERMIT QUOTAS
NONRESIDENTS**

Secretary's Orders
2012 Deer Season Permit Quotas
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HIGH PLAINS; UNIT 1:

Whitetail Either Sex 772
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 50
Antlerless Only Deer 16
Whitetail Antlerless Only.....^{a b & c}

SMOKY HILL; UNIT 2:

Whitetail Either Sex 424
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 40
Antlerless Only Deer 16
Whitetail Antlerless Only.....^{a b & c}

KIRWIN-WEBSTER; UNIT 3:

Whitetail Either Sex 912
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 36
Antlerless Only Deer 20
Antlerless Only Deer 16
Whitetail Antlerless Only.....^{a b & c}

^a One WTAO permit valid statewide and on KDWP public hunting areas.

^b One additional WTAO permit valid statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas .

^c Three additional WTAO permits valid within the area of DMUs 1, 2, 3, 4, 5, 7, 8, 10A, 11, 12, 13, 15, 16, and 19 statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas.

^d Resident either species permit valid in DMU 1, 2, 17, &18 or in DMU 3, 4, 5, 7, & 16.

^e One option for an antlered deer permit, One per hunter.

KANOPOLIS; UNIT 4:

Whitetail Either Sex 447
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 12
Antlerless Only Deer 8
Whitetail Antlerless Only.....^{a b & c}

PAWNEE; UNIT 5:

Whitetail Either Sex 596
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 12
Antlerless Only Deer 8
Whitetail Antlerless Only.....^{a b & c}

MIDDLE ARKANSAS; UNIT 6:

Whitetail Either Sex 538
Choice of Archery, Muzzleloader, or Firearms
Whitetail Antlerless Only.....^{a & b}

SOLOMON; UNIT 7:

Whitetail Either Sex 1603
Choice of Archery, Muzzleloader, or Firearms
Mule Deer Stamp 12
Whitetail Antlerless Only.....^{a b & c}

REPUBLICAN; UNIT 8:

Whitetail Either Sex 2150
Choice of Archery, Muzzleloader, or Firearms
Whitetail Antlerless Only.....^{a b & c}

TUTTLE CREEK; UNIT 9:

Whitetail Either Sex 1033
Choice of Archery, Muzzleloader, or Firearms
Whitetail Antlerless Only.....^{a & b}

KAW; UNIT 10:

Whitetail Either Sex 1318
 Choice of Archery, Muzzleloader, or Firearms
 Whitetail Antlerless Only ^{a & b}

OSAGE PRAIRIE; UNIT 11:

Whitetail Either Sex 3226
 Choice of Archery, Muzzleloader, or Firearms
 Whitetail Antlerless Only..... ^{a b & c}

CHAUTAUQUA HILLS; UNIT 12:

Whitetail Either Sex 2076
 Choice of Archery, Muzzleloader, or Firearms
 Whitetail Antlerless Only..... ^{a b & c}

LOWER ARKANSAS; UNIT 13:

Whitetail Either Sex 621
 Choice of Archery, Muzzleloader, or Firearms
 Whitetail Antlerless Only..... ^{a b & c}

FLINT HILLS; UNIT 14:

Whitetail Either Sex 1856
 Choice of Archery, Muzzleloader, or Firearms
 Whitetail Antlerless Only..... ^{a & b}

^a One WTAO permit valid statewide and on KDWPT public hunting areas.

^b One additional WTAO permit valid statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas .

^c Three additional WTAO permits valid within the area of DMUs 1, 2, 3, 4, 5, 7, 8, 10A, 11, 12, 13, 15, 16, and 19 statewide on private lands and on Cedar Bluff, Glen Elder, Kanapolis, Kirwin, Lovewell, Norton, Webster and Wilson wildlife areas.

^d Resident either species permit valid in DMU 1, 2, 17, & 18 or in DMU 3, 4, 5, 7, & 16.

^e One option for an antlered deer permit, One per hunter.

NINNESCAH; UNIT 15:

Whitetail Either Sex 1405
 Choice of Archery, Muzzleloader, or Firearms
 Whitetail Antlerless Only..... ^{a b & c}

RED HILLS; UNIT 16:

Whitetail Either Sex 2213
 Choice of Archery, Muzzleloader, or Firearms
 Mule Deer Stamp 24
 Whitetail Antlerless Only..... ^{a b & c}

WEST ARKANSAS; UNIT 17:

Whitetail Either Sex 534
 Choice of Archery, Muzzleloader, or Firearms
 Mule Deer Stamp 50
 Antlerless Only Deer..... 20
 Whitetail Antlerless Only..... ^{a & b}

CIMARRON; UNIT 18:

Whitetail Either Sex 304
 Choice of Archery, Muzzleloader, or Firearms
 Mule Deer Stamp 30
 Antlerless Only Deer..... 16
 Whitetail Antlerless Only..... ^{a & b}

KANSAS CITY URBAN; UNIT 19:

Whitetail Antlerless Only ^{a b & c}
 Any nonresident deer hunter with a whitetail either sex deer permit valid in Unit 9, 10, 11 or 14 may also hunt in unit 19.

HUNT-ON-YOUR-OWN-LAND;

UNITS 1-19:
 Either Species Either Sex one per hunter

_____ Secretary

_____ Date