

**Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
March 22, 2012
Kansas History Center, Topeka, KS**

APPROVED Subject to
4/26/12 Commission
Approval

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

The March 22, 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 History Center. Chairman Lauber and Commissioners Don Budd, Randy Doll, Tom Dill, Frank Meyer, and Robert Wilson were present. Commissioner Debra Bolton attended via webcast (Skype).

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

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

Chairman Lauber went over the rules for using microphones and limiting presentations from 5-10 minutes where possible.

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Added department recognition before the Secretary’s remarks. Under workshop, item 1, the Kansas Hawking Club will be presenting a PowerPoint after Mike Mitchener gives his update; also under workshop deleted item No. 7 from the first agenda (potential deer regulations 2012), which is covered in other items.

IV. APPROVAL OF THE January 5, 2012 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Linda Call, Yates Center – (Ron Schafer, Carla Green) - Invited Commission to new memorial and dedication at Lake Fegan (Woodson SFL) (Exhibit C). The lake was built in 1934 by Civilian Conservation Corp (CCC) appointed by President Roosevelt. Kingman, Lyon and Woodson were first counties to receive CCC workers. Original committee included Governor Woodring, who showed support and cooperation. Ben Fegan owned the land, which he donated asking that the lake be named after him. Enrollees in this program were there from November 1934 – June 1935 Company 1715; June - October 1935, 200 men; until completed by company 2735’s 120 men. This lake was dug by hand and equipment pulled by mules. We have been in

contact with the Kansas Historical Society. There were 22 buildings out there, and some foundations are still there. Listed in National Archives and I found a blueprint of the site. We are putting together a display case and building replicas of the 22 buildings. We are also going out with metal detectors next week to see what we can locate at the site. We had posters printed, including pictures of the old lake and work (historical page) to be placed in the new KDWPT office building. One wall will be donated to Ben Fegan, and another wall will list enrollees who worked out there; over 600 men, ages 17-24. The lake site has natural beauty. We have news articles from the past on another poster. On June 9, we'll begin the day with a picnic in the park, planning to feed the first 300 who arrive. A school bus will transport people to the site. American Legion will raise flag. We've found flagpoles built by second CCC group out there, and we are moving that next to the new building. The Grand Masonic Lodge will do dedication ceremony. Robin Jennison and several politicians and local people have agreed to speak. Grandchildren of Ben Fegan and other family members will also be there. Starting rock work today to begin memorial statue to the CCC workers.

Chairman Lauber – This lake holds the state record black crappie caught in the late 1950s or early 1960s by Hazel Faye, who used to be a concessionaire out there.

Dennis Steinman, Lawrence – I attended a meeting several months ago and introduced you to new game recovery system. I want you to think about legalization and am making formal request to make it legal in Kansas. I had a booth at the Big Buck Classic a few months ago and had people sign petition and have about 60 names. Only one or two people thought it was not a good idea. If you recall, the device is used to decrease loss of wounded game and gives the hunter a better opportunity to find game shot with a bow. Chairman Lauber – I would like you to email me more about this so I can see if there is enough interest. I'd like to see a summary and let us reflect on it more. Commissioner Budd – Chris, do we have a process they go through to do this? Tymeson – No formal process, tonight we are voting on regulations that would be changed in so we can't change it tonight, but we do items on a schedule. We don't have to limit changes in regulation just to tonight, but need 60-day notice. I asked Mr. Steinman to contact Lloyd Fox. There are a number of ways to bring an idea forward, keeping the department and Commission in the loop. Steinman – Send to all Commissioners? Chairman Lauber – I like to have staff weigh in on ideas. Send it to Sheila and she can forward to Commissioners, Lloyd and Chris. Commissioner Doll – Is this product used in other states, there are a few states it is illegal in, but that is a minority? Steinman - Everything electronic was made illegal and covered under one regulation, which makes this illegal. It is a broad-brush rule of no electronics on bow or arrow. This would be another item like the lightednock, which is now allowed. The transmitter can't last very long, a couple of days because of battery life. What started this idea was it took me two days to find my deer two years ago. Chairman Lauber – Get product to Lloyd, summary to us and we will look at it. Steinman – The company has been approved through the Department of Commerce to get tax credits for investors. Tymeson – Have you patented it? Steinman – It is patent pending.

Bill Brannon, Seneca – I see that discussion on senior license increase is not on the agenda, so I am going to address it. I've bought fishing licenses my whole life in Kansas, and I'll take whatever you are going to give me, but hunters and fishermen have always supported, if I can

buy in Alaska or Wyoming I can buy here in Kansas where I fish the most; \$17 to \$18 is pretty small amount. I also want to thank you for what you do.

Richard Hayes, Topeka – I agree with the previous speaker on licensing changes. We would be more than willing as seniors to contribute to see the agency continue with services provided. One thing not included is how many young people are not involved in hunting and fishing and maybe could get some of them involved with seniors. Get more young people, creative thinking to get seniors to bring in a young person. Personally, I would like to see more budget details on your website. If we are going to be partners with this agency in trying to improve hunting, fishing and camping, we need to see more details. Like to see grants received and issued out of the department. Public deserves to see that activity. See more historical information on hunting and fishing. The public would be more supportive if they are more aware of items dealing with the agency, including licensing. Economic impact, especially communities out west that are affected by pheasant hunting or deer hunting, economic information from those communities and if it is up or down in those communities. When you ask me to pay for my license, would like to see where money being provided and where it impacts western Kansas areas. Number two pheasant hunting state and that is ranked by out-of-state hunters. A lot of hunters go to South Dakota since it is ranked number one. We've seen declines in western Kansas and anything we can do to help those communities we should do. We need to do whatever South Dakota has done and become number one. Don't know if agency has five-year plan, but I would hope there would be some way of channeling suggestions, ideas and thoughts on the website to develop a five-year plan to accomplish them.

Natalie Donges, Eldorado – At the community meeting at Butler Community College we discussed inviting you to have one of your meetings held at the Hubbard Center at the College.

Department Recognition – Keith Sexson – Employees being recognized at regional and national levels – Doug Whiteaker, officer of year by Shikar Safari award; Tyson Nielson, boating officer of year, eligible for regional recognition by the National Association of State Boating Law Administrators; district biologist Kraig Schultz received an award at the North American (NA) Wildlife Conference from the U.S. Fish and Wildlife Service Wings Across America award for his work on lesser prairie chickens on forest service lands; two biologists were recognized at the Midwest Association of Fish and Wildlife Agencies (MAFWA) last meeting, Tommie Berger was fisheries biologist of the year; Lloyd Fox, wildlife biologist of the year; at Association of Fish and Wildlife Agencies (AFWA) meeting in September a local landowner from Barber County, Ted Alexander received the wildlife stewardship and habitat conservation award at the national level; and Joe Kramer, at the NA conference, received the Ducks Unlimited Wetland Conservation award for state and provincial agencies category. In every case the agency stands out in a big way when our employees are recognized at these regional and national levels. We congratulate all of them for representing our employees within the agency.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Fort Riley Presentation – Fort Riley Staff presented this to the Commission (Exhibit). Jim Champagne, Sgt. Major retired after 30 years of service, associated with Fort Riley outdoorsman group. We have a special series of dates for soldiers that deploy who cannot hunt the regular season. For the past three years the Commission has given us this opportunity to be allowed to hunt for large game in a split season for soldiers that have been deployed overseas and we wanted to thank you. *Presented print and wall clock on behalf of Fort Riley and the 1st Infantry Division to Robin Jennison, Gerald Lauber, and Joe Kramer.*

2. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission (no handout). Appreciate comments from Bill and Richard and I am going to discuss the 65-issue. Commissioners have gotten emails over that issue and so have our staff. We want to explain what our rationale was and why we approached it. We did it because 65 and over user group is becoming a much larger percentage of our user. Baby boomers started retiring two years ago and will ramp up more every year for the next ten years or more. Licensing sales are trending down; deer hunters are growing by 13 percent, but the over-65 age group is growing by 26 to 27 percent, so they are outpacing all other hunters and fishermen. Richard brought up recruitment, and we do need to get kids out in the field and we are trying to address that issue. Pittman-Robertson/Dingle-Johnson (PR/DJ) is celebrating their 75-year anniversary and the difference in Kansas in 1947 and what it looks like today is amazing, because of the partnership we have created a hunters paradise. It takes money and people to continue that tradition, and if we are going to preserve it we are going to have to fund it. Hunting doesn't get state general fund. It is funded by the wildlife fee fund. We did not underestimate this issue at all. Former Secretary Williams, in the late 1990s, brought this in front of the legislature. There was no place for compromise, and we could not get it through the legislature. When we brought it forward this year, we never had any thought they would take away exemption. We thought they would change the age. In 1971, the exemption went from 70 to 65. At that time, the average life expectancy was 71. Now life expectancy is about 78. Our seniors are paying excise tax on equipment they buy, but we have no way to guarantee that money is coming back to Kansas unless we can show them as a hunter. Received about 100 calls and seniors' preferred reduced price rather than mess with the age. Had a gentleman who suggested a senior pass for \$100. We are doing something now and can data mine back to about 2006. We proposed senior pass for \$40, up to 75 years old then not buy a license. The way the U.S. Fish and Wildlife Service counts licenses, we can amortize each license over suspected life of that individual. We can take a portion every year and can take money for 18 years on that senior combination pass for \$40. PR \$16, DJ \$9; essentially get \$25 a year for 18 years, which calculates out to about \$900,000, actually about \$1.4 million as baby boomers increase. To get that money, it is costing Kansas seniors \$66,000, so all we are doing is bringing PR/DJ back to Kansas. Most of the seniors I have talked to said they can live with it. They are not selfish people. Bill is out of Senate, passed House Committee on Tuesday, now trying to get out of full House. Like to address Richard's questions, on recruitment, that is very important to the agency. The Pass-It-On Outdoor Mentors, Pheasants Forever and the department hired a youth coordinator to work on this issue. So we are addressing this. On the website – more budget details -- we get some criticism that there is too much information on the site now, but we are looking at ways to address that. Part of the SMART system is to make government more transparent, get grants in SMART system and will be more transparent in the future. Starting to get historic information, but can't go back that far yet. Department had started to address

marketing when I came on, but with Tourism now part of the department, that is increasing. The average person spends \$240 in the state. Economic impact of pheasant hunting, Tourism people not that acquainted with outdoors, but with attrition we should be able to replace those people with people who are more acquainted with the outdoors. Basically our budget has not been changed much from what Governor did. Wildlife and fisheries get no state general fund, but the parks division has most concern this year. It has been a bad year for parks with blue-green algae, daily park permit is what determines whether parks make it or not, even had some parks closed on key weekends, \$700,000 to \$1.1 million supplemental proposal out there to help parks. In cabin program, Wildscape builds cabins, \$1.7 million and they get most of the money until cabins are paid off. They get 90 percent of revenue of cabins. We asked for \$845,000 from Governor to pay off that debt to put the parks in fairly good shape.

3. 2012 Legislative Update – Chris Tymeson, chief legal counsel, presented this update to the Commission (no handout). Busy legislative session and things are heating up, moving fast and switching gears. We keep a list of bills on the website, trying to remain current with help of Mike Miller. Department tracks about 120-130 bills that impact the agency in some way. **SB120** --This bill is known as the vessel titling act, would require vessel titling if you have a KA number. Introduced in 2011. Passed out of Senate quickly and went to House. Only impacted new vessels or upon sale. Not department bill, State Treasurer bill. Passed House Committee after Dan Heskett (our NASBA representative) made some comments and suggestions to modify the bill; went to House floor and failed on general orders on Monday 50-61-14, didn't make it to final action. **SB313** – **now SB288** - This bill will allow liquor consumption on lands owned or managed by KDWP. Current law only allows 3.2 percent beer. This would allow alcoholic beverages and we could restrict it in our reference document like we do now. Heard they are going to work those liquor bills next week; alternative Senate also put our provisions into another bill HB2689 and it may pass there. **SB314** -- This bill is what Robin talked about, the Senior exemptions. The bill passed the Senate (23-18), was amended on the floor and now includes provisions of HB2295 in it when it came out of Committee on Tuesday. **SB316** -- This bill has the transfer authorities that were not included in Executive Reorganization Order 36, a technical bill that transfers the Division of Travel and Tourism from the Department of Commerce. Passed both Houses and is on its way to Governor for signature. **SB348** – Not a department bill, but deals with vessels and taxation and where they are at on January 1; this would have taxed them at the country of registrant. Had hearings and passed out of Senate 26-14, in House, but no action and would have impacted about 3,200 boaters. **SB380** – Crossbow bill introduced in Senate Natural Resources committee; had a hearing and was tabled, was attempt to untable the bill, but failed by one vote. Feel it was tabled because the department has proposed some changes tonight, department opposed the bill because we already have regulatory authority, but think it is still hanging out there somewhat. **SB414** – Feral swine bill introduced by Department of Agriculture, but has provision about hunting behind fences and are they really feral if they are behind a high fence, trying to prohibit that. Bill has jumped ship into a couple of other bills, was in HB2398 last year and currently resides in substitute HB2596 and passed Senate Ag Committee and will be on Senate general orders. **SB447** – Department initiative, fees are set as a cap in statutes and we raise fees in regulation at the Commission level. Introduced in House as HB2551 and vessel registrations are capped at \$30, department proposed \$60, took 25 years to reach that cap so don't anticipate going right to the cap, but want opportunity; HB2551 – Passed out of House without

comment went to the floor and failed on House general orders 29-82. It appears if there is a boating, bill in the House it is probably not going to pass; so introduced into SB447 and passed final action 28-12. If bill make it out of one House they are conference-able and it is easier to discuss with three people rather than 125 on the House floor. There were some bills introduced last year that haven't moved, HB2089, 2152 and 2168 that we are not going to discuss. **HB2295** - This bill was a conglomeration of deer bill. This year there was a substitute introduced and it dealt with three things: crossbows; a pre-rut antlerless rifle season, which would be September or October; and combination permits by 2013 (one antlered, one antlerless) in one permit. Substitute was passed out of Committee, amended on House floor to require department to background 25 percent of landowner/tenant with hunt-your-own-land permits, about 6,500 permits, would have taken about 20,000 man hours, which is about 12.5 percent of our law enforcement work time. The net result, even if all of those permits were fraudulent, our loss would be about \$350,000 and would cost about \$600,000 of time. Nonetheless was included in HB2295 and went to Senate and had a couple meetings on it, department opposed and they tabled it. Crossbows are back in SB314.

House Concurrent Resolution No. 5017 -- This resolution proposes amending the constitution and would go to the voters in November, which would allow the legislature to set a differing rate to vessels and see a reduction in boat taxes for people. Our high level of taxation drives people to register their boats unlawfully in other states. This year it has added a Ducks Unlimited license plate which makes it a multi-organizational bill and the last I saw it went to conference committee this morning. **HB2452** -- This bill would allow no more than 12 big game permits to be issued by the Governor, like the Commissioners permits only going to individuals. The department opposes this bill and the bill got stuck in committee. **HB2491**—This bill came about as a result of our last commission meeting regarding possession of firearms in the archery season. The proponents came to me after that meeting and we came to a compromise about limiting it to just handguns for purposes of self-defense. Passed out of House 113-8 and passed Senate 40-0, unamended, so it is on its way to the Governor for signature. **HB2709** – Several proponents here in the room who helped with bill. Opposed original bill, but helped craft a compromise bill that would come up with restitution values violators would have to pay. One change was to move from purple paint to blaze orange to mark property as open to hunting with written permission only, which is controversial with landowners on House floor, so they put in phase-in period; also amendment to suspend right-to-hunt for a lifetime if they were an egregious enough violator, but was amended back to 20 years. There was an amendment the department will have to oppose, allowing landowners or employees to shoot from roads at wildlife. Bill passed Wednesday on House final action, 115-8, which makes it a conference-able bill. **HB2729** – Department bill, motor vehicle permits for parks, which would allow a person to check a box when they register their vehicle and get an annual park entrance permit. It's another way to distribute permits, and we think it will increase participation. Other states have done this, for example Michigan estimated they needed 16 percent of registered vehicles to break even and got 27 percent. We suspect we need 10 percent and it would help with the highs and lows of participation and cash flow. Passed House 84-39, referred to Senate committee and report was lost. It was blessed and routed back to committee and got out of House late and did not make it to Senate. **HB2535**- Rail bank right-of-way hearing, Frank came to the hearing, which deals with taxation of rail-banked property that has been made into trails. It deals with a court case out of Marysville. Bill did not go anywhere and did not get out of committee, but there was a hearing on it. **Concurrent bill**

7015 – Deals with 75th anniversary of the Fish and Wildlife Restoration Act. Chairman Lauber – Explain what was added about landowners being able to hunt from vehicles on roads? Tymeson – Concern was expressed about our department seizing vehicles from landowners who were shooting from vehicles at deer to protect their property. Something was said about seizing \$150,000 tractors. That provision will be impossible for our law enforcement division to enforce and puts people at risk. Bill has to get into conference. It will be tough to get Senate to work it. Items in HB2709 that we want to stay in could get into that conference and we could work them, but it is complicated. Commissioner Doll – Where is crossbow at? Tymeson – Still in play. Department’s proposal is before you tonight. Chairman Lauber – We have one in regulation tonight, they have a statute, but what we do tonight could make the difference in what they do. Commissioner Doll – If we do something tonight, legislature may not do anything? Tymeson – Takes wind out of sails of proponents if you pass it. Commissioner Doll – What is proposal? Commissioner Dill – Full inclusion for everybody? Commissioner Budd – If we take action different than bill on the floor, or contrary to what they are proposing, will that have an impact on what they are proposing? Tymeson – Ours is a limited proposal. We have regulatory authority and they tabled the bill, limited approach, can’t guarantee House won’t get it through, but entrenches opinion of the Senate. If something doesn’t pass expect a bigger push. Commissioner Dill – Went to hearing and my perception is that it built steam on both sides if we don’t do something, it will happen anyway. Chairman Lauber – That is my feeling also. We have to do something, or expect something will be forced down our throat. Commissioner Doll – If we pass something tonight how does that get communicated to the legislature? Tymeson – I will be back there Monday. Commissioner Budd – More trend to pass more regulatory bills? Tymeson – Deer was big one for 25-30 years. My perception was people are more willing to email their legislators, across the board, not just on wildlife. Increase particularly on second amendment issues on national level. Commissioner Meyer – On trails bill, almost every year a bill is introduced by someone who doesn’t understand how it affects small communities along the trail. Tymeson – I’m sure the issue is not resolved yet and there continues to be conflicts between users. However, proponents of the bill commended department on management of Prairie Spirit Trail.

Tim Donges, El Dorado, Quality Deer Management (QDM) Association – Read through legislation on crossbow in SB314 was confused by language. It says any person using crossbow for big game or wild turkey, then next paragraph says Secretary of KDWPT may limit number of deer, antelope, elk or wild turkey taken pursuant to subsection a. Were they referring to subsection a as being the crossbow regulation? Tymeson – Tim was a main proponent on HB2709 and we appreciate his help on that. The language in that bill is messed up and I pointed that out to the committee and if that passes I guarantee that is not going to be the language in it. We’ll have a different version of our department is comfortable enforcing. Donges – I read it as the Secretary of KDWPT still having the authority. HB2709 on illegal hunting of big game animals, we already have a process in KDWPT for damage control already. Do we have an opportunity to let them know we already have a process for that? Tymeson – Call me jaded, but people don’t pay attention on the House floor and you can say whatever you want to say and sway votes. Representative Larry Powell and Representative Gary Hazlett got up and spoke up against inserting that shooting from the road and then on a voice vote and 77 people voted for it. It is difficult on the floor to discuss (easier in committee), people vote when they are not

listening. Donges - Received an email last night trying to conference HB2709 with SB314 and they were seeing support for that. Did you hear if that had taken place or not? Tymeson – Need bill to get in conference and the most likely bill we have now is SB314, which we would need the House to pass, then get provisions of HB2709 in there and don't see a problem on the Senate side. Donges – If HB2709 becomes part of SB314, language will change and we need to make sure we are getting support for the right thing. Tymeson – Will get feed burner email and I will let you know as soon as I know something. Thank Mike Miller for helping with feed burner emails on bills.

Break

B. General Discussion

Chairman Lauber - One thing I didn't point out earlier – Commissioner Bolton is available on Skype and will be available to vote this evening so she has agreed to be our guinea pig for this. Also, want to welcome former Commissioner Al Ward.

1. Tourism Briefing – Linda Craghead, assistant secretary for Parks and Tourism presented this update to the Commission (Exhibit D, E, and F). Thank state park managers and other parks folks here today (*asked them to stand*). Trying to make experience better and more of a positive experience. Linda will be talking about ORMS system. Even though last year was miserable, fish are biting and people are getting their park permits and this season is starting off good. Park pass would make an easy-pass system for those who buy that. Our first statewide open house for all state parks is on March 31, which is also the last day to purchase an annual park pass at reduced rate. We have activities going on and have prizes available by partnering with Kansas Lottery. A collaborative effort to develop an ongoing strategy for the Kansas Flint Hills gained momentum in January with more than 150 people attending the Second Governor's Flint Hills Visioning Summit to create synergy and economic development. 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. The topics included rural business development, invasive plants threatening the tallgrass prairie, agricultural marketing, voluntary conservation easements, and successfully communicating with legislators. It was a great opportunity and collective effort, and we are moving things forward. Organization in City of Manhattan built Flint Hills Discovery Center visitors facility, and April 14 is grand opening with planned activities for kids. Importance to understand prairie fire, a 15-minute film starts with spring burn, where you smell and see smoke; summer storms, where you feel wind; and winter, where you may get snowed on. Working diligently to identify strategic marketing for upcoming year; will use some Land of Oz theme. Working closely with National Park Service in identifying a project that has been adopted by Secretary Salazar in the Department of Interior to work on the designation of the Kaw River trail as a national trail. Our point person is Roger Wolfe, and we are working to get partners to work on that initiative. He will work through questions and concerns, sat down and visited with Kansas Livestock Association and Farm Bureau to work through these to get recognition on a national basis. March 31 statewide open house for state parks; April 13 and 14, El Dorado,

Governor's one shot turkey hunt; April 14 grand opening of Flint Hills Discovery Center; June 15 and 16 partner with Wildscape on Governor's fishing classic at El Dorado State Park and June 16 in conjunction with fishing classic, First Annual Governor's Flint Hills Freedom Ride, a motorcycle ride. Log onto to TravelKS.com for other activities going on in the state.

Commissioner Meyer – Camp 5-6 weeks out of the year and use national camping system to make reservations. Craghead – That is what this ORMS is, a nationwide online registration system so if you have camped before using this and are in the system you will be populated into our system. A wonderful resource for our constituent base.

2. Webless Migratory Birds – Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibits G, H, and PowerPoint – Exhibit I). Two items to discuss, sandhill cranes and doves. Sandhill Cranes – Kansas is one of nine states that allow sandhill crane hunting in Central Flyway (NE is only state does not). Kansas has often been more restrictive than federal sandhill crane hunting frameworks and the current limited shooting hours were implemented in 2005 to reduce the chance for misidentification of whooping cranes.

This proposal would change the current legal shooting hours for sandhill cranes to sunrise to sunset for the entire season. The proposed regulation change will reduce regulation complexity, improving hunter participation and satisfaction while maintaining safeguards to prevent accidental take of whooping cranes.

Doves - This proposal would require that doves being taken only while in flight similarly to the method of take required for other state game birds like pheasants and quail. The basis of this proposal to ensure safety and reduce any potential damage to property or loss of services.

3. Early Migratory Bird Seasons – Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibit J, and PowerPoint – Exhibit I). September teal season is designed to provide harvest opportunities on teal that normally migrate through Kansas prior to general waterfowl season. Season lengths are based on breeding teal population estimates that are not available until June. The final federal frameworks will not be set until the June 21 USFWS Service Regulatory Committee Meeting. However, based on last year's blue-winged teal breeding population of 9 million and spring habitat conditions in the Prairie Pothole Region (which has good carry-over from 2011), the 2012 count is expected to allow for a 16-day season. In developing season dates, it is important to note that only eight days will be available in the High Plains (West of Highway 283) due to 107-day limit on hunting of any one species set by the Migratory Bird Treaty Act. The regular High Plains duck season of 97 days is allowed under the regular season liberal package, and with two days of youth hunting that leaves only eight days to reach the 107-day total. As we are still in the scoping process, staff recommendations for the September teal season will be presented at the April Commission meeting. Chairman Lauber – How long does a teal live? Bidrowski – One of the shortest-lived species -- only about a year and a half for a blue-winged or green-winged, but they have a high breeding propensity.

4. Commercial Mussel Harvest – Ed Miller, environmental biologist, presented this report to the Commission (Exhibit K, PowerPoint – Exhibit L). This is a topic we haven't thought about for 10 years because there has been a 10-year moratorium on commercial mussel harvest. Most freshwater mussels in Kansas are in southeast Kansas in the rivers, especially the Neosho, Verdigris, Spring and Marais des Cygne. These rivers have gravel beds unlike the

shifting-sand rivers of western Kansas. The watershed is one of the best in the nation and some of the best mussel beds in the nation are found in southeast Kansas. The source is the Flint Hills, which also provides the gravel. In the Verdigris River there are 23 species in an area about the size of this room. In Kansas there are about 40 species of mussels. These are long-lived species, they live as long as humans, some even longer. There was commercial harvest for the cultured pearl industry and in the 1990s the Japanese were importing these for cultured pearl implants or nuclei for pearl oysters. Freshwater mussel shells were cut and milled into spheres to be implanted into pearl oysters, usually at the Sea of Japan. Pearls were once a symbol of wealth and status. Things have changed in the last decade and the Chinese have come into the market big time, which pushed the Japanese out of the market. The economy has changed, they have discovered they don't need to implant our mother-of-pearl they can implant a piece of mantle tissue and sometimes harvest up to 30 cultured pearls from one freshwater mussel. They have been producing tons each year, which has pushed the market way down. Freshwater mussels have a lot of history, used for buttons from 1890-1940. One plant in Iola produced up to 30 tons of buttons in one week.

In 2010, there was an archeological dig on the Verdigris River and the dig discovered a mussel cook-out site dated from 2,200 years ago and species that were found we still have today. Over time our regulations on mussels have gotten more and more stringent: in 1992, limited to four mussel species (threeridge, monkeyface, mapleleaf, and bleufer), allowed only four rivers to be harvested and established refuges. In 2003, a 10-year moratorium was imposed, which was a suspension of all commercial harvest activity. From 1992 to 2002, there were 1.3 million pounds of mussels removed from these rivers, 82 percent of those were threeridge and they have yet to rebound. The threeridge comes mostly from the Neosho and Verdigris rivers, over 1 million pounds were sold and exported to Japan. The best mussel beds are the riffles where the water is shallow and gravel beds are nearby. When water is low in the summer they are easily exploited and even the refuges were often violated. In the Verdigris River in 1982, threeridge made up 32 percent of the mussels, in 2010 they made up only 2 percent and in the Neosho River the same thing. But if you look at the Marais des Cygnes, which was not harvested, they make up about 43 percent. Also, the density has dropped. We have looked at and surveyed over 30,000 mussels in the last ten years. These species have a complex life cycle and need exacting conditions to reproduce. There are males and females, the female releases glochidium, which attaches to fish hosts where they stay for 3-4 weeks and drop off where they continue into the juvenile stage. This is the only means for them to disperse upriver. The mapleleaf has one host, the flathead catfish; the bleufer has one host, the freshwater drum; but the threeridge has several hosts so that was not a reason for its significant decline. In the U.S., freshwater mussels are considered one of the most imperiled groups: there are 297 species, with 72 percent of those imperiled. We have 40 species in Kansas, four are the on endangered list and the feds are looking at listing two of those as federally endangered. We are better off than most states due to our water conditions in the Kansas rivers and watershed. Freshwater mussels provide ecosystem services, much more than just rocks swimming at the bottom of the riverbed. They are filter feeders and remove and consume algae, bacteria and organic matter from the water. One large mussel, in the summer, can siphon and filter eight gallons of water per day. In our beds in the Verdigris River, there are beds with an estimated 80,000 to 150,000 mussels in about the length of a football field. They are a prey item to raccoons, river otters, muskrats, common map turtles, and freshwater drum. They are small and translucent and basically anything that can get hold of them will eat them. They are

pollution sensitive so are good indicators of ammonia, lead, zinc, cadmium, copper and some pesticides. Even their physical structure in the riverbed has proven to be helpful because it stabilizes substrate and shells providing hiding places for small catfish and insect larvae. Freshwater mussels do not reproduce every year, usually a good year is when low water levels occur in the spring, which doesn't happen very often. Some universities have come up with a way to propagate mussels and release them back into areas. Working on releasing the Neosho mucket into the Cottonwood River where it once was the most common mussel, but due to high ammonia spikes from 1960s feedlot pollution, they disappeared, and we think the water quality is good enough now to reintroduce them. The last value of mussels is the educational value. Commissioner Dill – On commercial harvest was that mechanical or by hand? Miller – By hand in Kansas. On the Mississippi River, they used bars they drag across the bottom and pick them up with hooks. Commissioner Budd – When was last big harvest in Kansas? Miller – It was 1995, 1996 and that was a spike in the exports also. The demand went up and the price went up, the best price came from mapleleaf out of the Verdigris River at \$4.40 a pound with a 5-gallon bucket weighing over 50 pounds. Commissioner Budd – Was decline because of cost or because we regulated them? Miller – Both. We recommend moratorium for another 10 years and offer some options for the Commission to consider. We will discuss more in workshop. Commissioner Budd – Were the harvesters Kansas companies, or did they come from across the country? Miller – We had Kansas residents and nonresidents harvesting mussels; permit cost \$1,000 for nonresidents, \$75 for residents. Budd – Zebra mussels? Miller – Don't know of their affect on river mussels, but expect it won't be good. They do attach to native mussels and will out-compete them. Chairman Lauber – Don't believe we have any interest in allowing harvest, but will discuss at another meeting.

5. Prairie Chicken Seasons – Jim Pitman, wildlife biologist presented this report to the Commission (Exhibit M). 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 south-central and southwestern regions. However, there is a substantial area in west-central Kansas that is occupied by both species. Currently, the occupied range is considered to be core habitat for both species. Recent prairie chicken population densities and trends have varied greatly across the state. The greatest breeding population densities during 2011 and most recent years have occurred in north-central and west-central Kansas increasing over the past 15 years and surpassing their historic distribution in many areas. The highest density of chickens 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, which 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. A long-term research project in southwest Kansas found that hunter harvest of LPCH was

an insignificant source of mortality; with another study of LPCH further north in the Kansas LPCH range (Gove County) also found hunter harvest to be negligible, as did a recent study of GPCH in the Flint Hills, where chicken populations are struggling the greatest in our state. 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. 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.". Currently, the department regulates harvest of prairie chickens within three hunt units. The most liberal harvest regulations exist in the eastern half of the state, and more restrictive regulations are in place for western Kansas. Current estimates of harvest and hunter effort are mapped 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 three percent and one 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. The department 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. 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. 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. The department 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. Looking for guidance from Commission and public and which of those two routes might be better. Commissioner Doll – Hunted GPCH since 1980, saw flocks of 50-100, but rarely see more than a dozen birds. Decline primarily due to grazing and burning? Pitman – Inadequate burning. Commissioner Doll – Do we communicate to larger landowners on burning? Pitman – Just started research project in a few counties and one year of data shows that patch burning leads to better hatch. I have those landowners tied into this research. Commissioner Doll – How are they hunting them? Pitman – Not sure, but expect walking them up. Commissioner Lauber – Expect best practice for burning, but unfortunately not best for grazing. Long seasons are suspected of poor numbers so have to continue to educate. Best practice for prairie chickens is not best practice for grazing. KOALS is not best when charging \$2 every time. Better to do something outside of that. Don't want to eliminate opportunistic harvest, may not get verification if they go outside of KOALS. Chairman Lauber – If population can stand more harvest, do it. Upland birds do not have a long life-cycle. Don't like \$2. Commissioner Budd – Require another stamp or green piece of paper, could be enforcement issue and people could get caught up in it. Pitman – Could provide prairie chicken number on license. Commissioner Budd – Understand

being able to track it, my suggestion would be when they get their license. Pitman – Great need to have this data if we want to continue hunting prairie chickens; have to provide information to the USFWS. Commissioner Wilson – How many prairie chicken hunters? Pitman – About 10,000 GPCH hunters and 500 LPC, variable numbers, could be 2,000 to 3,000 more, because don't get enough numbers. Commissioner Wilson – Anything we could tie to that to make sure they turn that back in? Tymeson – Statutorily have to turn in deer survey, don't know if we have prosecuted anybody, but could or could prohibit getting a license the next year if they don't turn it in, but won't catch lifetime hunting license owners. Chairman Lauber – Could offset respondents? Pitman – Only get 30 percent no matter what. Chairman Lauber – Pamphlet at all license vendors about why we are doing this for prairie chickens I think would get good compliance rate. Most don't have in their area? Commissioner Budd – Could combine with HIP stamp? Pitman – That is federal stamp and this is state species. Chairman Lauber – Pursue both recommendations and rely on staff recommendations on whether we go outside the KOALS system or not.

Mike Pearce – How is sandhill crane set up? Tymeson – Permit is in KOALS and test is on website. License costs, but test is free. Pearce – Won't you be limiting the number of people hunting them? Pitman – If we could we would offer it for free, but can't within KOALS. Need the data we will get from this. Pearce – Is there something a hunter could give you to determine whether lesser or greater in fringe areas? Pitman – Could possibly provide an envelope for a wing. Commissioner Doll – Fee is \$2.50? Cindy Livingston - \$1.00 vendor fee and \$1.50 contract fee. Commissioner Doll – Is there a way to get money from some other pool to pay the fee? Chairman Lauber – Don't want the money, it is an online fee. We get no money for this, we just get databank. Commissioner Doll – I understand that we want to do right thing, but are we creating a problem. Can we pay fee out of another fund? Tymeson – Could be paying a lot of money. Commissioner Budd – Could we attach to some other type of state issue, like waterfowl/chicken stamp. Pitman – Point is to narrow down constituent pool. Pitman – Will discuss again next month. Sexson – We get the message and we will take this under advisement. Chairman Lauber – Understand what everybody is saying, we recommend two recommendations in general, but need input.

Doug Phelps, Manhattan – My take on this, if you market at convenience fee, get resistance, maybe misrepresentation to market as prairie chicken research fee. May agree to paying into something that funds research. Chairman Lauber – See what we can do. Tymeson – Didn't hear any opposition from Commission. Chairman Lauber – Concerns? *Commissioners – In favor.*

6. Outdoor Recreation Management System (ORMS) Update - Linda Lanterman, assistant Parks division director presented this report to the Commission (Exhibit N). 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. We currently have cabin online reservations now, but people will be able to reserve campsites. 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 us 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. Fifty percent of sites will be in system, the rest will be walk-in. It helps get money out of the field and into the online system. Active Works

Outdoors, web-based, 2004 first client was New York, now 44 states use. Sites are marked “to be reserved”. Commissioner Dill – How far out can you reserve? Lanterman – One year, only April through September the rest of the year will be all walk-in. Commissioner Dill – What data do you hope to collect? Lanterman – Utility information, etc.

7. Otter Season Update – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit O). Initiated first river otter harvest season, in modern times, November 16, 2011 which runs until March 31, 2012 (concurrent with beaver) or until 100 otter season quota is met. Otters captured within three days of quota are also authorized. There was a 2-otter bag limit and trappers were required to contact the department within 24 hours of harvest. They had four days to present the pelt for tagging (CITES pelt tag) and to relinquish skinned carcass to the department. Initial records indicate the 100 otter quota was reached February 2, 2012 and the three-day grace period ended February 5, with an additional 13 otters being harvested. Tagging collection turned up another eight otters that were not counted, five were road kills, one illegal that did not count towards quota and four incidentally taken since season ended bringing the total to 121 otters. Taken from Washington, Marshall, Doniphan, Atchison, Jefferson, Douglas, Johnson, Miami, Coffey, Allen, Chautauqua, Anderson, Linn, Bourbon, Neosho, Crawford, Labette and Cherokee counties. Otters were taken with foothold traps, body-gripping traps, cage, snare and one other. Processing of carcasses is currently underway and lower canine teeth are being collected and sent to Matson’s Lab to be aged. Female productive tracts are being collected to assess reproductive output. Stomachs are being collected and contents analyzed. Several otters are being submitted to the Sternberg Museum mammal collection. Age information should be available in October and at that time the department will reevaluate the status and regulations for the 2013-14 season. Regulations and quota will remain the same for the 2012-13 season. Commissioner Doll – Prior to this it was illegal to take otters? Peek – Those taken intentionally, but if taken accidentally we took the pelt. Chairman Lauber – How much for pelts? Peek – At NAFA auction, about \$100, prior to that about \$40.

C. Workshop Session

1. Falconry Regulations – Mike Mitchener, wildlife section chief, presented this report to the Commission (Exhibit P). – This was brought to you several times in the past and have been working diligently to get these regulations finalized and to the Attorney Generals office. Our drop dead date is September 2013 to vote on these and send to USFWS to be implemented by January 2014. Half of states have completed revision of falconry regulations. Members of Kansas Hawking Club, Tim Kimmel who was instrumental in helping getting regulations in Kansas will present. He is one of leading experts in the country.

Kansas Hawking Club – (Handout – Exhibit Q, PowerPoint presentation – Exhibit R). – Passed out handout with details in it, impress sport of falconry to us, national and international and global hunters. Strictly a hunting sport, represents cooperative relationship between human, bird and dog. It is master and servant relationship and is regulated by national and international treaties. Quote by Aldo Leopold – said perfect hobby, but falconers view it as more than that; it is a pure form of hunting. Roger Tory Peterson called falconry “the ultimate form of bird watching” and a great way to see birds up close. *The Arte of Falconry*, 1248 book by Emperor Fredrick II of

Hohenstaufen (Germany) is still being used as an ornithology textbook. Falcons are raptors in tip-top shape. Dealing with a sport that is 4,000 years old, from central Asia, an area like central Kansas. Spread to the Middle-East, to Europe, then to Northern Africa and finally to North America (NA). Regulated activity in NA because of Migratory Bird Treaty (U.S. and Great Britain), before 1972 considered vermin until amendment included raptors. Federal government in 1976 came up with permit requirements. Kansas became falconry state in 1990. Falconry had no impact on raptor or game populations; in fact it is positive because of outreach type of activities. Revised in 2008, with deregulation because falconry was recognized as tangible cultural heritage. Value of Kansas falconry: considered premier state; mid-latitude not too cold or too hot; low human density; abundant small game; history of excellent regulation friendly state; and good access to private and public land. Only state where you can hunt GPCH and LPCH. Kansas Hawking Club holds several meets a year, with some in conjunction with Oklahoma. Five national meets (5-6 days each) here in last 20-25 years. Estimated income of about \$180,000 with 400 participants at each meet. Future in Kansas – hope secure, but need to pass regulations; there is a limited window of opportunity to implement reasonable regulations. We stand ready to assist, and want to maintain open dialog to improve draft regulations and be sure process continues so it happens in time. If you want data, can place box on nonresident license asking if they are licensed falconer or not?

2. Public Land Regulations - Brad Simpson, public lands section chief presented this update to the Commission (Exhibit S). – 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. Because of the high use of and demand, wildlife and their habitats must be intensively managed, and public access must be controlled in a way that provides fairness and opportunity for all. Regulations have been established to manage public use, protect the resources, as well as our property and infrastructure. Regulations that primarily pertain to public lands fall under KAR 115-8 series. Recent developments and issues on public lands, which are not covered in these regulations, have been identified, discussed and working on determining 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 and portable ground blinds and waterfowl decoys. Agency recommendations: 1) 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. 2) 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. 3) Waterfowl decoys shall be removed at the end of each day on department-managed lands and waters. Not an equipment issue but - 4) No person shall place, deposit, expose, distribute, or scatter bait while hunting or preparing to hunt on department lands. Not just a CWD issue, it is a disease issue, habitat issue and several other issues. Kansas is only state that allows baiting. 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. Another issue is guiding and outfitting on public lands - 5) 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. Asked by Commission at last meeting to consider 200-yard distance between waterfowl hunters, but we are not bringing forth any recommendation for that at this time. We also talked about non-toxic shot. We are still considering that, but will bring forth in January of next year for September 2013 season. Commissioner Wilson – Nontoxic shot only on public lands? Simpson – Yes. Commissioner Budd – Appreciate considering 200-yards, and I want you to reconsider that. Agree with guiding and outfitting, but they are guiding for revenue. If they are doing it on public lands, they should pay a fee. If it's not considered right now, it should be consider in the future because we are letting a small group of people profit from that land. Commissioner Doll – On guiding and outfitting, there is no fee now? Tymeson – It's a legal issue, authorized fee at their cost, without statute we can't charge them. We can go back to legislature at some point to attach fees. Regulated from 1990 to 2005 and legislature took that authority away. Proposal meets legal standard and political standard. Tread lightly until we have data. Commissioner Budd – One more issue in front of legislature won't hurt. Chairman Lauber – See how many using public lands before we go ahead. Commissioner Doll – Estimate of guides or outfitters in Kansas? Tymeson – Last we knew, when we regulated, had about 400. In 1990, 17 or 18 and ramped up from there and there were exemptions for landowners. Philosophically could regulate our own property. No idea how many are out there. Commissioner Doll – Understand Commissioner Budd's point about making profit from our property. Mike Pearce – Does not include WIHA? Simpson – Just public lands we own or manage. Pearce – I was here when you permitted guides, and saw legislators systematically take it apart.

Tim Donges – QDM – Two stands per wildlife area? Simpson – Yes. Donges – Archery hunter so set up stands for wind directions. Are you including tree steps that have to be removed with portable stands? Also, hang stands with hooks. Simpson – This regulation only deals with tree stand itself, not steps. Donges – Remove blinds every day, why not remove tree stand every day? Simpson – Considered, but reconsidered because of safety standpoint of removing treestand every day. Feel two treestands is more acceptable. Donges – I would consider tree steps as marking your territory so don't distinguish the difference. Agree with no baiting on public lands, but look at limiting baiting on other land in future.

VII. RECESS AT 5:30 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

XI. DEPARTMENT REPORT

C. Workshop Session (continued)

3. KAR 115-25-7. Antelope; open season, bag limit and permits – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit T). Proposed antelope permits for 2012 season: 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 (decrease of 6). Commissioner Meyer – Look at deer, antelope and elk. Peek – Ok. Chairman Lauber – Fawn production, weather a factor? Peek – No, pronghorn survive much harder winter conditions in Wyoming Montana and North Dakota. While they may congregate around food sources, Kansas winters aren't a factor.

4. KAR 115-25-8. Elk; open season, bag limit and permits Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit U). It is recommended that 10 any elk permits and 15 antlerless elk permits be authorized for Units 2 and 3.

5. KAR 115-25-5. Turkey; fall season, bag limit and permits – Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit V). We sold 12,913 permits last fall, 10,025 individual hunters, 36.6 percent success rate with strongest population in the east. The department is recommending six fall hunting units, which would require bag limit changes for some portions of the state. 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 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 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. Commissioner Budd – How many last year? Pitman – Four; first permit is valid in any unit, except Unit 4 that has closed season during the fall.

Dan Rudman – Encourage more shooting of the hens in fall, gobblers are in groups. Pitman – Allowed to shoot hens now. Perceived damage is crop damage. Not a lot of fall turkey hunters regardless. Rudman – Should increase price. Pitman – Have turkey committee, and I will add it to our list.

Mike Pearce – Is Unit 4 still draw this year? Does number of applicants meet demand? Pitman - 500 permits, 80 leftover. Based on hunt success, expect over-the-counter in Unit 4 in the future.

6. KAR 115-25-9. Deer; open season, bag limit and permits - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit W). Similar to 25-9, but this

deals with just Fort Riley. Requested regular archery season dates and regular muzzleloader season dates as listed in KAR 115-25-9 and have requested extended firearms season dates for the taking of antlerless white-tailed deer listed in KAR 115-25-9, note that this does not include the additional week allowed in DMU 7, 8 and 15 for the special extended season. They have also requested additional days for designated persons from October 5, 2012 through October 8, 2012. Requested season dates for firearms: November 23, 2012 through November 25, 2012, and December 15, 2012 through December 23, 2011; additional firearms hunting days in January when individuals authorized by Fort Riley to hunt and take antlered deer, January 19, 2013 through January 21, 2013. 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, September 1, 2012 through September 16, 2012 and from January 14, 2013 through January 31, 2013. Input and comments on this regulation are being sought from the public and the Commission. Commissioner Doll – Usage on Fort Riley? Fox – Same permit, no permit specific to whitetail. Shawn Stratton, Fort Riley Conservation – Last year 763 deer hunters on installation, 354 deer harvested. Commissioner Meyer – All soldiers considered to be residents? Fox – Yes. Commissioner Budd – What is reason for gun season for November 23-25? Stratton – Around training holidays. Commissioner Budd – Opposed to making that an antlerless-only season? Stratton – Yes, we’ve have had it for 10 years or so. Commissioner Budd – Thought this was new. Fox – No.

D. Public Hearing

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

1. KAR 115-4-2. Big game and wild turkey; general provisions - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit Y). Changes as discussed in previous workshops. Carcass tag applied in visible manner. Changed a few years ago when we started photo registration system and some minor difficulties were encountered and corrected by the department’s IT staff, for electronic registration. Additional modifications of the regulation may be needed for hunter convenience in situations where hunters lack adequate communications equipment or service to the Internet. One potential modification would be to allow hunters to carry the required photos to photo check a deer while they transported meat from an antlerless big game animal. Problem with carcass tag and deer permit were attached to each other. With current system, was corrected in another part, but now corrected in this permit. No reproductions of carcass tags. Chairman Lauber – Shoot turkey in field, lay signed carcass tag that can prove sex of turkey and take a picture, then bone it and take breast. Fox – Bird with beard attached and register it after the fact, but would allow you to take it out of the field.

**Commissioner Frank Meyer moved to approve KAR 115-4-2 before the Commission.
Commissioner Robert Wilson seconded.**

The roll call vote on KAR 115-4-2 as recommended was as follows (Exhibit Z):

Commissioner Bolton	Yes
Commissioner Budd	Yes

Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-4-2 passed 7-0.

2. KAR 115-4-4. Big game; legal equipment and taking methods - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit AA). Proposals are to delete subsection (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.; (d)(1)(B) change wording to “at least” instead of “a minimum of”; and delete subsection (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. Possible amendment is to not amend proposed subsection (e) and re-alphabetize as original. Chairman Lauber – Amendment issue, Chris explain? Tymeson – Proponents of legislation want us to strike this, but we recommend to amend it back in. Need to put back in to not allow AR-15, for instance while bowhunting. Commissioner Doll – When is crossbow allowed? Fox – For an individual who has youth big game permit or is 55 or older. Commissioner Doll – When? Fox – During standard archery season. Commissioner Meyer – See that as 65, but not 55. Commissioner Dill – Chris, want to do it to add back in because we had to strike from the one we sent in for approval? Tymeson – Used to be able to amend on fly, but can’t anymore. Commissioner Dill – Believe 16 and under and over 55 makes sense, retain as many aging sportsmen as we can and recruit youth. I sat through one Senate bill hearing to regulate crossbows. Chairman Lauber – Agree, we will have crossbows for anyone, possibly more liberal than we want. Think some may have underestimated amount of momentum crossbows have in this area. Want to be able to control our destiny to some extent. Commissioner Dill – Still might have all-inclusive no matter what. Dennis Karnine – Understand compromise. Understand 55, get disability permit to hunt with crossbow. If those under 16 buys a crossbow, spend \$1,000, they’ll want to use it in a few years and it could come back on us. Commissioner Meyer – Could still use in rifle season. Chairman Lauber – Understand your logic, but not a good idea to exclude youth from this because we want to recruit young hunters and feel it would be politically unpalatable. As restrictive as we should try to vote for. Karnine – What about lowering to age 12 like we used to have. Feel they will come back in a few years. Chairman Lauber – Hope to slow this down. Can watch and determine. More of an emotional fair chase sporting issue. Karnine – Teaching archery in the schools and now letting them use crossbow. Marvin Whitehead, Kansas Bowhunting Association – After listening to comments and possible legislative action, we’re tired of compromising. It will be better to compromise than to be forced in a few days. No matter what happens here, if you are not talking crossbows again in next few years I will eat my dirty camo hat. Commissioner Budd – Think about kids, spending money

on sports uniforms, money is not an issue, but getting kids involved is.

Bob Griffin, Lebo – Watching affects of crossbows, affect on deer herd. How will we be able to tell where deer are taken from or what equipment they are using? Chairman Lauber – Lloyd Fox has data. Fox – About 350 animals out of about 94,000 were taken with crossbow. Chairman Lauber – Expect that to increase, but not sure how much before he has to eat his hat. Will have opportunity to get reasonable fix on how many people are using crossbows. Griffin – Understand where deer are coming from and manage our resource. Commissioner Budd – How many in your Association? Griffin – About 575 in Association. Commissioner Budd – Any use crossbow? Griffin – None that I know of. Commissioner Budd – Is your fear that rifle hunters will pick up crossbow and hunt in archery season? Griffin – Absolutely and they will be allowed opportunity to hunt the rut. Then if they don't get a deer can hunt in rifle season too. Commissioner Budd – Expect minimal number of new crossbow hunters. Fox – Will have figures on 55 and older and 16 and under in addition to what are already using them. Commissioner Budd – Will have more information to work with. Griffin – Voicing my concerns and want to protect the resource.

Dennis Karnine, Tonganoxie – Hunted with crossbow after I tore rotator cuff. Concern is rifle hunters will jump in rut and hunt. Most crossbows don't shoot any faster than a compound bow does. I don't think as big of impact as you think. My worry is youth.

Al Ward – Recently purchased crossbow, cost me about \$500, not deer hunter I am turkey hunter. If concerned about loss of deer population, do something about bobcats and coyotes.

Doug Peterman, Topeka – I shoot a crossbow, but I shot compound bow for 30 plus years. I still have to control scent, watch sound, wind and do all of the things I did when I compound bow hunted. I miss it, but have fiber mialga, no strength and can't draw back bow. Have not harvested a trophy deer, harvested two antlered deer over past 5-6 years and several does. Several attachments you can put on compound bow now. Don't know what the fear is. I am certainly not thinning down the herd. I have to do everything the regular archery hunters do. Don't see fear of crossbows, but saw fear of compound bows when they first came out.

Tim Donges, ElDorado, QDMA – Most important thing is maintain future of deer hunting and properly manage it and have to have good statistics from Mr. Fox.

Mike Pearce – Not currently legal to use crossbow in muzzleloader season if no special permit? Confused on youth season? Tymeson – If you have a youth permit you can hunt with a crossbow.

Commissioner Tom Dill moved to bring KAR 115-4-4 before the Commission.

Commissioner Don Budd seconded.

Commissioner Tom Dill moved to amend KAR 115-4-4, Commissioner Frank Meyer seconded.

The roll call vote on KAR 115-4-4 as recommended was as follows (Exhibit BB):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-4-4 passed 7-0.

The roll call vote on regulation KAR 115-4-4 as amended was as follows (Exhibit BB):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-4-4 passed 7-0.

3. KAR 115-4-4a. Wild turkey; legal equipment and taking methods - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit CC). Same as under section (3), only item d.

**Commissioner Tom Dill moved to bring KAR 115-4-4a before the Commission.
Commissioner Don Budd seconded.**

Commissioner Frank Meyer moved to amend KAR 115-4-4a, Commissioner Don Budd seconded.

The roll call vote on KAR 115-4-4a as recommended was as follows (Exhibit DD):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-4-4a passed 7-0.

The roll call vote on regulation KAR 115-4-4a as amended was as follows (Exhibit DD):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-4-4a passed 7-0.

4. KAR 115-25-9. Deer; open season, bag limit and permits - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit EE). The archery season dates shall be September 17, 2012 through December 31, 2012 valid statewide, with nonresident archery deer permits valid in only two adjacent deer management units designated at the time of application and unit 19. 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. 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. Firearm season in the Fort Leavenworth subunit 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. Both 12-day seasons, just broken up differently. The urban firearm deer season in all units designated in KAR 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. 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. 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. The season for youth and disabled persons to hunt deer shall be September 8, 2012 through September 16, 2012 in all deer management units. Rest is similar to past year. The special extended firearm season shall be January 14, 2013 through January 20, 2013 statewide. Only antlerless white-tailed deer may be taken. Permits restricted to a specific unit shall remain restricted to that unit during the extended firearm season. One antlerless white-tailed deer permit shall be valid statewide, on lands not managed by the department, except Cedar Bluff, Glen Elder, Kanopolis, 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, Kanopolis, Kirwin, Lovewell, Norton, Webster, and Wilson Wildlife Areas. Misspelling in regulation on Kanopolis and has been corrected in Secretary's Orders that will come out after this. Have maps showing where these permits can be used.

Commissioner Frank Meyer moved to approve KAR 115-25-9 before the Commission.

Commissioner Tom Dill seconded.

Commissioner Debra Bolton moved to amend KAR 115-25-9 to fix misspelled word, Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-25-9 as recommended was as follows (Exhibit FF):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-25-9 passed 7-0.

The roll call vote on regulation KAR 115-25-9 as amended was as follows (Exhibit FF):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-25-9 passed 7-0.

5. Secretary's Orders for Deer - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit GG). Recommending an additional 926 nonresident deer permits. Increases vary six units with no increase; four units will have a 5 percent increase; five units will have a 10 percent increase; and three units have a 15 percent increase. Those are based on changes in the deer population and other management factors. We have not changed any of the other numbers. Open availability for either sex deer for residents and a variety of different ways a hunter may pick there one permit which will allow them to take an antlered deer. We have some values in here also, the same numbers for either-species either-sex deer permits for residents and same numbers as we had last year for the either-species antlerless-only deer permits and corresponding nonresident either-species antlerless-only permits which are generally 20 percent of the general residents. Chairman Lauber – Which unit had biggest increase in nonresident permits? Fox – The three units that had 15 percent were: Unit 1, Unit 3 and Unit 7. Chairman Lauber – The one I get most of the letters and calls on is Unit 16, did we have a significant increase there? Fox – Five percent increase in DMU 16. Chairman Lauber – Don't vote on this, it is for informational purposes and if someone has a complaint they can contact Secretary Jennison. Commissioner Budd – As a new Commissioner I want to thank Lloyd for making a complicated process uncomplicated.

XII. Old Business

XIII. Other Business

A. Future Meeting Locations and Dates

April 26 – Wichita (GPNC)

June 21 – Kansas City (Cabela's)

August 23 – Great Bend (Wetland Education Center)

October 18 – Fall River (Flint Oak Ranch)

Invitation to come to Manhattan.

XIV. ADJOURNMENT

The meeting adjourned at 8:13 p.m.

(Exhibits and/or Transcript available upon request)