

AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, January 14, 2021
Virtual Zoom Meeting

A) Log Into Zoom

1. Visit <https://ksoutdoors.zoom.us/meeting/register/tJYoce-orjovHtPwra-iTLNbyMjJP2c14dF9>
2. Register by entering your first and last name, and email address.
3. Once registered, you will be provided a link to “join the meeting.”
4. Visitors will be muted upon entering the meeting. To comment or ask a question, use the “raise hand” feature or type into the chat area.

B) Call In

1. Call: 1-877-853-5257
2. When a meeting ID is requested, enter: 925 6600 1547#
3. When a participant ID is requested, enter: #
4. For comments or questions, email: kdwpt.kdwptinfo@ks.gov

C) Watch Live Video/Audio Stream

1. Individuals may watch a live video/audio stream of the meeting on <https://ksoutdoors.com/commission-meeting>

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 November 19, 2020 MEETING MINUTES

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

VI. DEPARTMENT REPORT

A. Secretary’s Remarks

1. Agency and State Fiscal Status (Brad Loveless)
2. 2021 Legislature (Chris Tymeson)

B. General Discussion

1. Commissioner Permit Update and Drawing (Mike Miller)
2. Youth Seasons Alignment (Jake George)

3. **Webless Migratory Bird Regulations (Richard Schultheis)**
4. **Waterfowl Regulations (Tom Bidrowski)**
5. **KAR 115-18-13. Dark geese; management units, permits, and restrictions (Tom Bidrowski)**
6. **Small Game Regulations (Jeff Prendergast)**
7. **Upland Game Bird Regulations (Kent Fricke and Jeff Prendergast)**
8. **Research on the Effects of Grazing on CRP (Kent Fricke)**
9. **Parks Permits from Kiosks (Linda Lanterman)**

C. Workshop Session

1. **Antelope 25-Series Regulations (Matt Peek)**
2. **Elk 25-Series Regulations (Matt Peek)**

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

B. General Discussion (*continued*)

10. **Landowner and Tenant Deer Permits (Chris Tymeson)**
11. **KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (Levi Jaster)**

C. Workshop Session (*continued*)

3. **Big Game 4-Series Regulations (Levi Jaster)**
4. **Deer 25-Series Regulations (Levi Jaster)**

D. Public Hearing

None

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on January 14, 2021, to reconvene January 15, 2021, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment.

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

The next commission meeting is scheduled for Thursday March 25, 2021 at Lake Shawnee Reynolds Lodge, 3315 SE Tinman Circle, Topeka, Kansas.

**Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, November 19, 2020
Virtual Zoom Meeting**

Subject to
Commission
Approval

The November 19, 2020 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. Chairman Lauber and Commissioners Emerick Cross, Gary Hayzlett, Warren Gfeller, Aaron Rider, Lauren Queal Sill and Troy Sporer were present.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

The Commissioners and department staff introduced themselves (Attendance Roster – Exhibit A).

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – No changes. (Agenda – Exhibit B).

IV. APPROVAL OF THE September 24, 2020 MEETING MINUTES

Commissioner Aaron Rider moved to approve the minutes, Commissioner Warren Gfeller second. *Approved* (Minutes – Exhibit C).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber – Please state your name when you talk so record can reflect that.

Margaret Kramar – Statement sent yesterday (Exhibit D), live halfway between Topeka and Lawrence. This matter came to my attention because for the month of November, our book group read Coyote America by Dan Flores. We learned that coyotes are a much maligned, persecuted species that has been needlessly slaughtered by the hundreds of thousands throughout American history. Then, as coincidence would have it, I learned within the next few days from a news source that at their August 2020 meeting, the commissioners of the Kansas Department of Wildlife, Parks and Tourism approved a resolution allowing coyotes to be hunted at night with lights and thermal-imaging equipment. I personally oppose the killing of coyotes for any reason, because studies have established that their slaughter increases rather than decreases their numbers. As a pet and livestock owner, I also know that keeping my animals safe is my responsibility. However, I am realistic enough to realize that the hunting of coyotes is not going to stop anytime soon. That is why I am specifically targeting hunting at night with lights and thermal-imaging equipment, a cruel and inhumane practice that eliminates any fairness from the “sport” of hunting. These young climate activists are the wave of the future, and they are not participating in the hunting and trapping traditions of their fathers and grandfathers. They instead believe that every living thing plays an important role in a healthy ecosystem. They denounce

wanton killing and violence. So, if you do not want your agency to go by the way of the dinosaurs, I would suggest that you tune into their message, and at the very least, reverse the regulation of hunting at night with lights and thermal-imaging equipment, a practice that many Kansans find cruel, inhumane and appalling. Chairman Lauber – 20 pups is a serious litter. Thank you Margaret. We will take what you say and pay attention.

Chairman Lauber – Last weekend was opening weekend of duck season in southeast zone and I received comments from constituents, they are asking why the season starts so late and why so much emphasis is placed on the tail-end of the permissible duck season when so much of the water is iced up. Have had this discussion multiple times but for somebody that asks it for the first time it is not any easy thing to answer. Starting next year, I think we should reconsider having a little earlier opener. I take my grandson with me, he is too young to shoot, but if ducks there too late he can't go because it is cold and frozen up and we are missing a recruitment opportunity. Not talking about a lot of extra time. Staff has generally approved and recommended earlier opening, need to take hard look at that. It was difficult for me to explain to constituents who don't hunt in extreme southeast part and have opportunities to ice eaters, equipment and duck clubs, why that type of hunting appears to get the preference. Secretary Loveless – I have heard some of the same comments. Talking to managers at Neosho area and two weeks ago had cold snap and they had over 200,000 waterfowl on their area and that rekindled the conversation; are we missing an opportunity for people to get in because the season was still closed? A worthwhile conversation and we look forward to having that discussion. Commission Sporer – Cold snap pushed birds down earlier than normal. This was first year on opening day of duck season where there were actually had ducks we were able to hunt. In duck season, when you get a cold front people can miss out. I can remind people after January 1 when more ducks here and the season is closed and we don't have an opportunity to hunt, so it goes both ways. Chairman Lauber – Cold snap pushed the wood ducks out early, usually they hang around a little longer.

Jason Dickson – Have a person who wants to comment.

Stephanie Valea, 13 year old living in Washington – Your trappers and predator killing programs have already pushed American wolverines to the edge of extinction and now snowy habitat disappears in our warming world so do the wolverines. As few as 300 American wolverines remain in the lower 48 states and despite serious threats to survival wolverines have once again gained American Species Act protection. The American wolverine could disappear from every state save Alaska if we don't act fast. It is only a matter of time and wolverines aren't the only ones in danger. Right now, there are no gray wolves in Kansas, you need to start helping them recover because with the most recent decision to remove gray wolves from the endangered species list their numbers will only decrease. This vulnerable wolf species could be eradicated from this country by the end of the year. What makes wolf killings even more horrific is that wolves are familial animals, they usually live in packs of up to 30 individuals, many of which likely have families and young to take care. Members of a wolf pack are one big family and for animals such as wolves hunting can devastate entire communities. Mother wolves especially form strong and inseparable bonds with their cubs and when they are killed their orphan cubs are left all alone with no one that close to love and care for them. Yet we continue to kill their mothers and relatives just for mats or fur rugs, bragging rights and profit and it doesn't stop there. Many other animal species are struggling from the same thing as families and many of

them are also endangered. Wildlife numbers are decreasing, yet hunters still claim hunting helps conservation efforts when in reality it does the opposite, it exacerbates the population decline of many imperiled species such as the ones I just mentioned. All of this for a trophy. Pope Francis once said, “it is not enough to think of different species merely as potential resources to be exploited but overlooking the fact that they have value in themselves”. Each year sees the disappearance of thousands of plant and animal species, which we will never know, which our children will never see because they have been lost forever. When I say we overlook the fact that these species have value in themselves I’m not talking about their economic value. Wildlife should also have an equal say in this. I urge you to stand with me in condemning the killing of all wildlife by placing protections on them again. That is why I am here today, because it is time for us to change. I have had enough of wildlife killing contests and lack of protection. You aren’t here to please trophy hunters or the fur industry you are here to serve this state’s wildlife please honor that responsibility. You cannot kill off species while claiming you are conserving them. Now I ask you to pick your side. Do you want to please trophy hunters and trappers or do you want to keep your promise to these species and protect this state’s wildlife? Your choice. Make it now. Thank you.

VI. DEPARTMENT REPORT

A. Secretary’s Remarks

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission – As far as our budget situation, we have begun preparation for the fiscal year 2021/22 cycle. Our EDIF apportionment is expected to remain the same, just over \$5 million, so our budget will remain static between fiscal year 2021 and 2022. In the process of making adjustments to how we budget to be more accurate and we plan to report more carefully on federal funds. There have been some areas where we didn’t see a need and were never requested to report on some funds and we think we need a more transparent way to do business and report in more areas in the future to be more comprehensive. There is no question about the money we have and money we need. Still struggling with Covid 19 and we continue to not know exactly how that will impact us, it has caused some additional expenses. There has been some federal money we have been able to access to help us with those expenses. Don’t know how that will impact gaming industry or EDIF monies that are available from the state. The Park Fee Fund (PFF) revenue finished FY2020 36 percent above 2019, revenue from May and June at historic levels. We had our first two \$2 million months in May and June. October revenues were also up from last year when we were flooded. Up significantly from last year, just under 50 percent. We have had a lot more expenses; a lot of visitors to our parks, which is what we want and glad for that, but results in more expenses and it takes more personnel and resources that go with cleaning and supporting visitors. The PFF last year was just over \$3.8 million, now \$5.2 million so heading into the winter pretty good. We had just under \$10 million in expenses due to flood damage last year, starting to make those repairs as needed but didn’t have that money saved for those repairs so any surplus will go into reclaiming those roads and parking areas and facilities lost or damaged. Wildlife Fee Fund (WFF) up just over 25 percent from last year, a good trend. Getting forecasts from federal government about how we are doing. As you all are aware the sporting goods aisles were pretty bare this summer. As soon as they got fishing, camping or hunting equipment it flew off the shelves, so expect those revenues to be up. The recent report on

hunting, Pittman Robertson funds, was indicating tax revenues are expected to be up about 13 percent, which translates into just over \$12 million to use. Talk about in future, as we have in the past, is raising fee caps because federal money is great but unless we generate money from our state revenue, our license sales, we can't access that money. We need to leverage that federal money. We have to keep up with inflation and all the other factors to keep Kansas funds up so we can benefit that federal money. Potential there to access more money so will continue to talk about that. Chairman Lauber – Encourage, as we do this, there was confusion last time we tried to get the fee caps raised that we were trying to double everybody's fees. It was picked up by the press and we need to figure out how we go about bringing that forward and explaining difference between future potential and raising the fees now. Shot down last time because optics not effective. Secretary Loveless – Talking about that idea a few days ago. Part of our argument was that we have been modest in our increases over time. It tracks very well with inflation and we talked about, in order to take away that argument, was potentially saying in our proposal, instead of talking about a cap good for next "x" number of years, talk about a regular increase, that would track with what we have been going through in terms of inflation over the last few years. Projecting out some reasonable amount over time so it takes away the concern that we may want to all of a sudden increase and develop a schedule basically for increases over time and could be adjusted every five years or whatever to fit back with the actual inflation rate. That would apply to all of our in-state licenses. One exception might be some of nonresident rates, like deer permits, simply because that is tracked more accurately on what the market is and what our neighbors or charging so we might not want to tie that to inflation. It is worth the conversation, for in-state rates for hunting and fishing. Great idea and love to talk about that.

2. 2021 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission – Elections new, don't know make up of committees in legislature. See committee assignments in next couple weeks so will get a better idea of how we will start the legislative session. We have eight items we are juggling to see where they fit best. 1) You just discussed, to raise caps as we need to raise fees in the future in order to capture federal dollars and continue operations at the same level we are doing. 2) Still a piece of property near Kingman we want to add to Kingman WA, seemed everyone in agreement last year, couldn't get through legislature two sessions ago and last session COVID cut everything short. 3) Still looking at law enforcement retirements, talked about KPF last couple of years, still looking for path forward on that. 4) Personal floatation device change at the federal level on nomenclature of PFDs and we have a regulation we need to change but can't until we get the statute changed first; didn't go anywhere last year. Covid shortened legislative process and stopped a lot of things in their tracks. Only necessary items to function for government made it through. 5) Slight change we would like to ask for in PFF and Boating Fee Fund (BFF) related to retention of interest. On the wildlife side we have provision in our statutes that require the interest generated off those funds remain with the department and we would like to see that happen with BFF and PFF. 6) Talked about dynamic pricing for parks before. Going to try and push for that again for cabins and campsites. 7) There is an update related to unlawful commercialization of wildlife, a reference in there on American Fisheries Society manual that sets out restitution guidelines and costs to recover when somebody illegally commercializes wildlife and that hasn't been updated for about 10 years, on sixth or seventh rendition since I last got it updated. 8) A lot of talk recently about fishing stockings and people stocking invasive fish and we would like to get a prohibition there. It is currently prohibited on department lands and waters but not in steams, for example.

Chairman Lauber – Stocking, if I wanted to put a wrong crayfish in my own pond, I can do that under existing statute but can't possess and sell or use for bait? I agree with what we are trying to do, thought restrictions already. Counsel Tymeson – There are restrictions already in place with prohibited species list and we also have prohibitions on stocking public waters because we don't want people to mess up the good work some of our biologists have done in managing those lakes and waters. They don't want particular species in there, that is prohibited already, but not prohibited on streams throughout the state. If someone wanting to put a species in a location where it doesn't currently exist there might be a problem there. We would like to create a process that allows us to look at those through a permitting system so we can make a judgement call before that would occur. Chairman Lauber – It remains to be seen what legislative session will look like this year. Good luck and do the best you can with it.

B. General Discussion

1. Pheasant Update – Jeff Prendergast, upland game biologist, presented this update to the Commission (PowerPoint – Exhibit E). Break this up into two parts. Been on the phone continuously pretty much the last two weeks. Last year covered Kansas upland game bird forecast extensively and the things that go into that. Last year the roadside brood surveys came up in discussion across the country so we thought it would be prudent to hit this again and tell you what the information is used for and how it relates to our upland game bird forecast (Exhibit F). One graph shows a summary of the year of a pheasant and how we measure it, what kinds of different surveys we use to measure different points in a pheasant's life. Our roadside brood survey is how we measure annual production and fall densities so that is what we primarily rely on for upland game bird forecast. What stirred up all of the attention nationally was South Dakota this previous year had a taskforce put together to look at ways of improving marketing and pheasant hunting in general. One of the things they decided to do was to cancel pheasant roadside brood survey. South Dakota is one of the states that had been doing it the longest, they had 70 years of data. This wasn't received well by a lot of hunters, outdoor writers, etc. What they decided to do instead of releasing estimates of densities or some sort of index to density was to go with more marketing approach and rely on just harvest. South Dakota is the king in pheasants, they shoot more pheasants than any other state every year and that is essentially what their marketing strategy was. The concern was they were seeing population declines in their brood survey that was being interpreted as it was not worth coming to South Dakota to hunt, when in actuality even in a bad year in South Dakota there are more pheasants than anywhere else. Part of decision to get rid of roadside brood survey was misconceptions on how information was used by the agency. There is misconception that we don't use that information for management and that it is purely just for hunter information and that it doesn't really predict success. Summarize our brood survey and address some of the misconceptions. We have about 80 routes across the state in randomly assigned counties. We start routes at sunrise and drive them, they are approximately 30 miles long, drive four times each between the middle of July to end of August. We take advantage of early morning behavior of the birds, often times vegetation is wet from dew and birds will move out into roadways to dry off and get out of wet grass. This gives us opportunity to count the birds. Typically, higher density, don't count all the birds, it is not a population estimate, it is an index to the population; more birds on the landscape means more in the field. Because it is a standardized route as opposed to historic survey. We started our standardized survey in 2012, before that it was an opportunistic survey. Because of that

standardized survey we can compare different areas of the state, show each year where we have the highest densities in the state and allows us to look at how densities change year to year. If you hunt same farm every year you could look at what the region is showing for a percent change; good, bad or about the same. Considering misconceptions, one of ideas is not using for management but only for hunter information. The reason that comes up is because of the nature of small game, harvest has very little impact on population of small game animals. Because of that our regulations are set based on social preference rather than population. Turkey and deer; bigger game animals, have lower production rates so harvest can really impact their population. Because of that you don't see us very often bringing forward new regulations because we have set our regulation for social preference so not a lot of need to change annually. There are other ways we use this information. We can look at counties with variable populations, for example Republic County has relatively low pheasant per mile (PPM) estimate right now, so we can take landscape measures of that county; different kinds of crops or CRP or what sort of habitat they have and compare that to somewhere we have high population estimates, such as Graham County, and look at what type of landscape cover is producing higher densities. Example from Iowa, another state doing this for a long time, 70 some years; there has been discussion on how intensification of use of agrochemicals has impacted pheasants. They looked at estimated brood size of pheasants in 1950s and 1960s and compared to after the use of agrochemicals to look at trend in brood size to look at other things we didn't think about in the 1950s, like what we would use information for in the future. Another example would be spatial habitat models. Nebraska did one based on other research not a roadside brood survey; produced a hot/cold map that shows where the most potential to produce pheasants in high densities. We have been looking at trying to do some of this on a national scale through the National Wild Pheasant committee but roadside brood surveys can really feed into that information. That can feed into model and produce that over time. What models like that allow us to do is target areas where highest impact on populations with habitat-type programs or any sort of initiatives we want to do. Another misconception is that counts don't accurately predict success. We only have about eight years of data but so far our correlations are very tight to our pheasant per mile and quail per mile estimates off of the survey, highly correlated with average daily bags tighter than most other states. We feel that is most likely because we do run the routes four times to get a better estimate of what the pheasant per mile actually is and some of the other states do more routes but only do them once each. For pheasants we had a little higher success rate than what we predicted and quail hunter success rates were exactly where we expected them to be. That doesn't mean we aren't trying to improve it. The National Wild Pheasant technical committee has been working with Iowa State to look at improving our estimates so we can make hunters more successful. We have 10 or 11 states participating in this project where we are all running repetitive brood routes throughout the summer and then Iowa State is looking at environmental variables such as temperature or rainfall amounts are impacting the amount of birds on the road. The reason we are doing that is because if we get a drought one year and a wet year the next if more birds are in the road on a wet year than a dry year it could look like see an increase the following year just because it is wetter and the birds are out on the road. We want to be able to correct for environmental variables if we can. Even without that correction, right now we are showing tight correlations with our harvest success. Results of this past roadside survey showed we are about 23 percent down in statewide pheasant densities, largely from declines in central and southwest region, the northwest stayed similar to last year, our best region. In quail we saw a slight increase but saw significant increase in center and decrease in southeast parts of the state. In recent years

we have had higher hunting pressure in central part of the state than we had in the southeast, while average daily bag would predict same as last year, maybe even higher because quail populations are better where we are going to have more hunting pressure. I was asked to touch on seasons, since they have opened, I am unaware how accurate the forecast is so far, I don't get a lot of information other than just a few hunters visiting with our staff. I took a couple of youth out in northcentral area in youth season and we did fairly well, moving about two coveys an hour on quail and more pheasants than I was expecting, but pheasants have been pocketing. On opening day, I was patrolling around Jetmore and within five or six miles I talked to a couple groups seeing lots of pheasants and five or six miles west they were struggling and not seeing much of anything. That is what we indicated in the forecast, because of spotty nature of rainfall last May and June when we needed it. So far the individuals I talked to who had been hunting that northwest section, had very good success, a few with limits. Quail maybe not, a few reports of not many quail on eastern part of central region but appears like we should have a pretty good quail year while struggling with pheasants in a lot of areas; some areas holding their own and pockets of stuff across the state. Chairman Lauber – I was thinking we used rural mail carriers, is that the old way? Prendergast – Historically we used a combination of rural mail carrier and an opportunistic brood survey from our staff. The problem with that is it is not standardized, while it gives you some measure of production it doesn't give you comparable data because you are not running the exact same route, those routes change as mailboxes go up and down and the times of day aren't matched with highest activity level so hard to predict what those estimates actually mean. Chairman Lauber – You may have a certain amount of varying enthusiasm among rural mail carriers as to whether careful or moderately careful. Prendergast – We had one a couple years ago that had reported 250 quail in a week's time on a mail route, surprising as how we think of them as ubiquitous and everybody having an understanding of what they are, but she thought meadowlarks were quail. Using trained staff where we know we are going to get the sort of data we were looking for is more informative. We still maintain rural mail carrier routes, it is our longest dataset on upland game birds, but use for ratio-type data, like cocks per hen and other indices. Second part is in regard to research we have been doing (Exhibit G). Working with K-State for several years evaluating use of pheasants and cover crops in western part of state. This originated from my interest in finding ways to manage for wildlife habitat to provide a benefit to producers. Often producers feel they can manage for wildlife or farm, it is viewed as two separate things and they can do one or the other but not both. For instance, take out of production and put in CRP or leave a weedy edge or something of that nature. Any time we can provide a benefit to the producer we have a better shot at getting meaningful habitat on the landscape, something benefitting them. History on pheasants in Kansas; the early 1980s was when we saw our highest pheasant harvest; in 1982 over 5.1 million pheasants. We had several consecutive years we were at or near one million pheasants in harvest. We had a population drop in mid-1980s, stabilized and shot around 700,000 birds a year and in good years up to 900,000, about 600,000 in bad years. Stayed that way until most recent drought that took legs out of population for several years. Compared to South Dakota, look at same time frame, there were several years we were at or beating South Dakota and several years we were the number one pheasant harvest state in the country. Prior to soil bank days, South Dakota had a huge spike in pheasants where they were shooting over three million birds in some years and then the introduction of CRP, then they saw increases in pheasant harvest related to the installation of that practice. CRP important in Kansas, highest harvest prior to CRP. When we had a lot of pheasants it was during the wheat-fallow rotations of 1960s and 1970s and a lot of the high plains regions of western Kansas would

get one crop every other year; plant wheat one year, after harvest sit fallow for 14 months and plant wheat. During that timeframe the weedy matter was not as intensive as it is now, a lot of sunflowers and foxtails and other types of weedy cover the pheasants thrived in. Had taller varieties of wheat that were cut later and provided excellent nesting cover and as fields were harvested the weeds would blow up right after harvest that gave great combination of cover, nesting cover adjacent to high quality brood cover and weedy fields had a lot of insects and chicks had high survival and produced highly energetic the birds could utilize for food throughout the winter. In Mid- to late-1980s we started intensifying crop rotation and at same time CRP started, which helped stabilize us. They started breeding for shorter varieties of wheat to reduce problems with lodging and introduced rotations that were more than two crops in three years, so there was a need to control weeds more for moisture conservation to sustain a second crop. Some fields were sprayed, some disked, less weedy cover, so not as high quality habitat. CRP was weedy, while not as many acres as we had in weedy wheat stubble it still provided some stabilized metric to keep our harvest and population from dropping further than they would have. Continued to occur and more recent concerns about crop expansions in U.S. Areas that would have historically not been cropped, lower producing areas, are starting to come into production. Used to be what we considered waste ground or waterways that are being planted to grass or tilled and draining swales to plant those areas. Not as good of production but even 5- to 10-acre plots were highly productive for wildlife. In Kansas, 1982 highest pheasant harvest we ever recorded, compared to this year, we went from 14 million acres of wheat to 6 million acres of wheat, over 50 percent loss in total wheat acres. Wheat has always been important beneficial crop for upland game birds because it provides spring nesting cover. Milo is one of better row crops for wildlife because after harvest, the way it is cut provides a lot of cover for birds; about 25 percent loss in milo acres in same time frame. There has been a lot of genetic breeding or selective breeding of other crops so seen large increases in soybeans and corn. There is only 200,000 acres of cotton but still seen major increases in the state, not that important statewide but it is in some specific areas and it is not viewed as wildlife-friendly crop. It doesn't provide any food source, relies heavily on agrochemicals and there is not much left in the way of habitat after harvest. Wanted to look at cover crops, which are essentially planted between cash crops in order to address some sort of resource concern. There is an annual national cover crop use survey completed these figures are from 2017, where we saw 88 percent of producers who were asked were using some sort of cover crop and the number of acres per farm is continually increasing - doubled in five years and continues to increase. That gives us an opportunity to take a traditional chemical fallow field and put it into something green and growing and provide cover and other resources for the birds. When you look at the motivations for using cover crops, a lot has to do with organic matter, reducing soil erosion, weed control and wildlife is not on the list; there is an "other" (category) which some portion of that probably represents wildlife. I don't want it to be wildlife cover crop, that is not going to sell, we need to find ways to encourage use. Most producers see wildlife and enjoy pheasants and quail and will do something, they are making business decision and are not going to do the perfect wildlife crop if it doesn't make sense to them. We went into this project looking for where we can put in cover crops that make the most sense for wildlife while addressing other resource concerns. What tweaks can we make to our mixes to make them more wildlife friendly? Three potential places for cover crop, row crop rotation, after harvest in the fall; after beans or corn it could be planted, carry through the winter, either winter kill or terminated in the spring to prepare for next row crop. After wheat harvest, similar but wheat harvest is done in June and July and provides more time in late summer

timeframe, but again either winter terminated or early spring to prepare for following row crop. The other one is out west, we still have a fair amount of summer fallow, after row crop is harvested, field will sit fallow until the following fall when they plant wheat and that gives us a window during the summer to plant a cover crop. For pheasants what we are looking for is production cover, nesting and brooding. If you consider peak times for pheasants, after row crop timeframe is not providing much cover during that production timeframe. The after wheat harvest is similar but picking up later part of nesting season and late broods or re-nesting hens might be able to utilize it. While summer fallow lines up perfectly with it, right as chicks are starting to hatch out, it would give weedy component we lost from weedy wheat fallow and gives chicks opportunity to shift into that cover and utilize that during the summer. There has been a couple of studies started looking at after row crop and after wheat harvest type crops and potential nesting cover after they spray them. We are waiting to see what results of those are. When we get wheat field next to what would have been a chemical fallow field you provide high quality habitat adjoining it. A couple of examples in field, provides 2-3 foot tall cover, provides flowers and different forbs that attracts insets that is important for chicks as a food source. For our project we didn't want a single wildlife mix, chose four different treatments; traditional chemical fallow; chick magnet mix produced by Star Seed, a broadleaf mix and doesn't include any sort of annual grass, it was originally designed for pheasant chicks and we thought it would be one of the better mixes; green spring was another traditional ag low diversity mix, oats and peas; and then a more diverse custom mix designed to try and incorporate a lot of different broadleaves for pheasants as well as oat component that produces organic matter. To do this we captured pheasants, put radios collars on hens and followed them through the season. We strapped technicians onto the front of the truck and drove around CRP at night with lights when the birds don't want to fly and when they would see birds they would bail off the front catch them. We followed birds throughout the spring and summer to see where they were spending their time, where hens were, where nests were, where they were taking chicks, and survival. The hens were spending their time in CRP and cover crop mixes, while other more traditional type cover was selected less. We had two nests in cover crops, expected because not planted until end of nesting is under way; over half of nests in CRP even though wheat was a bigger component on the landscape. On brood use; after nests hatched out and following the hens, almost 25 percent were in cover crop fields, other habitat types had more locations, so cover crops made up a smaller proportion of study areas. Spending more time in cover crops despite there being much less of it on the landscape. Saw several groups we didn't have marked using cover crops even after field was sprayed for termination, continuing to use the fields throughout July; providing cover and lasting through brood season and highly attractive to birds. Survival, land value and population growth rate versus birds. When we combined all of the metrics for hen survival, brood and nest survival, the land to value is a representation of population growth rate. Some birds had no cover crop in their home range. Having some cover crop we saw a 20 percent increase in growth rate. Working with cover crops for a long time, so good to have data. Other things that came out of this; where to put cover crops and what cover crops were most successful when placed adjacent to CRP or other high quality nesting habitat. It makes sense when because pheasant chicks are not as mobile when first hatched out. Given we are not seeing a lot of wheat use for nesting it calls into question how valuable those are. Targeting adjacent high quality nesting cover seems to be providing good habitat and positive impacts for population.

Commissioner Sporer – Who does the surveys? Prendergast – Roadside surveys are done by our staff; district biologists, game wardens, a few fisheries and public land staff. Commissioner

Sporer – Same staff member runs the same route? Prendergast – Yes, each person is assigned a route and they run it four times. Commissioner Sporer – Since I have been on the commission I have interviewed many rural mail carriers and asked them about the surveys and the counts. Never heard anybody talk positive about it and doing a good job with rural mail carrier routes, just an FYI. I am interested in cover crop idea. We don't use cover crops on our farm because we use stubble wheat. I had never really seen importance of a cover crop yet and I am not seeing much of it in western Kansas. What I am seeing is the ability for farmers to identify nonproductive acres and give them back to the pheasants, identifying areas not meant for high production agriculture. Hearing lots of talk about CRP program, there is lot of acres coming out this year, there must have been a big sign up 10 to 15 years ago. A lot of CRP acres are going to go back to productive agriculture this year. I am concerned about that. The CRP payments are going to be reduced in western Kansas by as much as \$4 an acre and higher commodity prices are driving people to break up CRP. Over the last 3-4 years I felt we had good nesting habitat for pheasants but still haven't increased numbers of pheasants. I am concerned about going in direction South Dakota is. Everybody has idea why they quit doing their brood survey, but a good reason why they didn't do it. Good presentation and I appreciate it. Prendergast – CRP, you mentioned \$4 an acre; in some places worse than that. We had over half a million acres expired but net loss was only 80,000 acres, which is bad but glad we didn't lose more. The reason we saw such a decline in rental rates in new Farm Bill increased acreage over five years by five million acres but wanted program to stay cost neutral so they cut rental rates across newly enrolled contracts so they could increase acreage. Program cost stayed the same. Been through national groups, both quail and pheasant side, a big concern there, they deal with a lot of senators and representatives in DC and concern from them about the direction the Farm Bill CRP program is going, especially our representatives. We are hoping we get movement on that, maybe not until next Farm Bill, but other levers we can pull before then to increase sign ups. Cover crops in our part of the world is a harder sell, the biggest concern is moisture and planting something that takes moisture away from the following crop. We are seeing more adoption now and we work with several people across the western part of the state. Several farmers in Graham, Sheridan and Norton counties, it is more of a long-term strategy. Sometimes you can get an immediate yield the year you plant them but seems to be long term; if you can increase organic matter with use of cover crops and increase moisture storage potential, increase infiltration rate so when you get big storms it doesn't run off, it hits and soaks into the ground. It is an uphill battle, even just mentally because it seems if you plant something out there you are using moisture; it is counter-intuitive to think you could save moisture by planting something. It's a lot of tradition, stuck in our ways on how we do things and we don't expect it to change over night but see a little more every day. Commissioner Gfeller – Good report. Is there a particular cover crop that seems to be more attractive? Prendergast – Right now we are looking at the higher diversity of cover crops. It seems that chick magnet mix did not do as well as we expected, the all broadleaf mix; some sort of annual grass like oat or rye provides more overhead cover for the birds. As diverse as it can be is better, but cost of mixes is important. One of the guys we worked with on the custom mix, he wants to put two or three of each of a legume, a grass, etc., his thought is if one fails; for instance some years are good pea years, some years better for red clover, so if you have both you are more likely to get one of them to succeed, but that can drive price up. Within reason having some sort of annual grass for cover and diverse group of broadleaves, like to see a turnip or radish, a legume if we can and a lot of times some sort of broadleaf like a sunflower or safflower. Most of the seed companies will work with you on what

sort of a mix you are looking for. Our biologists are well in tune with this and able to work with you. Chairman Lauber – Good report. Secretary Loveless – Jeff, appreciate you pointing out in the beginning, for us to be successful we have to do things that help the farmers bottom line. In some other states, bankers have figured this out and are starting to require soil organic levels when they get requests for loans from farmers because they realized that productivity is ultimately based on increasing organic levels over time. That is directly related to cover crops as you are aware, they are figuring that out so maybe you can communicate that and make that a selling point in long run. Early on when talking about cover crops I remember hearing a lot of constraints with NRCS programs about when cover crops had to be terminated, it was complicated and got people in trouble. Has that gotten any easier to navigate? Prendergast – What you are referring to is termination dates relative to risk management agencies and that had to do with crop insurance. In order to insure it as a summer fallow practice they had to terminate cover crop at such a point in advance, 90 days or something. It has loosened up a little bit but there are still some questions about it all the time. A lot of the guys that are doing it, they believe in it enough that they are willing to give up crop insurance or pay the higher rate. It has been awhile since I looked at those termination rates, I believe they got it down to 60 days, which provides ample time. Most of them terminate in late June or early July anyway because they don't want other annual weeds to go to seed that could cause problems in the fall in wheat crop. Assistant Secretary Miller – When we did the pheasant tour and were up in northwest Kansas with that young landowner who was using cover crops, one of his points was reducing his chemical input and you mentioned moisture being one of the bigger concerns now. Is there still an emphasis on reducing chemical input or is that not as much of a concern now? Prendergast – It is. You can reduce the amount of chemicals. On traditional chem fallow you are spraying three times, where he gets away with one spraying, all he has to do is spray to terminate the cover crop because it is outcompeting the weeds. We have planted cover crops on some of our own ground over at Wilson and seen it completely outcompete Johnson grass, which I didn't think was possible. A lot of the concern before people go to cover crops tends to be that they can't do it because we can't sacrifice the moisture. The individual you were referring to had looked at it on the opposite side. If I remember correctly, he told us that prior to using cover crops his chemical usage was \$800,000 in a year, that number scared him and through the use of cover crops he reduced it to \$200,000. That in itself would pay for other concerns and costs of seed. While you are improving soil organic matter and other resource concerns, you should still break even or better even after buying the seed. Not an ag economist, but that is my understanding from ag producers using it.

Jason Dickson – We had one question from the public. Are their education programs for farmers to point out these benefits? Prendergast – There are a lot of opportunities. The way we initially got involved with it was NRCS and Conservation District sponsored cover crop field days. If you talk to your local NRCS office they should be able to get you in touch with that as well as informational material as far as brochures and booklets. If you are interested from a wildlife perspective, a lot of our wildlife biologists are becoming well versed on types of cover crops to use for both ag and wildlife.

2. CWD Update – Nadia Reimer, Public Affairs Section chief, presented part of this update to the Commission – Levi and Wildlife Division have been coming to commission for some time as we continue to develop strategy for managing chronic wasting disease (CWD) in the state. The Public Affairs shop has been working closely with Shane and Levi to come up with a

strategy on how we are going to communicate this to constituents. My presentation (Exhibit H) is going to be broad overview of communications campaign we have developed up to date. A sky high view and I won't get into too much detail as we hope to continue these presentations to the commission as more material is developed. Launched beginning of campaign this month. Basic stats we obtained from survey Levi conducted with our hunters. One stat that was surprising was 80 percent were aware CWD exists in Kansas but as we delved deeper into the stats we realized that the knowledge base was not as deep as it may appear; 50 percent were not sure if a cure existed, we know that a cure does not exist or we would be implementing it; 38 percent indicated that they weren't aware the disease is fatal, huge because we know CWD is 100 percent fatal; nearly one third indicated they weren't aware if CWD was present in deer management unit (DMU) they lived in or hunted in. Some of the objectives with our campaign are to create a centralized information portal, make it easy for our constituents to get the information they need in one location. Currently that information is scattered between hunting regulation summary, various news releases and information on our website. Our goal is to continually drive individuals to one information source. We want to make sure we clearly define what CWD is and clarify what symptoms are and stages of the disease. This information is already public facing but there still is not clarity or consistency among the answers people are getting. We want to make sure we identify CWD positive locations in Kansas, only one third are aware living, hunting or processing deer in one; we want to lessen those knowledge gaps. We want to make sure we're doing a good job of sharing testing information and opportunities. We received grant funding recently that Levi talked about that has created an opportunity for additional testing and we need to make sure hunters are aware of that. Lastly, provide key stakeholders with clear action steps they can adopt. This campaign is twofold, education and action. If we can educate key stakeholders and provide them with actionable steps they can take, we feel we will be more successful in managing the spread of CWD. Who are key stakeholders and who are individuals we are going to target? First: hunters – launched November 2020 and is a three-part campaign. The materials I am showing today are specific to hunting communities and we are in development of materials specific to wildlife watchers, wildlife enthusiasts who may not hunt and landowners. We know we can't be successful in any measure of wild game management if we don't have partnership of landowners. The campaign slogan is "Take Aim at the Spread" and our tag line is "Help Suppress Chronic Wasting Disease" Some of key messages we are going to be sharing with this campaign: "Get The Game Plan" which will invite hunters, landowners and wildlife watchers to join in the fight to suppress CWD in Kansas. Part of this game plan is to give stakeholders specific action steps they can deploy in the field, on their property that can help suppress the spread. Another key message is "Watch The Waste," again we want to make sure we give a very clear picture of symptoms they are supposed to watch for, and make sure they are symptoms that can be easily be viewed from a distance. We noticed when we took an inventory of symptoms we were providing to the public, ran the gamut was accurate but a lot of those things may not have been visible unless you were up close. Want to make sure it is user-friendly by making sure symptoms we are showing can be viewed from far away. Another facet of the campaign is making sure our key stakeholders don't think that just because a deer is CWD positive it can't be asymptomatic, just like Covid in people, just because we don't see symptoms doesn't mean they aren't a CWD positive deer. The last key message, "Dress, Test, Suppress", an easy message they could remember; this message encourages our hunters to bone out or quarter their meat on site, dispose of their carcasses locally, and test deer if taken from a CWD positive location. As Levi's strategy shows, we are trying to find actionable steps that hunters

can take, on a volunteer basis right now, but something specific they can deploy if they chose. How are we going to convey these key messages? It is going to be an integrated communications campaign that consists of traditional, social, digital and print media. Levi may go into detail about survey he conducted with our hunters and we found some of the results were surprising in that hunters indicated they would like a lot of this information electronically, specifically in downloadable pdfs. As we get more information about hunter preferences we will incorporate that into this campaign and will literally take the message on the road, looking at billboard placement. Beginning next year, we are going to work to identify key locations in Kansas where nonresident and resident hunters are traveling and have billboards that drive them to our landing page, that centralized information portal. Another item we are going to deploy in this campaign is digital media ad placements and social media posts. These are great in the sense we get real time analytics and we can micro target and make sure these messages are getting spoon fed into the news feeds of the individuals we are trying to reach. It is customizable and a great use of funds because it is so targeted and again real time analytics allow us to be flexible and make decision on the spot if needed as opposed to doing print ads or something more stagnant. Another tool we are going to deploy is flyers and fact sheets, we will distribute to our license vendors, regional offices, big retailers and offer them online. Decals, same thing, we will distribute throughout the state, again driving individuals to our landing page. We have a video in production to share digitally. The landing page launched this month, the link is cwdks.com. This is the centralized information portal so all of our digital ads, all of the fact sheets, flyers, even ksoutdoors.com are going to drive constituents to this one location where they can obtain downloadable pdfs, easy access to mapping, additional resources, contact information and everything they might need related to CWD in Kansas. How do we measure success? The way my shop operates is a little different than the biology side, so from a Public Affairs perspective the things we will be looking at that are going to determine success for us are: increased engagement with social and digital media; looking at landing page visitation, how many and how long are they staying, what pages are visited most, how many people are downloading pdfs; also look at email read rates; work with Levi to conduct a follow up survey, have great dataset to go off initially so if we can measure and see some of knowledge gaps has decreased that is success; and most importantly increased advocacy of regulatory changes being presented by Levi. Next steps, in beginning stages, but do need to distribute printed materials, develop email campaign based off feedback Levi received and knowing our hunters want information digitally. Finalize billboard placement for 2021 and continue development of campaigns targeted to our wildlife watchers and landowners. Thanks to Shane and Levi, tremendous resources, it has been a good exercise taking knowledge they have and distilling down for the common Joe. Working well. We do plan to add additional resources to cwdks.com over time. If you visit the website today it may not look the same three to six months from now because we are going to continue to drive individuals there and add more resources. Our advertising agency has done a great job of pulling these materials together based on our input. Commissioner Sill – How many people responded to your survey? Reimer – Levi will have to answer that one. Jaster – We sent out about 5,000 cards to hunters across Kansas, got 1,500 back, a 30 percent return rate, which is right in line with what we normally see our deer harvest post-season surveys. Kansans respond better than national average to our surveys. Commissioner Sill – Did you survey nonresidents? Jaster – Yes, I will get into that in my presentation, about 30 percent of respondents were nonresidents. Levi Jaster, big game biologist, presented other part of this update to the Commission – Talk about hunter knowledge, perceptions and opinion human dimension survey (Exhibit I). This had

a couple of steps, sent surveys out to all the different state agencies across the country to ask them what steps they had taken, what strategies or regulations they had adopted to help with combatting the spread of CWD. Used that information to guide us in survey of hunters to ask them about options other states had taken beyond what we are doing in Kansas that seemed like it might be a good fit and they had recorded they had success with. Knowing a little about your audience or recipients, who responded and what perceptions they might have and what is driving that. For our survey we had 94 percent male, average age 54 years, 70 percent were residents, 30 percent nonresidents, and main states were TX, OK, MO, MI, CO, MN. Every state on this list had CWD within its borders, but MO, MI, CO, MN are the states that have taken a much more aggressive response to CWD management within their states. That could impact how people responded to our survey as far as nonresidents. Saw no differences between residents and nonresidents in total years of hunting experience, how many years they have hunted in Kansas, how often they hunt or at least how often they purchase a permit and whether or not they were hunting in CWD positive or not positive deer management Unit (DMU) in Kansas. When we asked them their experience with hunting, only one percent had hunted in or out of CWD positive DMU had ever had a deer test positive. Their processing methods, mostly at home, especially out where we have positive DMUs, which makes sense considering that is western Kansas and have to expend more effort to get to their processors; average miles to processor in non-CWD positive DMUs is 10 miles versus almost four times that in positive DMUs. Of the ones that took a deer to taxidermist last year, about 10 percent, did not hunt in positive DMU and 13 percent that did. Hunters that hunted in positive DMU were much greater distance in this case. Hunters in our DMUs that have had positive CWD detections are all in western Kansas and tend to have to travel more. Seeing about 4 percent of hunters across the board donate venison to a food bank. This report is large and has a lot of information in it, way more than I can present today. We are working on revisions as far as what is reported and couple of additional analysis recorded and once we have that wrapped up we will get this pushed out and published. For hunters, 34 percent knew CWD was not always present in Kansas; 35 percent knew it was not found in every state; 38 percent knew CWD was always fatal; 82 percent knew it was in Kansas; 26 percent knew it was not found in wild elk as of yet, have had a couple detections in captive elk; 13 percent knew it takes 18-24 months for symptoms to appear, concerning that they don't realize we could have deer that look perfectly healthy that do have CWD; and only one-third knew deer can get it from environmental contamination not just deer interactions. On average, we saw that hunters in CWD positive DMUs knew more about CWD in general than hunters hunting outside DMUs where we have yet to detect CWD, but difference wasn't that large. We asked them about potential management actions we can take and how acceptable or unacceptable they were – completely unacceptable, slightly unacceptable, unsure, slightly acceptable or completely acceptable and I combined completely and slightly for both to present data more cleanly. Highlights, largely support using hunting to help suppress CWD in places where it was found; most not supportive of agency sharpshooting, a good thing because we are not a large agency compared to states that engage in sharpshooting and it quickly becomes a bear of a program to keep going and fund. Generally unacceptable to ban feeding or minerals all year; slightly less likely to find it unacceptable outside the hunting season. Not in favor of restricting carcasses to DMUs, but a little more supportive of partial restrictions. Supportive of making testing mandatory in DMUs where we have detected CWD; and in finding ways to provide testing statewide every year other than rotations; at least some support to explore testing and helping hunters that way. Fifty-eight percent think the department is not providing enough

information, knowledge we are learning as we are increasing our communication efforts and confirms why we were going that way. We will be able to use information from this survey to better target what we need. Sixty-one percent think we are providing the best available information. About one-third would like to see more opportunity to provide comments on CWD concerns. Sixty percent think we are following the best science. About 60 percent think we are properly addressing CWD. Sixty-six percent think CWD is a serious threat, two-thirds think this is something we should be doing. They may not be in favor of many of the options that seem to have the most success but potentially that is something we can work on and address through education. During the 2019-2020 post-season deer harvest survey we asked hunters more information and to provide opinions about what information is important to them that we have put out there and how best to get that to them. Of things we currently publish, anything we publish on deer disease hunters want, even more than getting regulation summaries, especially residents; one of only two spots where residents placed higher than nonresidents. We asked them how they want to get their information and asked them to rank potential options Public Affairs has available; number one choice was PDFs they could download and take with them; a little fuzzier after that so combined first and second choices into another graph to clarify more. Again, PDFs preferred choice; residents want us to email that to them and more preference for print formats. These are general trends across this information and we will break up into other categories than just resident and nonresident. We asked them to self-identify what property they hunt on, whether they hunt on land they owned, owned for ag or lease, owned for recreation, public or private land, so we will be breaking up this kind of information by that too, so landowners get information in best way for them versus general hunters or even potentially looking at hunters by age classifications, just to get the information to them the best way. Key points to go away with, 82 percent know CWD exists in Kansas; 29 percent unaware if hunting in CWD positive unit; 89 percent saw hunting as effective method of controlling CWD; concerning lack of knowledge on CWD; but perceptions and knowledge not any different than other states. On the bright side, Kansas hunters expressed high level of trust in the department on CWD issues, 50 to 60 percent range, relative to hunter trust in other states that is phenomenal. Our hunters really want information. We can get information to hunters in the way they prefer, which hopefully means they will utilize it more. In regard to CWD in Kansas we have work to do and need to focus on communication and education, but most importantly we have a strong foundation with our hunters to start building upon. Key to communicate and educate and start working to improve our situation in Kansas in regard to CWD. Commissioner Sill – Appreciate what you and Nadia have done, an awesome start. Go back to slide about things hunters supported. In that short amount of time, it looks like support monitoring versus steps that require actions and would require us as hunters to change, those things are not supported. Am I reading that right? Jaster – Yes, it came down to we can keep track of it and support, but in general most of the tools in the toolbox they are not in favor of us using, except for support to try and do it through hunting. It is tough to get more people to take more deer when they got as many as they want and that is generalized across the entire group. Less supportive when you talk to people who live in DMUs with positives where they would be the ones that experience lower deer numbers. Commissioner Sill – Do you think you will be able to build on that trust to start with monitoring things and build into making some of those changes? Three areas I see other states doing are feeding, natural urine-based lures and carcass movement. Build from one or start simultaneously and recommending changes in both areas? Jaster – Start with education. Big picture is how high those percentages of hunters unsure of all these options. Banning natural

urine-based lures, 50 percent weren't sure whether acceptable or unacceptable; to me that means we need to provide them information on why that would be important to do. The overall take away to me is this has identified a lot of communication and education and why these will work. Chairman Lauber – Do you think because hunters don't use natural urine-based lures? Jaster – Don't know how many do or don't use those. I personally as a deer hunter don't want to mess with them and can harvest deer without them. Some hunters won't go without something like that out there. Chairman Lauber – May want to include that question on the survey. I think you will find the numbers small that use it. Commissioner Sill – I know tendency to do what we do right and assume everybody else do it the same way and I think when people realize that in the middle, Kansas and Oklahoma are the only states that don't regulate to any extent deer feeding, all other states either say no or not done in CWD-positive areas. If we can educate people that this is a good way to manage it, by making some of these changes and that not everyone allows this to happen. Whether carcass movement, lures, feeding, any of those things we have been free on here, it might be time to follow the lead other states have done and make some of those changes. Jaster – I agree. This information is our starting point, our foundation to build from. We have measured it and now we can continue to measure how strongly we can continue with that. CWD is an issue that has required hard choices. When we give our hunters the information they need to understand why certain things are important, they are going to be willing to make that hard decision for the betterment of our deer herd.

C. Workshop Session

1. Big Game 4-Series Regulations – Levi Jaster, big game biologist, presented these regulations to the commission (Exhibit J). KAR 115-4-2, general provisions for big game, not proposing any changes this year. On 115-4-4, legal equipment for big game. We have a couple of items the Commission asked us to review, blaze pink, large caliber airguns and the Firestick system produced by Federal. Aaron Austin, expert in hunter education will talk about blaze pink. Aaron Austin – Talk about blaze pink as alternative color to blaze orange for firearm deer and elk season. Quick history of blaze pink, Wisconsin was first state to allow in 2016, proponents framed it as a way to encourage more hunting participation among women. This idea raised controversy among hunters who thought linking fashion with female hunter participation undermined true gender equality in the outdoors. Women's Hunting and Sporting Association in Wisconsin objected to the bill, calling it demeaning. Since 2016, nine other states have accepted the color to be used. Our current regulation pertaining to safety hunting clothing reads that, "each individual hunting deer or elk during firearm season is required to use outer clothing of a bright orange color commonly referred to as daylight orange, fluorescent orange, hunter orange, blaze orange, or safety orange; a hat with no less than 50 percent of bright orange color that is visible from all directions and a minimum of 100 square inches on the torso visible from the front and 100 square inches visible from the back" (size of standard sheet of paper). Safety is number one concern and with the addition of another color, when using specific color to identify another hunter in the field, visibility is paramount. The color orange should be easily seen and quickly recognizable by other hunters and blaze orange has a strong and clear association with hunting and safety. Many articles of pink clothing found in outdoor retailers are typically of low intensity, pale in comparison and have a camo pattern that is misleading as a hunting safety clothing option. One thing that is produced but there is not a lot of it is blaze or fluorescent pink, not a lot can be found

in large retail stores. There is an issue with color blindness in the U.S., it occurs in about eight percent of men, those that are red/green color blind generally state pink is the most difficult color to see and it blends into the background, however some red/green color blind individuals cannot see orange either. The International Hunter Education Association (IHEA) states, no qualitative or quantitative research has been conducted to document the influence, positive or negative, of hunter safety color choice on recruitment, retention or reactivation of new or existing hunters. Therefore, IHEA recommends hunter safety color requirements be established solely on basis of detectability and visibility of color in natural environments for human observers. There is a lot to be said about the quick recognition of color for safety and blaze orange is recognized as the international standard for identifying hunters in the field. Instead of introducing an alternative color for hunter industry and retailers could continue efforts in improving the fit of hunting clothing items for women in terms of recruiting more women in hunting. There are R3 strategies the department can be implementing to be more inclusive. We can support women's outdoor organizations that provide outdoor skills, hunting opportunities and social support to new hunters. We can continue to promote programs such as Becoming an Outdoors Woman. We can encourage more female hunter education instructors and mentors. Lastly, there are many opportunities to wear pink, blaze pink or any other fluorescent pink while hunting. Blaze orange is only required during the firearm deer and elk season, hunters can currently wear pink under the required orange clothing. Small game and upland game hunters are not required to wear specific blaze orange color in the field and they could wear pink in that instance as well.

Commissioner Sill – Thank you for looking into it, on behalf of the constituent I brought it forth for last time. I appreciate you did give it some thought, thank you. Chairman Lauber – I concur. Jaster – Thanks to Aaron for taking time to address that.

Second item was large caliber airguns and legalizing for big game hunting in Kansas. We have several concerns. Airgun manufacturers overall are not engaging in the American Model for Conservation or implementing excise tax, Pittman Robertson Act, that is important money we use to fund conservation. There are a few that are voluntarily collecting that and putting it into a fund, but it is not required. We have had few constituents ask for this, mostly manufacturers have requested that we do this. The cost is high to get started in it and in that sense would be a novel way to harvest a deer, not necessarily something a lot of people are going to be able to afford or choose. It wouldn't open much additional opportunities in Kansas; some states have municipalities that do this but so far none working on deer control in Kansas – they are addressing through archery or other management hunts. Additionally, regulations required to do this further complicate regulations that we have been trying to eliminate. Effectively we have removed a lot of the caliber restrictions on firearms not too long ago and this would add all that back in. Chairman Lauber – The department is not recommending we approve airguns? Jaster – Not at this time.

The next is Federal Fire Stick requested by the manufacturer to be included as legal muzzleloading equipment. In our evaluation the system does eliminate some of handicaps of more traditional muzzleloading equipment, such as inconsistent powder charges or powder issues due to moisture. The system does require projectile be loaded through the muzzle although the powder charge is loaded through the breach and can be easily reinserted or removed. If shooters utilize that it would be an improvement in safety, but we are waiting on ATF to evaluate it. It is subject to wildlife restoration, Pittman Robertson, excise tax. In general, we have no biological reason to oppose or support inclusion of the Fire Stick as legal muzzleloading equipment and will follow commission's direction on that. One of Nadia's staff posted a question on social

media to Kansans on whether or not they were supportive of the Fire Stick and they had comments both ways, general consensus leaned to negative side, did not support including that. Chairman Lauber – Would have been easier for us if you had made a recommendation. I don't know if I have a strong opinion one way or the other. I would feel better if more widely distributed type of powder form and only a couple guns allow it to be used. Probably not a lot different than what we have now. Commissioner Sill – What is the purpose of early muzzleloader season? Cabela's ad for the Fire Stick says, impervious to weather, reliable, consistent, ignition accuracy, quick loading; these are all qualities that are not consistent with what was originally intended for the muzzleloader season. I would be supportive of allowing during regular rifle season. I'm not sure it moves us in positive direction with muzzleloader hunters, especially because it is not coming as a request from them but a manufacturer. So, less inclined to want to pursue regulation changes on behalf manufacturers. What is the purpose of that early muzzleloader season and does this fit? Chairman Lauber – Since I shoot with an inline and scope I don't like too much talk on primitive nature of early muzzleloader season. I don't think it is a bad system, slightly safer, more convenient, still using a single shot weapon with projectile loaded down the barrel. No strong feeling one way or the other. Commissioner Gfeller – Don't feel strong one way or other, Lauren makes good point. Strayed from early muzzleloader concept and I feel like she does, the more we can keep it from advancing even further would be helpful. Point she made which was good was the request didn't come from shooters, but from manufacturer. I lean toward letting it sit for a while. Commissioner Hayzlett – Hunted with Hawkins muzzleloader, it is an experience and I enjoy it. There is a safety issue, if you go hunting and come home and didn't kill anything some of those people put those away in the closet with that load in there so there is some safety issues. Also, the advancements they are making are going to get here. I think we need to look at it further and see what takes hold on that type of weapon. Chairman Lauber – Public comment? Jason Dickson – one. Jared Reigle – Lauren pointed out what I was going to comment on. In speaking to folks, I hunt with and reading public opinion on Facebook page general opinions seem to be against it. We don't need to debate what traditional muzzleloaders are, we all have our own opinions there. Federal and Tradition, the company that manufactures the rifle that takes the Fire Stick advertise this as fast effortless loading and unloading with constant quality loaded ammunition. If you want the advantages of hunting with a rifle, hunt during rifle season, if you want to hunt in a primitive season, learn safety rules and regulations around current muzzleloader season. Those sentiments were echoed in comments in media post. Jason Dickson – Have another. Aaron Oelger – I hunted Kansas for 15-20 years, I regularly hunt the muzzleloader season, don't have one of these rifles but would be interested in getting one that uses the Fire Stick product. I understand objections, but if looking at going back to original intent of muzzleloader season you would have to do away with 209 inlines and scopes. If hunting with inlines there is not a lot of difference between CBA Acura and this new system other than some of safety improvements it makes, which is beneficial to state, hunters and everyone involved. Understanding what objections are, this is a better system and we have already made the decision to move ahead with technology in original season. I would be in favor of giving Kansas hunters access to this product. Jason Dickson – Have another. Jon Zinnel – Crossed over Kansas border to chase pheasant (problem with phone) asking you to take time to review that and reiterate (lost signal). Jason Dickson – I will email him after the meeting and get him to email back. Assistant Secretary Miller – I'd like to have Chris Tymeson chime in about whether this might be legal during the regular firearm season? Counsel Tymeson – The way our regulation structure is set up archery

would be the first list of equipment, then archery equipment is valid during muzzleloader season and then muzzleloader equipment is valid during a firearm season. Because this does not meet the definition of a muzzleloader and it is not a rifle it is not valid in firearm season. Chairman Lauber – That complicates it. Not going away. Not that fired up about it but we have long since abandoned the primitive ways of hunting with a muzzleloader. If I don't hear ground swell of encouragement from the commission or any commissioner that wants to do it I think we will let it sit. Over time the public will probably provide more encouragement. I am disappointed it can't be used during regular firearm season but can see what Chris is pointing out. Propose we don't do anything at this point. We still have time as this moves forward into public hearing. Will this be an issue in public hearing at a subsequent meeting? Counsel Tymeson – As we prepare for regulation process I am backdating days we have to know when we are going to vote on it. We will vote in March, so, we have one more workshop but I will have formulated any regulation changes before January meeting. It is a little complex because this is a logical outgrowth of the discussion, people were placed on notice appropriately so there could be an amendment at the commission meeting in March. If you are saying you don't want to go forward today, it would have to be amendment not a proposal. Chairman Lauber – I would like to have it as a potential amendment, which reflects lukewarm support from the commission. I think it is one of those things we will probably end up doing one way or the other and I would like more time to kick it around. I don't know if we want to go forward. Appreciate department's honesty, don't care one way or the other, for or against, but I would like to be able to reflect one more time in some form or another and amendment might be best way to do it. Do amendments give you heartburn Chris? Counsel Tymeson – Don't give me heartburn they just make more work for people who have to approve the regulation process. Chairman Lauber – Easiest way to keep alive and think about it one more time. Counsel Tymeson – I am going to have to prepare a regulation change if you want to do this. This makes it complex too because if there are no other regulatory changes proposed in this regulation we can't just publish a reg in anticipation of an amendment being offered because there is no change for an amendment. Chairman Lauber – Any commissioner who wants to do this right now? Speak up. Leave it alone and let it die a natural death for now and we will look at it next year. Is that okay? Jaster – Yes it is. Jason Dickson – Another raised hand from the public. Mark Tinsley – Member of Kansas Muzzleloader Association and we as a whole don't support this new type of gun. We know modern inlines are out, we can't go backwards from there but we don't support new one. If you want to do a muzzleloader season, learn how to use the equipment that is already there. It is safe if you know what you are doing. If you don't know find someone to teach you that is the point of being a gun owner of any kind. Chairman Lauber – View is to let it die on the vine for this year, Mark's comments didn't change that any.

Jaster - 115-4-6, deer management units. Changed boundary last year to expand Unit 19, we need to clean up spot on map to complete the boundary (map – Exhibit K). The place in question is northeast corner of Unit 19. To clarify it, the boundary includes U.S. 73 or 92. U.S. 73 runs south down into Kansas City and does not complete that last half-mile along Kansas 92 before it reaches the Missouri/Kansas state line. Recommend we adjust the language to include that section to clear up the gap.

(Skipped - 115-4-11, Big game and wild turkey permit applications, no changes proposed.)

115-4-13, deer permits. No proposed change to this regulation. May consider antlerless question you brought up earlier. Chairman Lauber – Do that. I have that and a question on landowner permits from a member of the public. Jaster – The department was asked to review a proposal to

allow nonresidents who were unsuccessful in the draw for either sex permits to receive an antlerless-only permit to potentially still come hunt that season. In looking at this we have some concerns that antlerless permits are not desired or in demand by nonresidents. Nonresidents hold about one-third of doe permits but only account for 20 percent of antlerless harvest. If nonresidents wanted to come to Kansas to hunt antlerless deer we would see that in that we provide all nonresidents that draw an either-sex permit, they have to buy a whitetail antlerless permit along with that. That was implemented in 2013. Prior to that we only sold about 6,000 of those permits a year, adding combo permit increased antlerless permits for nonresidents four times. We only saw an increase in harvest of twice, after adding a lot of permits, have just over 25,000 nonresident hunters including over 3,000 nonresidents that hold hunt-own-land (HOL) permits. Beyond those combo antlerless-only permits, they have only bought 2,500 antlerless permits. Given that low demand it doesn't accomplish anything as far as deer management. It will not help us increase doe harvest where we need to. We have tools that allow nonresidents to do this, they can already come in January without an either-sex permit to hunt antlerless deer. Over the last three years we had 12 permits in 2017, 12 in 2018 and 13 in 2019, purchased by nonresidents that did not have an either-sex permit already. If landowners are needing to reduce doe numbers all of the nonresidents already have permits for antlerless deer in their hands, as far as the ones that draw, and many of them are in units where they can purchase more, to have up to five permits. We also have significant concerns from law enforcement perspective about removing that requirement for having an either-sex permit first. Commissioner Sporer – How many nonresident buck/doe permits did you sell and how many tagged a doe? Jaster – Sold 25,037 last year and our harvest was just under 10,000 does harvested by nonresidents, up 2,000 from previous couple of years. Commissioner Sporer – How many non-filled tags? Do they shoot does if they didn't get their buck, did they take that opportunity? Jaster – Unfilled antlerless tags for nonresidents would be about 14,000 to 15,000. A little over two-thirds of doe harvest not occurring that could. Commissioner Sporer – That is an assumption, did they come hunting and if they did, did they pass on a doe. Jaster – Also, a note to Commissioner Sporer's comment, we do have a doe season in October, the pre-rut antlerless season and nonresidents could be here hunting both and maybe they are choosing to hunt antlered deer primarily but other participants from our harvest survey only 1.3 percent of hunters that hunted pre-rut season were nonresidents. In general, of the nonresidents that participate in January only 1.6 percent are nonresidents. They are coming primarily when there is a season that allows take of an antlered deer only. Chairman Lauber – Original thought was to enable someone to come if unsuccessful in getting a permit and they would be able to go with their group. Initially I thought that was harmless and helpful request from economic development standpoint. As I had got more information, we talk about deer management, some want to talk about hunter management. The point being, I have had conversations with many outfitters, uncomfortable with having a group of five hunters and one with a doe-only permit; in confusion and excitement of seeing a big buck, six bucks get shot and only five permits. There is some concern and outfitters don't want to step on toes, if you ask one they will express misgiving about having an antlerless permit without a buck permit in advance. People do not come to Kansas to shoot antlerless deer. I know some people will look at it from another perspective. I at one time thought it was unnecessary but over time I have talked to several people who had a convincing argument and Secretary Loveless has as well. Brad, you might share your thoughts. Secretary Loveless – We have had some good conversations, early this week with Kansas Livestock Association (KLA) and there questions were about a typical group that is coming and one person doesn't draw, obviously didn't use the

group draw option, they would like that person to come and spend their money at business in Kansas. I have also had comments from outfitters about a concern and past practice. As people approached me I invited them to call in. You hear from me all the time but need to hear from constituents across the state who have a strong feeling about this. Some outfitters say they don't allow their folks to shoot does and have a whole list of reasons. They didn't feel that was an effective mechanism to control does. Most said they don't have a problem with does. Some in southeast part of the state, where there are high doe numbers, say nonresidents are not the way to control does, working with local residents in late season is. There are a whole mix of feelings. Outfitters who have been doing it for a couple of decades typically have strong feelings about this. Hopefully, in the course of today's meeting or this evening they will call in. Chairman Lauber – Anyone want to talk about this or comments from public? Jason Dickson – I have a speaker. Dean Klahr – Thank you for taking time to look into this. A majority of our constituents are ranchers and landowners first and this is a way for them to ensure they can create incentives to keep wildlife habitat and management a part of their operation. This started from inquiries from them. There may not be huge demand for nonresidents to come during the doe season in January or other parts of the year but there could be the possibility during first week of December for a farmer/rancher/landowner who maybe just gives out a couple of leases could tell their individual leases that they can't guarantee they shoot a buck every year but I can at least guarantee you can come that same week every year and hunt. It may be only to shoot a doe but can guarantee they can come. That puts an incentive on both sides to put more focus on habitat management, wildlife management and managing the property together. I think it is hard to quantify when it is not an option during that same time of year. That is our view on that (KLA) and why we brought it up. Understand other concerns and appreciate you looking into it. Chairman Lauber – Derek Kennedy is in the audience, he has a question about HOL permits, I realize in next subject, but while talking from the public have him express his concern. Derek Kennedy – Have a 10-year-old daughter, we have property in Bourbon County. I was trying to purchase her a license this year and was told in order for her to have a license she would have to be on the deed or enter the draw; she is 10. I can understand that with a 17-, 18- or 19-year-old. You can't list a minor on a deed because they are not old enough to own property. From a draw standpoint, she is 10. We have a certain number of acres, have to have 80 acres per member that hunt the property. She is an immediate family member. Because I have gotten conflicting information on this I would like to bring this in front of the commission and let them know that for people like my family that come to your state to hunt to provide a family atmosphere. We have a home and two different farms there, but not being able to include my 10-year-old to hunt is disappointing. We all bow hunt and she shoots a crossbow. I would appreciate some consideration on that for the future. Chairman Lauber – There is a transferable landowner permit, is that strictly for residents? Jaster – There is not a transferable permit in Kansas. Do you meet the 80-acre requirement? Kennedy – Yes. Jaster - There is a special hunt-own-land permit and she should qualify for that. Kennedy – That is true, but here is our situation. We own 180 acres and it is myself, my wife and my 10-year-old child. According to licensing I would have to have 240 acres to allow my 10-year-old child to hunt. If you had three children, 8, 10 and 12, you would have to have an additional 240 acres for your children to be able to hunt bucks. During the special doe season in Unit 11 she can have a doe-only permit and hunt does. She is a minor and every other state recognizes minors. It is not like we are selling the farm; we love Kansas and would like to stay there. Next year I will enter her into the draw, but I think that is a little much for a minor. I understand that you had issues with people setting up trusts to try to get in different

members of the family. My situation is, lot of people from Louisiana own land that come up and hunt, I do it for my children so they can come up. We hunt in Louisiana. If I had an extra 80 acres she could, or I could list her on the deed and I can't because she is a minor. They narrowed it down to two options, put her in the draw or list her on the deed. What I am asking is for the commission to consider including minor children of nonresident landowners to be included without restriction of having additional 80 acres per child. Chairman Lauber – What I suggest is that we have staff review this. A lot of times well intentioned amendments to try and accommodate a good faith thing such as this created issues and everybody gains the system. I wasn't sure what number of acres and ownership may be nor did I promise we would do anything than listen. I would like Levi to reflect on it with his deer group and if you come up with a good idea, fine; not sure what that would be. I didn't mean to use the "T" word of transferrable, I was thinking of HOL. Counsel Tymeson – The special HOL is not available to nonresidents, it is available to children but a landowner that lives in the state. If Mr. Kennedy will give me a call tomorrow I can talk about his situation. These are complex issues of landownership and nuances in the statute. We will see if we can talk about it not online, we can just have a conversation. Kennedy – Yes sir. Thanks for taking time to speak with me. You have a great state and we enjoy every bit of it and look forward to many years of coming up to hunt.

2. Deer 25-Series Regulations – Levi Jaster, big game biologist, presented these regulations to the commission (Exhibit L). In 25-series we set season dates, except military seasons are in a different regulation. It also sets multiple permit limits. This year the recommendation follows traditional season structure except for January seasons, proposing a 9-day, a 16-day or a 23-day antlerless season, depending on what unit. The units within each season will be set by spotlight population survey being completed right now. Youth and disability, September 4-12, 2021; early muzzleloader September 13-26; archery September 13 through December 31, 2021; pre-rut firearm whitetail antlerless-only (WAO) firearm will be October 9-11, 2021, which is Columbus Day weekend; regular firearm, December 1-12, 2021 December 1 is first Wednesday after Thanksgiving; first extended WAO, January 1-9, 2022; second, January 1-16, 2022; third, January 1-23, 2022; and extended archery (DMU 19), January 24-31, 2022. This follows what we are doing this current season except for adjustment for days, like first Wednesday after Thanksgiving and when first of year occurs.

Chairman Lauber – Have you ever heard of 20 litter set of coyote pups? Peek – That is definitely on the high side. Our average litters are presumably above the two or three, but that is a harvested population. Those types of numbers have been documented in western states under extremely heavy control.

3. Antelope 25-Series Regulations – Matt Peek, wildlife biologist, presented these regulations to the Commission (Exhibit M). No changes to recommend for this regulation at this time, including season structure, bag limit and permits which are all expected to be standard. Unlimited archery permits will be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents with half assigned to landowner/tenants and the remainder awarded to general residents. Firearm and muzzleloader permit allocations will be determined when we complete aerial surveys. We usually get these done in January but with our agency pilot heading toward retirement I think our biologists are going to give him one last antelope flight and get done in December this year. Our proposed season dates are provided I

in the briefing book and those are standard so no changes. The 2020 archery season concluded at the end of October and we are in the process of obtaining harvest reports from as many hunters as we can, so nothing to report on that yet but hope to have harvest report completed by the next commission meeting.

3. Elk 25-Series Regulations – Matt Peek, wildlife biologist, presented these regulations to the Commission (Exhibit N). KAR 115-25-8, elk, open season, bag limit and permits. No changes to recommend with season structure, bag limits, or permit types. The unit boundaries are defined in KAR 115-4-6b and Units 2 and 3 are open to hunting. The map is in the briefing book. The season dates, both on and off Fort Riley, are provided in the briefing book. Looking at elk management units, elk permits are only available to Kansas residents and permit applications are separated into military and nonmilitary. For Unit 2 permit recommendation, those limited can be used on Fort Riley and in Unit 2 we also issue unlimited hunt-own-land (HOL) permits. In Unit 3, the larger unit encompassing most of the rest of the state, we allow unlimited HOL permits and general resident and landowner tenant permits in either-sex or antlerless-only. Chairman Lauber – I received two to three calls from people who have seen elk alongside the road alive and I tried to recall the statistic of how many different counties, out of 105, have had elk harvested in them. Was it a fourth of our counties or more? Peek – Yes, and that was in the last six years. Maybe you have seen some of the recent elk photos floating around, but there is a bull elk in Smith County and one in Douglas County, so animals still moving around. To my knowledge, neither of those were harvested or reported by people who were hunting them, just by people who had seen them. Secretary Loveless – Probably a lot of those elk sighting are probably large Kansas deer. Chairman Lauber – That would be pretty big deer.

VII. RECESS AT 4:55 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

D. Public Hearing

Notice and Submission Forms and Attorney General letters dated September 4 and September 9, 2020 and Kansas Legislative Research Department letters dated October 11 and October 12, 2020 (Exhibit O).

1. KAR 115-4-4a Wild Turkey; legal Equipment and taking methods – Kent Fricke, wildlife biologist, presented this regulation to the commission (Exhibit P). In April 2020, Commission voted to allow draw locks for vertical bows as legal equipment, changed in big game KAR 115-4-4. To reduce inconsistencies, staff reviewed KAR 115-4-4a, which still

prohibited draw locks for vertical bows for the taking of wild turkey as legal equipment. To increase consistency across big game and wild turkey and reduce redundancies, our recommendation is to strike language that disallowed that and basically allow draw locks for vertical bows. As a reminder, since 2014 there has been as many as eight and as few as one application for draw locks, which are allowed with an application for disabled hunters. We are trying to reduce language to allow draw locks within 115-4-4a and then if approved we would not need 115-18-7 that outlines the process for disabled hunters to apply for those draw lock permits.

Commissioner Warren Gfeller moved to approve KAR 115-4-4a as presented to the Commission. Commissioner Lauren Queal Sill second.

The roll call vote to approve was as follows (Exhibit Q):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

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

2. KAR 115-18-7 Revocation - Kent Fricke, wildlife biologist, presented this regulation to the commission (Exhibit R). With KAR 4-4a change we can strike 115-18-7 since it is no longer necessary.

Commissioner Gary Hayzlett moved to revoke KAR 115-18-7 as presented to the Commission. Commissioner Aaron Rider second.

The roll call vote to revoke was as follows (Exhibit S):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

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

3. KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season (includes reference document) – Doug Nygren, Fisheries Division director, presented these regulations to the commission (Exhibit T). This regulation sets size limits, possession limits and seasons. First we need to make a change to the actual regulation, then deal with reference document and a possible amendment to the reference document. The change to the regulation is

simply changing the table for the creel limit for trout under statewide regs to an option of five and two to only five, removing the two. That will be part of a vote we will take later having to do with a youth trout permit. Currently children under 16 without a trout permit can have two trout in their creel and we are heading toward regulation change, depending on vote, that would change that to requiring all children to have a trout permit therefore they would be entitled to five trout per day for any children fishing designated waters under 16. Commissioner Rider – Recap reason to have children under 16 required to have a trout stamp? Nygren – David will cover that later on when we vote to create a new requirement for children to have a permit. The bottom line is the cost of the trout program is going up. When we first started that program 15 years ago at that time the Commission wanted to make sure everybody paid their own way and children were required to have a trout permit. A few years ago, it was decided that maybe we should drop that as a recruitment tool and allow children to fish without a trout permit. It has been that way for a few years. The other reason we want to make the change back to requiring a trout permit is it is going to be an inexpensive permit but enough so we can count those children's purchases for federal aid certification. The new rules in place will allow us to capture additional federal aid certification by selling kids under 16 a trout permit. Chairman Lauber – They have to have a trout permit for type one or two waters? Nygren – If simply possessing or if actually there in a type one water, if fishing there you have to have a trout permit and type two is only if you actually want to harvest a trout. This is a situation where we can take advantage of new certification rule as well as generate a little bit more revenue. These trout have become expensive and it is a popular program. The state permit helps offset the cost and we will also use that as the match for federal aid grant we have. Chairman Lauber – Do we pay for trout by the head or the pound? Nygren – By the number, but a certain percentage of the trout have to be over 14 inches so not just stocking all the same size. It is all done through commercial purchases from vendors in Colorado and Missouri, with some trout on hand periodically at our hatcheries as a backup supply. Sometimes we bring in commercial fish and we hold them on hand. We had a bad situation one winter where we had a provider who lost all their fish and it was trout season and we didn't have any and had to scramble, so Milford and Meade hatcheries holding backup fish. Chairman Lauber – Which of these do we need to approve first? Nygren – I will defer to Chris, but can we vote once to get both the reference document and the regulation change? Counsel Tymeson – Motion and second to bring regulation before the commission, then motion and second to adopt the amendment. Nygren – Discuss reference document and amendment at this time. Talked about changes to the reference document at previous meetings, which is the document where we have regulations that are different than the statewide regs. I won't go through entire list but will recap some of more high profile. It includes reduction of crappie to 20/day at Kanopolis and establishes more liberal creel limits on six rivers, Caney, Little Caney, Verdigris, Neosho, Ark rivers and a portion of the Ninescah River on blue catfish. These rivers are becoming pretty heavily populated with blue catfish and we feel it would be appropriate to let people exploit these. Especially since our neighbor to the south, Oklahoma, would like to see some of these numbers cropped off. They are even more liberal than we are. We have some small community lake changes that came at request of communities. I won't go into those. That would take care of the changes in the reference document. We have a possible amendment to reduce the creel on striped bass on Wilson Reservoir from 5/day to 2/day. That didn't make it to the Attorney General on time and that is why we having to do it as an amendment. This is a result of having improved forage conditions and concerns about the population there needing a little bit more protection. We had issues with poor forage and body conditions for awhile and

that is why we increased it to five to promote harvest when the lake was low. The lake has refilled, shad populations are doing well but numbers of striped bass still haven't responded so reducing creel should help get the population numbers back up and would allow population to return to what it was prior to liberalizing the regulation. Chairman Lauber – Does that population reproduce? Nygren – No, it does not, they are all stocked fish. We stock about 50,000 striped bass fingerlings a year to maintain that fishery there. We missed a year or two because of problems with production and also had forage issues and fish there weren't doing well early on. We have also received a lot of feedback, our biologist Bryan Sowards has talked to the anglers there and there is support for reducing the creel limit. They see an issue and would like us to be more conservative. Chairman Lauber – We need to approve 115-25-14. Counsel Tymeson – That is correct but you need to have a motion and second to bring the regulation up. Then a motion and a second for the amendment. The amendment is a technical amendment, it is adopting a newer version of the reference document which details the change Doug has on striped bass.

Commissioner Gary Hayzlett moved to bring forward KAR 115-25-14. Commissioner Emerick Cross second.

Commissioner Lauren Sill moved to amend KAR 115-25-14 as presented. Commissioner Warren Gfeller second.

Chairman Lauber – We need to vote on amendment to reduce the number from 5/day to 2/day on striped bass and document shows a date change. Counsel Tymeson – The regulation technically only shows the date change, the reference document adds in that language. Chairman Lauber – Discussion? Commissioner Sporer – What is the cost of the youth trout permit? Nygren - \$4.50, without fees; anything over \$3.00 we get to count for federal aid. Commissioner Rider – Do you anticipate fee on youth to have what type of impact or what could it do? Nygren – We did not sell that many when they were required. Only sell about 12,000 to 13,000 trout permits statewide each year and only a portion are youth under 16. David will get into that in his presentation. Not a big number.

The roll call vote to amend KAR 115-25-14 as recommended was as follows (Exhibit U):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

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

Chairman Lauber – The amendment has been approved so now we need to revert back to original 115-25-14. Any other discussion? Counsel Tymeson – Need vote on regulation as amended.

The roll call vote on regulation KAR 115-25-14 as amended was as follows (Exhibit U):

Commissioner Sporer	Yes
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Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

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

4. KAR 115-7-10. Fishing; special provisions (includes Kansas ANS designated waters)
 – Chris Steffen, aquatic nuisance species (ANS) coordinator in Emporia (Exhibit V). This regulation establishes special provisions for fishing and will update the reference document which is the Designated ANS Waters list. We are adding waters. We found zebra mussels and white perch. There is also an amendment for water found in October (Wichita West KDOT Lake) so that would be included as well.

Commissioner Gary Hayzlett moved to bring forward KAR 115-7-10. Commissioner Emerick Cross second.

Commissioner Gary Hayzlett moved to amend KAR 115-7-10 as presented. Commissioner Emerick Cross second.

The roll call vote to amend KAR 115-7-10 as recommended was as follows (Exhibit W):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion to amend KAR 115-7-10 as presented passed 7-0.

The roll call vote on regulation KAR 115-7-10 as amended was as follows (Exhibit W):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-7-10 passed 7-0.

5. KAR 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions – Chris Steffen, aquatic nuisance species (ANS) coordinator in

Emporia (Exhibit X). This is the prohibited species list. We want to include species that the U.S. Fish and Wildlife Service added to the federal injurious species list. This brings our regulation up to match with what the federal government has listed. Chairman Lauber – Are our silver carp large scale? Steffen – No, large scale silver carp have not been found in North America.

Commissioner Aaron Rider moved to approve KAR 115-18-10 as presented to the Commission. Commissioner Lauren Queal Sill second.

Chairman Lauber – What is a crucian carp? Steffen – It looks similar to our common carp, they don't get as large, somewhere between a common carp and a goldfish at a glance. There have been a few found in North America. People have difficulty IDing them. They are another one of those nasty fish that takes up space and muddies the water. Chairman Lauber – Will they interbreed with our carp or are they that much different? Steffen – A good question, but I am not sure the science is definitive on that.

The roll call vote to approve was as follows (Exhibit Y):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

The motion as presented on KAR 115-18-10 passed 7-0.

6. KAR 115-1-1. Definitions. Chris Steffen, aquatic nuisance species (ANS) coordinator in Emporia (Exhibit Z). We want to clarify language related to carp. We would like to remove the word “carp” and be more specific and list the specific species of carp to clarify language.

Commissioner Warren Gfeller moved to approve KAR 115-1-1 as presented to the Commission. Commissioner Lauren Queal Sill second.

The roll call vote to approve was as follows (Exhibit AA):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

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

7. KAR 115-7-3. Fish; taking and use of baitfish or minnows. Chris Steffen, aquatic nuisance species (ANS) coordinator in Emporia (Exhibit BB). Pertains to taking of baitfish and

minnows. The proposed change would allow the use of silver carp and big head carp larger than 12 inches to be used as bait provided the fish are not transported alive from the water. These Asian carp won't hit a normal lure or hook and are good catfish bait. This is a way to allow people to capture these unwanted fish and use them for bait. Chairman Lauber – If they want to move to another area they have to be killed or can they even be moved? Steffen – Can't be moved at all. These two species are on the prohibitive species list so you can't possess them alive. If you catch that fish and want to keep it you need to immediately kill it. Chairman Lauber – If I throw a net and catch one and I want to set a limblime I've got to kill it before I set the limblime? Steffen – Correct.

Commissioner Emerick Cross moved to approve KAR 115-7-3 as presented to the Commission. Commissioner Gary Hayzlett second.

The roll call vote to approve was as follows (Exhibit CC):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes
Commissioner Cross	Yes
Commissioner Lauber	Yes

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

8. KAR 115-18-12. Trout permit, requirements, restrictions, and permit duration. – David Breth, sportfishing education coordinator (Exhibit DD). We do have the new trout permit that Doug covered earlier. This is where we remove the youth exemption from the permit. We want to create a trout permit for youth at a reduced cost. It would be \$4.50. The trout permit that exists currently would become the adult trout permit at \$12. This youth permit would cover the same requirements and season as it relates to Type I and II waters. Chairman Lauber – Type I waters means you have to have a trout permit no matter what you are fishing for and Type II waters you can harvest other species without a trout permit? Breth – Correct. Chairman Lauber – Kids don't have to have a trout permit in Type II waters but they will now in Type I waters? Breth – They would have to have it in Type II waters if they want to possess trout as well. Chairman Lauber – Or fish for or attempt to possess? Breth – Correct. Chairman Lauber – The price is \$4.50? Breth – Yes, it is \$4.50 and with the vendor fee it is \$7.00.

Commissioner Gary Hayzlett moved to approve KAR 115-18-12 as presented to the Commission. Commissioner Emerick Cross second.

The roll call vote to approve was as follows (Exhibit EE):

Commissioner Sporer	Yes
Commissioner Sill	Yes
Commissioner Rider	Yes
Commissioner Hayzlett	Yes
Commissioner Gfeller	Yes

Commissioner Cross
Commissioner Lauber

Yes
Yes

The motion as presented on KAR 115-18-12 passed 7-0.

9. KAR 115-2-1. Amount of Fees. – David Breth, sportfishing education coordinator (Exhibit FF). This one sets the fees for short-term fishing licenses for residents and nonresidents. Currently the price for a resident one-day fee is \$6.00 and we want to change that to \$3.50 plus the vendor fee and the nonresident one-day license is \$12 plus fee and we want to change that to \$7.50 plus fee. We are doing this because we get to count certifications when individuals purchase licenses. We were selling around 60,000 before fee increase in 2016 and now selling around 35,000. We are reducing this to try and get those numbers back up and increase our certification number. Chairman Lauber – Based on revenue produced for the agency and compared to government matching assistance to Dingell Johnson and Pittman Robertson; is it best for us to sell more one-day permits? Breth – That is a hard question. The goal would be it would be best to sell them versus not selling but funny thing is that about 60 percent of licenses sold short term were to unique individuals, so about 40 percent of people out there were buying multiple daily permits. Some got up to 25 or 26 daily permits in a given year. For those people we would prefer they keep buying those one-day permits because we get that wildlife fee fund revenue. When it comes down to yearly license holder versus one-day we get the same amount of money per angler. It would be some sort of calculation and how we feel about it, but revenue-wise the same. Chairman Lauber – We have had one individual that has bought 26 individual day permits? Breth – Yes, we had one that bought 50 at one time, basically every Saturday he bought a daily permit. Chairman Lauber – We need to find him and send him a hat. Breth – For sure.

Commissioner Lauren Queal Sill moved to approve KAR 115-2-1 as presented to the Commission. Commissioner Warren Gfeller second.

The roll call vote to approve was as follows (Exhibit GG):

Commissioner Sporer
Commissioner Sill
Commissioner Rider
Commissioner Hayzlett
Commissioner Gfeller
Commissioner Cross
Commissioner Lauber

Yes
Yes
Yes
Yes
Yes
Yes
Yes

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

10. Public Lands Cabin Rates – Stuart Schrag, public lands director, presented this regulation to the Commission (Exhibit HH). For past 10-13 years the public lands division has been operating and maintaining rental cabins at Atchison State Fishing Lake (SFL), Ottawa State Fishing Lake, McPherson State Fishing Lake, Kingman State Fishing Lake and Mined Land Wildlife Area. A couple of years ago we made a decision to shut down the two cabins at Kingman State Fishing Lake as rentals due to the fact that expenses were far exceeding annual revenue and annual occupancy rates were very low. Those were closed and relocated to different

properties where they were utilized as office space for staff. That was a successful endeavor and saved us hundreds of thousands of dollars in construction on new office buildings. We are faced with the same dilemma at Ottawa SFL and McPherson SFL with those rental cabins, expenses are exceeding annual revenue and occupancy is very low. We have closed those two cabins and again they will be relocated to a couple of different properties to be utilized as office space for staff. That leaves us with the one cabin at Atchison SFL and two at Mined Land Wildlife Area. As I said these cabins are 10-13 years old and since inception our nightly rental rate has been \$70. We have never changed that. These cabins are deteriorating and in need of repairs and upgrades and upkeep. The \$70 a night is not helping us with expenses exceeding revenue. While occupancy is better at those two locations, revenue is not keeping up with expenses. For that reason, we are recommending and requesting that we increase nightly rental rate at those two locations from \$70 to \$105 a night.

No vote required, consensus only.

11. Free Park Entrance and Free Fishing Days by Secretary's Orders – Linda Lanterman, parks division director, presented these orders to the Commission (Exhibit II, Slide – Exhibit JJ). I am presenting Secretary's Orders tonight for free Kansas State Parks days in 2021 and the free fishing days, which is normally the weekend of June 5 and 6, 2021. Each state park will have three opportunities for individuals to come to a state park for free.

No vote required.

Secretary Loveless – I have an important announcement about our staffing. We have had the pleasure of working with Jason Ott as Colonel of our law enforcement division for almost three years. He has accepted another job out of state. We are appreciative of all the good work Jason has done for us and we wish him well in his new pursuits. That leaves a hole to fill. He has done a good job. He will be with us a little longer, but not too much. Please join me in congratulating Jason and thanking him for his service in Kansas. Chairman Lauber – Thank you Colonel Ott.

XII. OLD BUSINESS

None

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

Counsel Tymeson – I believe we should go over the future meetings and we need to set one for June. Also, there should be discussion on the next meeting and whether it is virtual or not. Chairman Lauber – I don't know about June, but I don't see an in-person meeting in January yet. While I wish that were the case I think we need to stay hunkered down for a while. I would like to think by June we would be able to do something, but the next meeting by Zoom again. This works better and better every time we have a meeting. I don't think the public or our constituents are missing out on anything. There is a certain value of having a live meeting and I think that is still the preferred way to do it, but I don't think we can take a chance on doing anything

differently and we need to respect the Governor's recommendations as well. As far as June, there was a suggestion we have it out west, we don't know what Gary's plans are going to be so don't know if we want to do that or do it at a subsequent time. Chris, any suggestions? Counsel Tymeson – If Sheila would go over the next dates for us that would be beneficial.

Sheila -

January 14, 2021 - *changed to virtual*

March 25 – Topeka, Shawnee Parks and Recreation Reynolds Lodge at Shawnee Lake

April 29 – Beloit, Rolling Hills Electric Cooperative, (plans to try for tour of Ring Neck Ranch)

June – date not set.

Chairman Lauber – We generally do the third week. Sheila – Usually around the 25th, whatever that Thursday is. Chairman Lauber – June 24 or June 17. Secretary Loveless – We potentially have a Midwest meeting toward the end of the month, so the 17th might be better to avoid that as some of us have to participate in that other meeting. Chairman Lauber – June 17 is fine with me. Can we set the date and decide on where later? Sheila – Yes. If we set it in January that should give me enough time to find a location.

June 17 – *location to be determined in January*

XIV. ADJOURNMENT

Chairman Lauber – Thank you all for joining the meeting. Have a Happy Thanksgiving, be safe and wear your mask.

Adjourned at 7:17 pm.

Secretary's Remarks

Agency and State Fiscal Status

No briefing book items – possible handout after the meeting

2021 Legislature

No briefing book items – possible handout after the meeting

General Discussion

Commission Permits Update

Background

K.S.A. 32-970 allows the Kansas Wildlife, Parks and Tourism Commission to issue up to seven Commission Big Game Permits each year to raise money for conservation. One elk permit, one antelope permit, or up to seven any deer permits may be issued through a lottery draw to qualifying conservation organizations. The first permits were awarded in January 2006, when seven conservation organization applicants drew one elk and six deer permits.

Only nonprofit conservation organizations and local chapters based or operating in Kansas that actively promote wildlife conservation and the hunting and fishing heritage are eligible. An organization or chapter can receive a permit only once in a three-year period. Winning organizations can then sell the permits to the highest bidders. Once sold, the cost of the permit is subtracted, and 85 percent of the proceeds are sent to KDWPT, along with a conservation project proposal. The organization retains 15 percent to spend at its discretion. After the conservation project is approved, the money is sent back to the organization to complete the project.

Since 2006, more than \$700,000 has been raised for conservation. That first year, 59 applications were received and the permits sold for \$49,000; in 2007, there were 119 applicants and permits raised \$26,974; 2008, 113 applied and \$24,200 was raised; 2009, 111 applied and \$34,951 was raised; 2010, 108 applied and \$47,000 was raised; 2011, 100 applied and \$41,700 was raised; 2012, 104 applied and \$41,811 was raised; 2013, 93 applied and \$53,200 was raised; 2014, 101 applied and \$57,515 was raised; 2015, 164 applied and \$53,826 was raised; 2016, 138 applied and \$64,550 was raised; 2017, 142 applied and \$72,850 was raised; 2018, 154 applied and \$77,600 was raised; in 2019, 176 applied and \$83,450 was raised; and in 2020, 209 applied and \$146,080 was raised.

In 2020, seven deer permits were issued to six Ducks Unlimited Chapters: Cheyenne Bottoms, Prairie Dog, Topeka, Kiowa, St Paul and Woodson; and one Pheasants Forever Chapter, North Fork Tailgunners. Those permits sold for a record average of \$20,869, with the highest one sold for \$23,000.

The highest price ever bid on a deer permit was \$23,000 in 2020, and an elk permit sold for \$23,000 in 2006. Antelope permits have only been awarded in two drawings, and both were traded for a deer permits. Organizations have spent the money on projects such as “Bring Back The Bottoms,” the Pheasant Initiative, youth sport shooting programs, and youth special hunt programs.

Youth Seasons Alignment

The current age eligibility for participation in youth seasons and locations varies across species and opportunities. In order to minimize confusion and encourage greater participation by youth during these seasons and at youth-only locations, we are reviewing regulations for necessary changes to both standardize and maximize an age of eligibility.

With this meeting we will begin the process for discussing changes to the youth season ages for quail, pheasant, deer and waterfowl; youth ages for turkey season and youth/youth-mentor fishing locations will be discussed later this spring and summer per the normal review cycles for these regulations. The various 25-series regulations that identify the age eligibility for participation during youth seasons will be addressed by the individual species coordinators. Changes to the waterfowl youth season participation age will not require regulatory change. This can be modified via notes within the season selection letter submit to the FWS.

Current eligibility for participation in youth seasons for upland birds, deer and turkey is anyone 16 years of age or under.

Current eligibility for participation in the youth waterfowl season is anyone 15 years of age or under.

Many Midwestern states (Arkansas, Iowa, Missouri and Nebraska) have a standard definition of youth as under the age of 16 for both license/permit requirements and season participation. This is very straight forward and easy to understand but would require the removal of a year of opportunity from our current youth seasons for upland birds, deer and turkey to apply it in Kansas.

Other states in our region and west have expanded youth to include anyone under the age of 18 for both season eligibility and license/permit requirements, excepting for the federal Migratory Bird Hunting and Conservation Stamp (Duck Stamp), which is required at the age of 16.

We are currently somewhere between these two extremes with slightly varied and expanded ages for youth season eligibility and the standard of under 16 for required licenses and youth permit availability.

The age at which a hunting or fishing license is required is defined in statute and would therefore require legislative action to change.

What we are considering pertains only to standardizing the age of eligibility for participation in youth seasons and access to youth-only locations. No changes to the current age of 15 and under for licenses and youth permits are being proposed at this time.

State	Hunting License not Required or Youth License Available	Youth Upland Season Participation	Youth Deer/Big Game Season(s) Participation	Youth Deer/Big Game Permit(s) Available	Youth Turkey Season Participation	Youth Turkey Permit Available	Youth Waterfowl Season Participation	State Waterfowl Permit/Stamp not Required	Federal Duck Stamp Not Required
Kansas	< 16	< 17	< 17	< 16	< 17	< 16	< 16	< 16	< 16
Arkansas	< 16	N/A	< 16	N/A	< 16	N/A	< 16	< 16	
Colorado	< 18	N/A	< 18	< 18	< 18	< 18	< 18	< 16	
Iowa	< 16	< 16	< 16	< 16*	< 16	< 16	< 16	< 16	
Missouri	< 16	< 16	< 16	< 16	< 16	< 16	< 16	< 16	
Nebraska	< 16	< 16	< 16	< 16	< 16	< 16	< 16	< 16	
New Mexico	< 18	N/A	< 18	< 18	< 18	N/A	< 18	N/A	
Oklahoma	< 16**	N/A	< 18	< 18	< 18	N/A	< 16	< 16	
South Dakota	< 19***	< 18	< 16 Mentored/ < 18 Apprentice	< 16 Mentored/ < 18 Apprentice	< 16 Mentored	< 16 Mentored	< 18	< 16	
Texas	< 17	< 17	< 17	N/A	< 17	N/A	< 17	< 17	
Wyoming	< 14****	N/A	N/A	< 18	N/A	N/A	< 18	< 16	

* Iowa Landowner-Tenant Youth < 18.

** Oklahoma offers Reduced Fee Youth License for 16 & 17 year olds.

*** South Dakota requires **Youth** Small Game (small game excepting furbearer/varmint/predator, migratory birds and waterfowl) License for ages 12-15 and **Junior** Combo Hunt/Fish License for ages 16-18. Exception for **Mentored Hunters** < 16.

**** Wyoming requires license for Small Game, Upland Birds, and Turkey at age 14.

Kansas Department of Wildlife, Parks & Tourism Briefing Item
Webless Migratory Game Bird Regulations
 January 14, 2021

Background

The U.S. Fish and Wildlife Service (USFWS) develops frameworks annually, from which states are able to establish regulations for migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state specific migratory game bird seasons. General stability in federal frameworks allows the inclusion of webless migratory bird regulations, bag limits, and season dates in KDWPT permanent regulations, summarized below.

Species	Regulation	Regulation Summary
Crow	KAR 115-25-16	Crows; open season, bag limit, and possession limit
	KAR 115-20-1	Crows; legal equipment, taking methods and possession
Dove	KAR 115-25-19	Doves; management unit, hunting season, shooting hours, and bag and possession limits
	KAR 115-20-7	Doves; legal equipment, taking methods, and possession
	KAR 115-20-2	Exotic doves; legal equipment, taking methods, possession, and license requirement
Sandhill Crane	KAR 115-25-20	Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation
Snipe, Rail, & Woodcock	KAR 115-25-21	Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits

Discussion

Federal frameworks for webless migratory game birds are unchanged for the 2020-21 season. No recommended changes to webless seasons are anticipated at this time. Final staff recommendations will be presented at the March commission meeting.

Proposed 2021-22 Webless Migratory Game Bird Bag Limits and Season Dates

Species	Bag/Possession Limit	Season Dates
Crow	no limit	November 10 – March 10
Migratory Dove	15/45	September 1 – November 29
Exotic Dove	no limit	year-round
Sandhill Crane	3/9	West Zone; October 16 – December 12 Central Zone; November 10 – January 6
Snipe	8/24	September 1 – December 16
Rail	25/75	September 1 – November 9
Woodcock	3/9	October 16 – November 29

KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM BRIEFING ITEM

2021-22 WATERFOWL SEASONS

January 14, 2021

BACKGROUND

The U.S. Fish and Wildlife Service (USFWS) annually develops frameworks from which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state-specific migratory game bird seasons. The following is pertinent background material and USFWS frameworks for which Kansas may establish Kansas' 2021-2022 waterfowl hunting seasons.

SEPTEMBER TEAL SEASON - Blue-winged teal are one of the earliest migrating waterfowl, with most migrating through Kansas from August through October, often prior to the opening of general duck seasons. Green-winged teal are also early migrants but are commonly found in Kansas throughout the fall and winter. Cinnamon teal are occasionally found mixed with flocks of blue-winged teal in Kansas. Special teal seasons were initiated to provide additional harvest opportunities for blue-winged and green-winged teal when their populations are above certain thresholds. States can offer a 9-day September teal season when the blue-winged teal breeding population index (BPI) is above 3.3 million and a 16-day season is permitted when the blue-winged teal BPI exceeds 4.7 million. The most recent blue-winged teal BPI allows a 16-day season for 2020 teal season. In the High Plains Unit of Kansas (west of Highway 283), the liberal package framework allows for 97 days of general duck season. Coupled with two youth hunting days, the addition of a nine- or 16-day teal season would exceed the Migratory Bird Treaty Act's (MBTA) maximum allowance of 107 annual hunting days for any one migratory species. Thus, when the liberal package for the regular duck season is available and a teal season can be held, it is necessary to either reduce the High Plains Unit teal season to 8 days or reduce days in the High Plains Unit general duck season to 96 days in order to not exceed 107 hunting days MBTA limitation. For the past 10 seasons, a nine-day teal season coupled with a 96-day regular duck season has been selected in the High Plains Unit to satisfy this criterion.

DUCK, MERGANSER, AND COOT SEASONS - Since 1995, Adaptive Harvest Management (AHM) has been adopted for setting duck hunting regulations in the United States. The AHM approach provides the framework for making objective decisions through four regulatory packages listed below. Optimal AHM strategies are calculated using: (1) harvest-management objectives specific to each mallard stock; (2) regulatory alternatives; and (3) current population models and associated weights for midcontinent mallards. The four AHM regulatory alternatives are:

- **Liberal Alternative**
 - o Season Length: 74-day Low Plains Season, 97-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Moderate Alternative**
 - o Season Length: 60-day Low Plains Season, 83-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Restrictive Alternative**
 - o Season Length: 39-day Low Plains Season, 51-day High Plains Season
 - o Daily bag limit: 3 birds with various species restrictions.
- **Closed Alternative**
-

The final USFWS federal frameworks have not been released. However, it is anticipated the prescribed regulatory choice for the 2021-22 general duck season is the liberal alternative.

GOOSE SEASONS - Harvest prescriptions for the Central Flyway's goose populations are based on population and harvest objectives as specified in population specific management plans.

YOUTH WATERFOWL HUNTING DAYS - States may select two days per duck-hunting zone, designated as "Youth Waterfowl Hunting Days," in addition to their regular duck seasons. Youth waterfowl hunting days do not count against framework season dates but the total hunting days for any one migratory species cannot exceed 107 hunting days.

VETERANS AND ACTIVE MILITARY WATERFOWL HUNTING DAYS - States may select two days per duck-hunting zone, designated as "Veteran and Active Military Waterfowl Hunting Days," in addition to their regular duck seasons. Veterans and active military waterfowl hunting days do not count against framework season dates but the total hunting days for any one migratory species cannot exceed 107 hunting days.

EXTENDED FALCONRY SEASON - In addition to general waterfowl seasons, falconers may take migratory game birds during the special "extended" falconry season. The combined total number of days of take (i.e., teal season, general waterfowl season, and falconry) cannot exceed the Migratory Bird Treaty Act imposed maximum allowable 107 annual hunting days for any one migratory species. This generally allows for additional 15 hawking days for waterfowl in Kansas Low Plain zones.

ANTICIPATED 2021-22 WATERFOWL FEDERAL FRAMEWORKS

SEPTEMBER TEAL SEASON

- *Season Dates:* Between September 1 and September 30
- *Season Length:* Not to exceed 16 consecutive days
- *Daily Bag Limit:* 6 teal (any combination of teal)
- *Possession Limit:* Three times the daily bag limit
- *Shooting Hours:* One-half hour before sunrise to sunset
- *Zones/ Split:* No zones or splits options

DUCK, MERGANSER, AND COOT SEASONS

- **Season Dates:** Between the Saturday nearest September 24 (September 26) and January 31.
- **Season Length:**
 - *High Plains Mallard Management Unit:* not to exceed 97 days. The last 23 days must run consecutively and may start no earlier than the Saturday nearest December 10 (December 12).
 - *Low Plains Unit:* not to exceed 74 days
- **Daily Bag Limit:**
 - *Duck:* 6 ducks, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females), 3 wood ducks, 2 redheads, 2 canvasbacks, 1 pintail, and 1 scaup.
 - *Merganser:* 5 mergansers of which only 2 may be hooded mergansers. States have the option to include mergansers in the duck daily bag limit, in which case the daily limit of merganser would be the same as the duck bag limit (6), of which only two may be hooded mergansers
 - *Coot:* 15 coots
- **Possession Limit:** Three times the daily bag limit.
- **Shooting Hours:** One-half hour before sunrise to sunset
- **Zones/ Split:**
 - *High Plains – no zones and up to two segments*
 - *Low Plains – Three zones with each having up to two segments or no zones with three segments. Duck zones are visited every five years, and the next zone configuration window will be in 2026.*

GOOSE SEASONS

- **Season Dates:**
 - *Dark Geese* (all geese except Ross' and snow geese): Between the Saturday nearest September 24 (September 26) and the Sunday nearest February 15 (February 13).
 - *Light Geese* (Ross' and Snow): Between the Saturday nearest September 24 (September 26) and March 10.
 - *Light Goose Conservation Order:* Between January 1 and April 30. (KAR 115-18-16).
- **Season Length:**
 - *Dark Geese:*
 - *Canada geese or any other dark goose species except white-fronted geese:* not to exceed 107 days
 - *White-fronted geese:* states may select either a season of:
 - Option A: 74 days with a bag limit of 3

- Option B: 88-day season with a bag limit of 2
 - *Light Geese*: not to exceed 107 days
 - *Light Goose Conservation Order*: Must be held outside of all other waterfowl seasons

Daily Bag Limit:

- *Dark Geese*:
 - Canada geese (or any other dark goose species except white-fronted geese) 8 geese
 - White-fronted geese - states may select either a season of:
 - Option A: 74 days with a bag limit of 3
 - Option B: 88-day season with a bag limit of 2
- *Light Geese*: 50 light geese
- *Light Goose Conservation Order*: No daily bag limit

Possession Limit:

- *Dark Geese*: Three times the daily bag limit
- *Light Geese*: No possession limit
- *Light Goose Conservation Order*: No possession limit

Shooting Hours:

- *General Goose Seasons*: One-half hour before sunrise to sunset
- *Light Goose Conservation Season*: One-half hour before sunrise to one-half hour after sunset

Zones/ Split:

- *General Goose Seasons*: No zones and up to two segments
- *Light Goose Conservation Season*: No zones or splits

SPECIAL YOUTH AND VETERAN-ACTIVE MILITARY PERSONNEL WATERFOWL HUNTING DAYS

Season Dates: The Youth Waterfowl Hunting Days must be held outside any regular duck season on weekends, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate. Both sets of days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.

Season Length: may select two days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” and two days per duck-hunting zone, designated as “Veterans and Active Military Personnel Waterfowl Hunting Days.” The days may be held concurrently or separately.

Daily Bag Limits: The daily bag limits may include ducks, geese, swans, mergansers, coots, moorhens, and gallinules. The daily bag limits are the same as those allowed in the regular season frameworks except in States that are allowed a daily bag limit of 1 or 2 scaup during different portions of the season, in which case the bag limit is 2 scaup per day. Flyway species and area restrictions would remain in effect.

Shooting Hours: One-half hour before sunrise to sunset.

Participation Restrictions for Youth Waterfowl Hunting Days: States may use their established definition of age for youth hunters. However, youth hunters must be under the age of 18. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day. Youth hunters 16 years of age and older must possess a Federal Migratory Bird Hunting and Conservation Stamp (also known as Federal Duck Stamp).

Participation Restrictions for Veterans and Active Military Personnel Waterfowl Hunting

Days: Veterans (as defined in section 101 of title 38, United States Code) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than for training), may participate. All hunters must possess a Federal Migratory Bird Hunting and Conservation Stamp (also known as Federal Duck Stamp).

EXTENDED FALCONRY SEASON

Season Dates: Between September 1 and March 10

Season Length: For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area.

Daily Bag Limit: No more than 3 migratory game birds, singly or in the aggregate

Possession Limit: Three times the daily bag limit

Shooting Hours: One-half hour before sunrise to sunset

Zones/ Split: Each extended season may be divided into a maximum of three segments

Table 1. Kansas September Teal Season Dates and September Teal Harvest from 1992 to 2019

Year	Low Plains Dates	Hunting Days	High Plains Dates	Hunting Days	Bag Limit	Green-winged Teal	Blue-winged Teal	Total Harvest
1992*	Sept 12-20	9	Sept 12-20	9	4	4,267	12,902	17,169
1993*	Sept 11-19	9	Sept 11-19	9	4	1,081	5,604	6,685
1994*	Sept 10-18	9	Sept 10-18	9	4	2,217	7,083	9,300
1995*	Sept 16-24	9	Sept 16-24	9	4	1,896	10,227	12,123
1996*	Sept 14-22	9	Sept 14-22	9	4	1,415	17,115	18,530
1997*	Sept 13-21	9	Sept 13-21	9	4	2,367	14,858	17,225
1998*	Sept 12-27	16	Sept 12-20	9	4	8,454	19,727	28,181
1999	Sept 11-26	16	Sept 11-19	9	4	3,052	28,022	31,074
2000	Sept 9-24	16	Sept 9-16	8	4	4,621	27,724	32,345
2001	Sept 15-30	16	Sept 15-22	8	4	1,790	10,741	12,531
2002	Sept 21-29	9	Sept 21-28	8	4	3,783	8,723	12,506
2003	Sept 13-28	16	Sept 20-27	8	4	9,024	21,393	30,417
2004	Sept 18-26	9	Sept 18-25	8	4	2,901	19,173	22,074
2005	Sept 17-25	9	Sept 17-24	8	4	2,200	10,387	12,587
2006	Sept 9-24	16	Sept 16-23	8	4	4,733	23,664	28,397
2007	Sept 8-23	16	Sept 15-22	8	4	4,534	25,582	30,116
2008	Sept 13-28	16	Sept 13-20	8	4	7,200	15,120	22,320
2009	Sept 12-27	16	Sept 19-26	8	4	2,775	15,165	17,940
2010	Sept 11-26	16	Sept 18-26	9	4	1,812	16,829	18,641
2011	Sept 10-25	16	Sept 17-25	9	4	1,748	22,562	24,310
2012	Sept 8-23	16	Sept 15-23	9	4	4,298	19,420	23,718
2013	Sept 7-22	16	Sept 14-22	9	6	2,323	28,213	30,536
2014	Sept 13-28	16	Sept 20-28	9	6	2,806	36,736	39,542
2015	Sept 12-27	16	Sept 19-27	9	6	3,620	28,504	32,124
2016	Sept 10-25	16	Sept 17-25	9	6	3,172	22,910	26,082
2017	Sept 9-24	16	Sept 16-24	9	6	4,821	13,329	18,150
2018	Sept 8-23	16	Sept 15-23	9	6	3,091	33,918	37,009
2019	Sept 14-29	16	Sept 21-29	9	6	2,240	18,666	20,906
2020	Sept 12-27	16	Sept 19-27	9	6	N/A**	N/A**	N/A**
1999-2019 Average						3,645	21,275	24,920

* Years prior to 1999, harvest estimates are based on USFWS Mail Survey Questionnaire. Harvest estimates from 1999 to current are based on Harvest Information Program (HIP).

** Harvest Data is not available until August.

Figure 1. Kansas Duck Hunting Zones

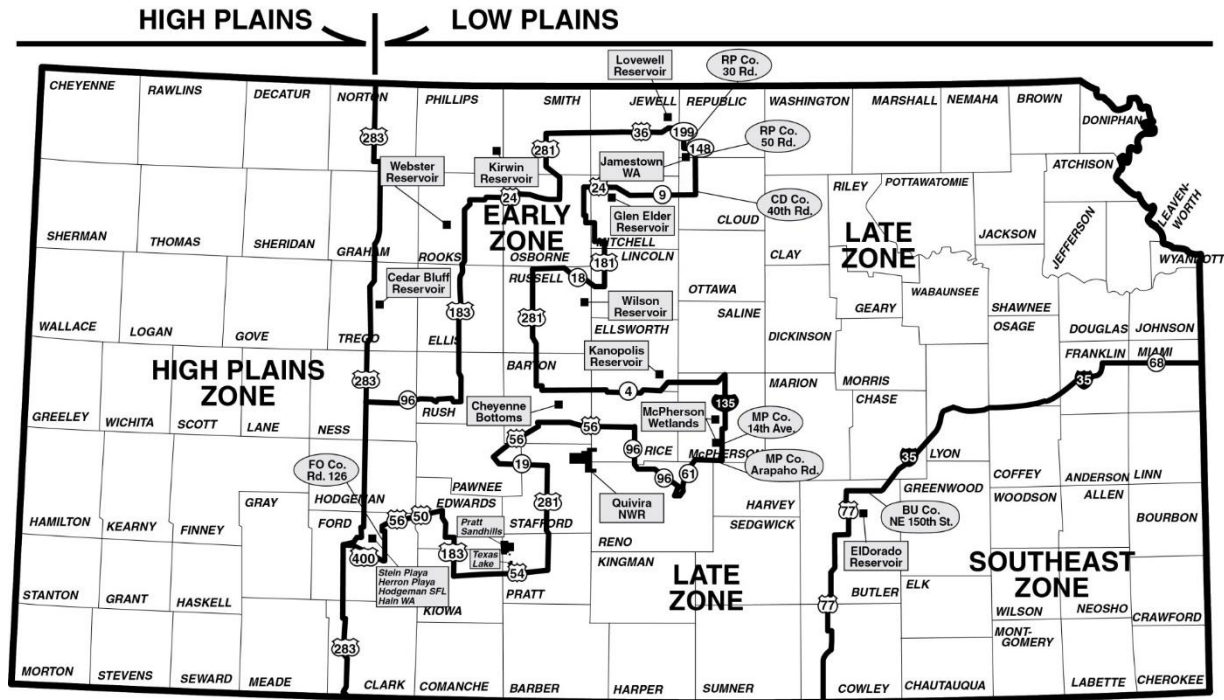


Table 2. Historic season dates by zone in Kansas from 1994 to 2019

Year	Season Days	High Plains (HP)	Low Plains Early	Low Plains Late	Low Plains Southeast
1996	60 +23HP	Oct 12 - Dec 1 Dec 7 - Jan 7	Oct 12 - Dec 1 Dec 21 - Dec 29	Nov 2 - Dec 15 Dec 21 - Jan 5	--
1997	74 +23 HP	Oct 4 - Jan 4 Jan 15 - Jan 18	Oct 4 - Dec 7 Dec 20 - Dec 28	Oct 25 - Dec 14 Dec 20 - Jan 11	--
1998	74 +23 HP	Oct 3 - Jan 3 Jan 14 - Jan 17	Oct 10 - Dec 13 Dec 26 - Jan 3	Oct 24 - Nov 1 Nov 7 - Jan 10	--
1999	74 +23 HP	Oct 2 - Jan 2 Jan 20 - Jan 23	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 23 - Oct 31 Nov 6 - Jan 9	--
2000	74 +23 HP	Sep 30 - Jan 1 Jan 19 - Jan 21	Oct 7 - Dec 10 Dec 23 - Dec 31	Oct 21 - Oct 29 Nov 4 - Jan 7	--
2001	74 +23 HP	Oct 6 - Jan 1 Jan 12 - Jan 20	Oct 13 - Dec 16 Dec 24 - Jan 1	Oct 27 - Nov 4 Nov 10 - Jan 13	--
2002	74 +23 HP	Oct 12 - Jan 7 Jan 18 - Jan 26	Oct 12 - Dec 15 Dec 24 - Jan 1	Oct 26 - Nov 3 Nov 9 - Jan 12	--
2003	74 +23 HP	Oct 11 - Jan 6 Jan 17 - Jan 25	Oct 11 - Dec 14 Dec 26 - Jan 3	Oct 25 - Nov 2 Nov 8 - Jan 11	--
2004	74 +23 HP	Oct 9 - Jan 4 Jan 22 - Jan 30	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2005	74 +23 HP	Oct 8 - Jan 3 Jan 21 - Jan 29	Oct 15 - Dec 11 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	--
2006	74 +23 HP	Oct 7 - Jan 2 Jan 20 - Jan 28	Oct 14 - Dec 10 Dec 16 - Dec 31	Oct 28 - Dec 31 Jan 20 - Jan 28	--
2007	74 +23 HP	Oct 6 - Jan 1 Jan 19 - Jan 27	Oct 13 - Dec 9 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	--
2008	74 +23 HP	Oct 4 - Dec 30 Jan 17 - Jan 25	Oct 11 - Dec 7 Dec 20 - Jan 4	Oct 25 - Dec 28 Jan 17 - Jan 25	--
2009	74 +23 HP	Oct 10 - Jan 5 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 - Jan 3 Jan 23 - Jan 31	--
2010	74 +23 HP	Oct 9 - Jan 3 Jan 22 - Jan 30	Oct 9 - Dec 5 Dec 18 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2011	74 +23 HP	Oct 8 - Jan 2 Jan 21 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	Nov 5 - Jan 8 Jan 21 - Jan 29
2012	74 +23 HP	Oct 6 - Dec 30 Jan 19 - Jan 27	Oct 6 - Dec 2 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	Nov 15 - Jan 27
2013	74 +23 HP	Oct 5 - Dec 2 Dec 21 - Jan 26	Oct 5 - Dec 1 Dec 21 - Jan 5	Oct 26 - Dec 29 Jan 18 - Jan 26	Nov 2 – Nov 3 Nov 16 - Jan 26
2014	74 +23 HP	Oct 11 - Dec 8 Dec 20 - Jan 25	Oct 11 - Dec 7 Dec 20 - Jan 4	Nov 01 – Jan 04 Jan 17 - Jan 25	Nov 8 – Nov 9 Nov 15 - Jan 25
2015	74 +23 HP	Oct 10 – Jan 4 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 – Jan 3 Jan 23 - Jan 31	Nov 14 – Jan 3 Jan 9 - Jan 31
2016	74 +23 HP	Oct 8 – Jan 1 Jan 20 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 – Jan 1 Jan 21 - Jan 29	Nov 12 – Jan 1 Jan 7 - Jan 29
2017	74 +23 HP	Oct 7 – Jan 1 Jan 20 - Jan 28	Oct 7 - Dec 3 Dec 16 - Dec 31	Oct 28 – Dec 31 Jan 20 - Jan 28	Nov 11 – Dec 31 Jan 6 - Jan 28
2018	74 +23 HP	Oct 13 – Dec 31 Jan 12 - Jan 27	Oct 13 - Dec 16 Dec 22 - Dec 30	Oct 27 – Dec 30 Jan 19 - Jan 27	Nov 10 – Jan 6 Jan 12 - Jan 27
2019	74 +23 HP	Oct 12 – Jan 5 Jan 17 - Jan 26	Oct 12 - Dec 8 Dec 14 - Dec 29	Oct 26 – Dec 29 Jan 18 - Jan 26	Nov 9 – Jan 5 Jan 11 - Jan 26
2020	74 +23 HP	Oct 10 – Jan 3 Jan 22 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 – Jan 3 Jan 23 - Jan 31	Nov 14 – Jan 3 Jan 9 - Jan 31

Table 3. The 2019 duck population and pond estimate from the annual Waterfowl Breeding Population and Habitat Survey and comparison to 2018 and long-term average (1955-2018). Numbers are in millions. The 2020 population and pond estimates were not conducted due to COVID 19. The 2021 estimates will not be available until late July.

Species	2019	% Change from 2018	% Change LTA
Mallard	9.4	+2%	+19%
Gadwall	3.3	+13%	+61%
American Wigeon	2.8	0	+8%
Green-winged Teal	3.2	+4%	+47%
Blue-winged Teal	5.4	-16%	+6%
Northern Shoveler	3.7	-13%	+39%
Northern Pintail	2.3	-4%	-42%
Redhead	0.7	-27%	0
Canvasback	0.7	-5%	+10%
Scaup	3.6	-10%	-28%
Total Ducks	38.9	-6%	+10%
May Pond Counts	5.0	-5%	-5%

Figure 2. Estimates of active duck hunters, duck hunting days and duck harvest in Kansas from 1999 to 2020 based upon the Harvest Information Program. The 2020 harvest data is not available until late July.

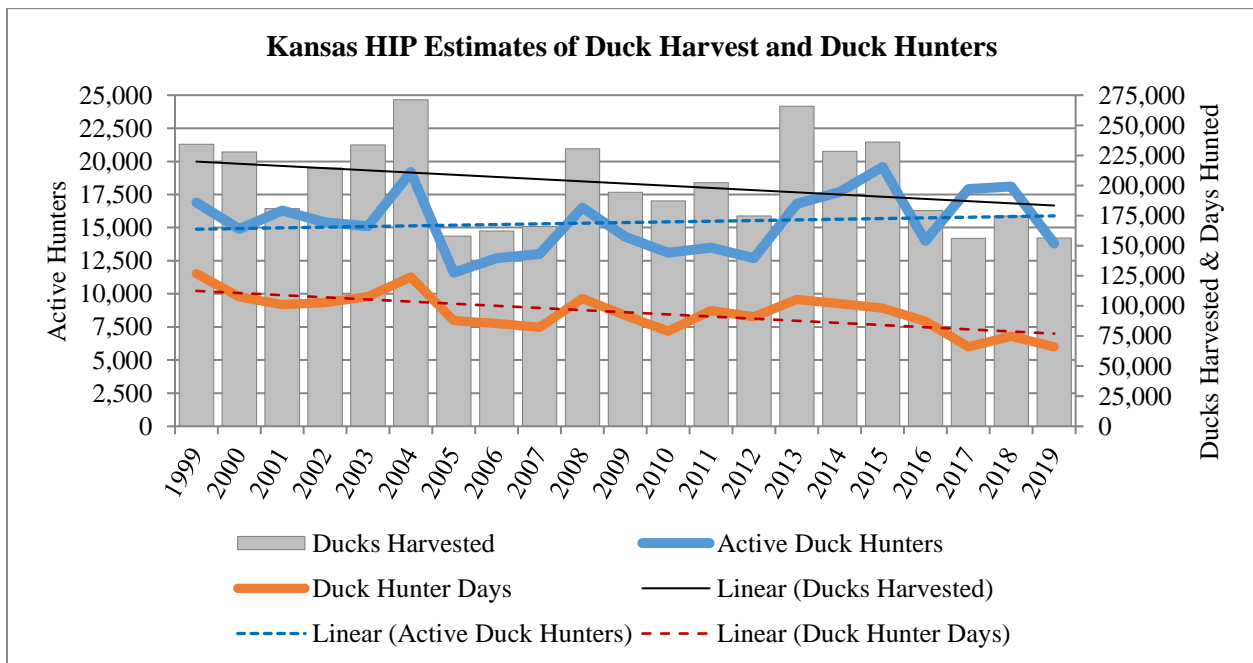


Table 4. All Seasons (teal and regular) estimates of active duck hunters, season duck harvest, and average duck per hunter, average seasonal bag per hunter, and total duck hunter days in Kansas from 1999 to 2019 as estimated by the Harvest Information Program. The 2020 harvest data is not available until late July.

Year	Active Duck Hunters	Duck Harvest	Average Duck Hunter Days	Average Seasonal Duck Bag	Duck Hunter Days
1999	16,900	234,300	7.5	13.9	126,800
2000	14,900	227,900	7.2	15.2	107,400
2001	16,344	180,800	6.2	11.1	100,989
2002	15,426	214,600	6.7	13.9	102,744
2003	15,100	233,600	7.1	15.5	107,600
2004	19,200	271,200	6.5	14.2	124,000
2005	11,600	158,000	7.6	13.7	87,700
2006	12,663	162,100	6.7	12.8	85,416
2007	13,021	165,800	6.3	12.7	82,149
2008	16,531	230,400	6.4	13.9	106,154
2009	14,259	194,400	6.5	13.6	92,081
2010	13,053	187,100	6.1	14.3	79,064
2011	13,534	202,400	7.1	15.0	96,138
2012	12,739	174,600	7.1	13.7	90,851
2013	16,847	265,900	6.3	15.8	105,344
2014	17,700	228,300	5.8	15.9	101,802
2015	19,600	236,200	5.0	12.1	98,300
2016	14,000	179,200	6.2	12.8	87,300
2017	17,900	156,100	3.7	8.7	66,100
2018	18,100	174,600	4.1	9.7	74,900
2019	13,800	156,300	4.8	11.3	66,000
1999-2018 Average	15,464	203,875	6.3	13.3	96,138
% Change from 2018	-24%	-10%	+16%	+16%	-12%
% Change from LTA	-11%	-23%	-24%	-24%	-31%

Table 5. Duck species composition in the Kansas regular duck season harvest from 1999 to 2019 and as estimated by the Harvest Information Program. The 2020 harvest data is not available until late July.

Year	Total Duck Harvest	Mallard	Gadwal	Green-winged Teal	Blue-winged Teal	Pintail	American Wigeon	Northern Shoveler	Wood Duck	Diving Ducks*
1999	203,226	114,167	27,189	21,918	6,936	5,410	7,075	4,578	4,439	10,404
2000	195,555	102,846	29,363	27,872	2,385	7,453	12,520	1,789	2,683	7,154
2001	168,267	97,739	19,154	20,049	1,074	7,339	6,265	3,401	3,938	8,055
2002	202,093	93,112	36,572	31,423	3,468	4,624	13,032	3,783	3,153	10,614
2003	203,184	95,711	41,063	24,536	4,258	4,157	15,513	4,258	3,751	8,315
2004	249,126	133,582	41,374	29,012	6,812	3,280	13,371	5,298	3,027	10,595
2005	145,413	84,193	21,629	13,197	1,588	3,666	7,332	4,277	1,589	7,453
2006	133,701	55,780	30,594	11,156	1,183	2,704	7,944	6,254	2,874	14,198
2007	135,523	61,041	27,687	22,182	1,296	2,591	6,638	4,210	1,133	7,125
2008	208,056	98,160	34,080	22,560	3,840	6,872	17,760	2,400	3,600	16,864
2009	176,862	80,574	27,589	23,569	3,654	5,664	11,511	7,674	3,106	11,876
2010	168,422	76,639	30,940	15,276	3,366	5,437	8,415	9,321	3,366	14,369
2011	178,112	85,163	29,553	18,113	4,131	5,243	8,262	8,262	2,224	14,777
2012	150,901	78,157	32,473	9,232	1,910	6,367	7,959	2,706	1,114	9,869
2013	235,335	94,432	34,188	32,861	20,414	12,115	9,460	12,945	2,655	15,435
2014	188,655	114,417	13,648	22,067	11,225	4,847	4,975	4,592	1,531	10,716
2015	204,053	112,358	31,068	17,193	11,312	6,033	9,803	4,524	1,508	8,897
2016	153,083	95,986	13,981	16,566	4,699	5,169	3,760	3,290	1,645	6,578
2017	137,833	65,323	19,380	15,126	3,025	4,160	7,185	7,468	1,512	11,818
2018	137,540	72,553	14,722	18,219	4,636	3,335	4,880	4,474	1,464	10,410
2019	135,394	67,012	17,826	15,960	1,734	3,453	5,600	8,213	2,053	10,132
1999-2018 Average	178,747	91,546	28,501	20,732	5,083	5,428	9,409	5,317	2,571	10,765
% Change from 2018	-2%	-8%	+21%	-12%	-63%	+4%	+15%	+84%	+40%	-3%
% Change LTA	-24%	-26%	-36%	-23%	-66%	-35%	-38%	+56%	-18%	-6%

* includes redhead, canvasback, ring-necked duck, lesser scaup, greater scaup, goldeneye and ruddy duck

Table 6. Kansas goose seasons from 2006 to 2020

Season	Canada Goose	Days/ Daily Bag Limit	Light Goose	Season Days/ Daily Bag Limit	White-fronted Goose	Days/ Daily Bag Limit
2006	Oct 28 - Oct 29 Nov 08 - Feb 18	105/3	Oct 28 - Oct 29 Nov 08 - Feb 18	105/20	Oct 28 - Oct 29 Nov 08 - Jan 07 Feb 10 - Feb 18	72/2
2007	Oct 27 Oct 28 Nov 07 - Feb 17	105/3	Oct 27 Oct 28 Nov 07 - Feb 17	105/20	Oct 27 - Oct 28 Nov 07 - Jan 06 Feb 09 - Feb 17	72/2
2008	Oct 25 - Oct 26 Nov 05 - Feb 15	105/3	Oct 25 - Oct 26 Nov 05 - Feb 15	105/20	Oct 25 - Oct 26 Nov 05 - Jan 04 Feb 07 - Feb 15	72/2
2009	Oct 31 - Nov 08 Nov 11 - Feb 14	105/3	Oct 31 - Nov 08 Nov 11 - Feb 14	105/20	Oct 31 - Nov 08 Nov 11 - Jan 03 Feb 06 - Feb 14	72/2
2010	Oct 30 - Nov 07 Nov 10 - Feb 13	105/3	Oct 30 - Nov 07 Nov 10 - Feb 13	105/20	Oct 30 - Nov 07 Nov 10 - Jan 02 Feb 05 - Feb 13	72/2
2011	Oct 29 - Nov 06 Nov 09 - Feb 12	105/3	Oct 29 - Nov 06 Nov 09 - Feb 12	105/20	Oct 29 - Jan 01 Feb 04 - Feb 12	74/2
2012	Oct 27 - Nov 04 Nov 07 - Feb 10	105/3	Oct 27 - Nov 04 Nov 07 - Feb 10	105/20	Oct 27 - Dec 30 Feb 02 - Feb 10	74/2
2013	Oct 26 - Nov 03 Nov 06 - Feb 09	105/3	Oct 26 - Nov 03 Nov 06 - Feb 09	105/20	Oct 26 - Dec 29 Feb 01 - Feb 09	74/2
2014	Nov 01 - Nov 09 Nov 12 - Feb 15	105/3	Nov 01 - Nov 09 Nov 12 - Feb 15	105/50	Nov 01 - Dec 14 Jan 17 - Feb 15	74/2
2015	Oct 31 - Nov 01 Nov 04 - Feb 14	105/6	Oct 31 - Nov 01 Nov 04 - Feb 14	105/50	Oct 31 - Jan 03 Jan 23 - Feb 14	74/2
2016	Oct 29 - Jan 01 Jan 04 - Feb 12	105/6	Oct 29 - Jan 01 Jan 04 - Feb 12	105/50	Oct 29 - Jan 01 Jan 21 - Feb 12	74/2
2017	Oct 28 – Oct 29 Nov 08 - Feb 18	105/6	Oct 28 – Oct 29 Nov 08 - Feb 18	105/50	Oct 28 – Dec 31 Jan 27 - Feb 18	88/2
2018	Oct 27 – Oct 28 Nov 07 - Feb 17	105/6	Oct 27 – Oct 28 Nov 07 - Feb 17	105/50	Oct 27 – Dec 30 Jan 26 - Feb 17	88/2
2019	Oct 26 – Oct 27 Nov 06 - Feb 17	105/6	Oct 26 – Oct 27 Nov 07 - Feb 16	105/50	Oct 26 – Dec 29 Jan 25 - Feb 16	88/2
2020	Oct 31 – Nov 1 Nov 04 - Feb 14	105/6	Oct 31 – Nov 1 Nov 04 - Feb 14	105/50	Oct 31 – Jan 03 Jan 23 - Feb 14	88/2

Figure 3. Estimates of active goose hunters, goose hunting days and goose harvest in Kansas from 1999 to 2019 based upon the Harvest Information Program. The 2020 harvest data is not available until late July.

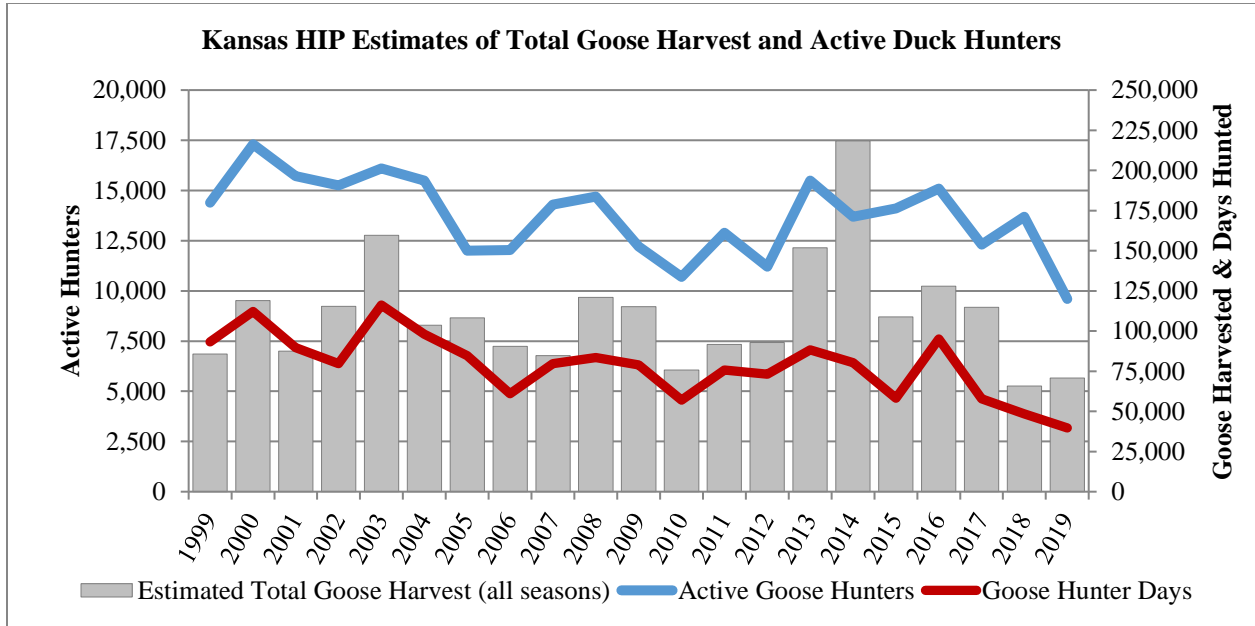


Table 7. Estimates of active goose hunters, goose harvest, average goose per hunter, average seasonal bag per hunter, total goose hunter days, and regular season harvest for Canada, light goose and white-fronted geese in Kansas from 1999 to 2019 based upon the by the Harvest Information Program. The 2020 harvest data is not available until late July.

Year	Active Goose Hunters	Total Goose Harvest	Avg. Goose Hunter Days	Avg. Goose Seasonal Bag	Goose Hunter Days	Canada Goose Harvest	Light Goose Harvest	White-fronted Goose Harvest	Light Goose Conservation Season
1999	14,400	85,700	6.5	5.9	93,300	66,255	12,048	5,476	11,165
2000	17,300	119,000	6.5	6.9	112,200	98,005	8,164	11,303	11,937
2001	15,715	87,499	5.7	5.6	89,663	72,707	4,405	4,721	35,138
2002	15,248	115,400	5.2	7.6	79,771	80,982	18,222	8,966	17,087
2003	16,100	159,700	7.2	9.9	116,200	123,866	19,263	9,735	65,608
2004	15,500	103,700	6.3	6.7	98,000	80,118	16,481	5,688	25,272
2005	12,000	108,300	7.1	9.1	84,800	99,178	3,689	970	18,802
2006	12,038	90,400	5.1	7.5	60,994	59,566	12,848	2,336	12,711
2007	14,294	84,699	5.6	5.9	79,723	59,968	10,943	13,788	4,260
2008	14,692	120,900	5.7	8.2	83,525	87,067	12,540	16,325	11,924
2009	12,213	115,201	6.5	9.4	78,955	92,267	4,267	12,267	15,244
2010	10,700	75,800	5.3	7.1	56,936	66,494	4,459	4,847	53,863
2011	12,900	91,653	5.9	7.1	75,795	51,900	19,876	19,877	62,092
2012	11,207	92,367	6.5	8.3	73,084	72,204	13,016	7,127	72,447
2013	15,543	151,837	5.7	9.8	88,386	108,657	27,253	15,927	92,825
2014	13,700	218,300	5.9	15.9	80,287	166,812	32,409	19,064	55,271
2015	14,100	108,900	4.1	7.7	58,200	71,175	21,928	15,817	41,416
2016	15,100	127,998	6.3	8.5	95,000	96,863	14,222	16,913	45,501
2017	12,300	114,800	4.7	9.3	57,900	95,786	14,255	4,752	73,295
2018	13,700	65,800	3.5	4.8	48,500	50,579	12,864	2,339	78,285
2019	9,600	70,800	4.1	7.3	39,700	50,037	15,582	5,194	68,238
1999-2018 Average	13,935	111,926	5.8	8.1	80,562	86,022	14,158	9,912	40,355
% Change from 2017	-30%	+8%	+17%	+52%	-18%	-1%	+21%	122%	-13%
% Change LTA	-31%	-37%	-28%	-9%	-51%	-41%	+10%	-48%	+69%

**KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM BRIEFING ITEM
115-18-13. Dark geese; management units, permits, and restrictions**

January 14, 2021

BACKGROUND

During the 1980s and into the 1990s there were concerns regarding the decline of dark goose (Canada and white-fronted geese) populations in portions of eastern Kansas. Harvest restrictions were implemented to maintain wintering dark goose populations. Conservation measures included establishment of harvest management units (Marais des Cygnes Valley Unit, South Flint Hills Unit, Central Flint Hills Unit and Southeast Unit), implementing a hunter permit system for dark geese in those units, and reducing season length, daily bag limit and shooting hours in those units. KAR 115-18-13 was established to reduce Federal Register complexity noting "in-state" management activities for dark geese in Kansas.

Migrant dark goose populations began increasing in the late 1990s and 2000s but the increase of resident Canada geese during this period was dramatic. Correspondingly, harvest strategies were liberalized, particularly to increase take of resident Canada geese. During this same period many segments of dark goose populations altered their migration behavior by delaying migration or shifting their traditional wintering areas. The reduction of migrant geese in the Marais des Cygnes Valley is an example of this phenomena.

DISCUSSION

With many dark goose population levels near all-time highs, management considerations for most populations have been greatly simplified. KDWPT maintained aspects of harvest restrictions of KAR 115-18-13 until 2008 when Kansas adopted a statewide season for dark geese. Given changes in dark goose migration ecology, changes in local landscape, changes in these units, and at the flyway level, KAR 115-18-13 is antiquated for Kansas current dark goose management.

RECOMMENDATIONS

Staff recommends revoking KAR 115-18-13

VI. DEPARTMENT REPORT

B. General Discussion

6. Small Game Regulations

K.A.R 115-25-2 Rabbit open season, bag limits, possession limits

K.A.R 115-25-3 Hare open season, bag limits, possession limits

Regulations for the taking of rabbits and hares have remained relatively stable. Compared to other upland game species, rabbits and hares receive relatively low hunting pressure despite liberal seasons and bag limits and huntable populations statewide. In reviewing regulations, daily bag limits are more liberal for rabbits and hares than any other upland species, but possession limits are more conservative. Staff are evaluating an increase in the possession limit for rabbits and hares to increase consistency across upland game species.

VI. DEPARTMENT REPORT

B. General Discussion

7. Upland Bird Regulations

K.A.R 115-25-1a Quail open seasons

K.A.R 115-25-1b Pheasant open seasons

Kansas initiated a youth pheasant and quail season in 2000 to increase opportunities for young hunter recruitment and success. Youth ages 16 and under can hunt under the direct supervision of a mentor 18 years of age or older during the weekend prior to the statewide general season. During the initial youth season in 2000, the adult mentor was also allowed to hunt, but this was changed for the 2001 youth season to allow only the youth to hunt. During the youth season, the daily bag limit is half of the general season daily bag limit to reduce concern about the impact of youth season to the statewide general season. While we do not have specific data on participation during the youth season, overall participation appears to be low. Staff are considering options that could increase participation and/or improve the experience while maintaining the goal of providing quality opportunities for young hunters and their mentors.

K.A.R. 115-3-1 Game bird possession

Since 1963, Kansas has limited harvest of pheasants to cocks only. To aid in the enforcement of this regulation, hunters are required to maintain proof of sex attached to each harvested bird during transport. Staff are considering language to clarify what constitutes proof of sex.

K.A.R 115-25-1 Prairie Chicken open seasons

Kansas has had a strong tradition of prairie chicken hunting, with much of the effort focused in the Flint Hills. However, Kansas is unique among western states in that traditional hunts were held during the late fall and winter, rather than in the early fall. Kansas first implemented an early segment to the prairie chicken season in 1989 to increase opportunities for individuals pursuing prairie chickens with dogs. At the time, more than 30,000 hunters targeted prairie chickens. Since then, participation in prairie chicken hunting has decreased significantly to 3,000-4,000 hunters annually. Staff are reviewing the prairie chicken season dates to determine if adjustments are warranted to accommodate changing hunter preferences.

VI. DEPARTMENT REPORT

B. General Discussion

8. Research Project Summary: Linking Grazing on CRP to Plants, Insects and Birds

The Conservation Reserve Program (CRP) is an economically and biologically important Farm Bill conservation program that incentivizes landowners to remove environmentally sensitive cropland from agricultural production and plant native grassland plant species. In addition to economic incentives, the program provides vital habitat for grassland wildlife (such as lesser prairie-chickens and pheasants) and important soil and water conservation services. In Kansas, nearly 2 million acres are enrolled in the program.

Cattle grazing on CRP grasslands has generally been limited to periods of extreme drought and other special exceptions. Researchers and managers have hypothesized that conservative grazing may provide additional ecosystem benefits to these grassland fields by creating important disturbance to these grasslands, as well as potentially providing further economic incentives to landowners enrolled in the program by creating increased grazing capacity.

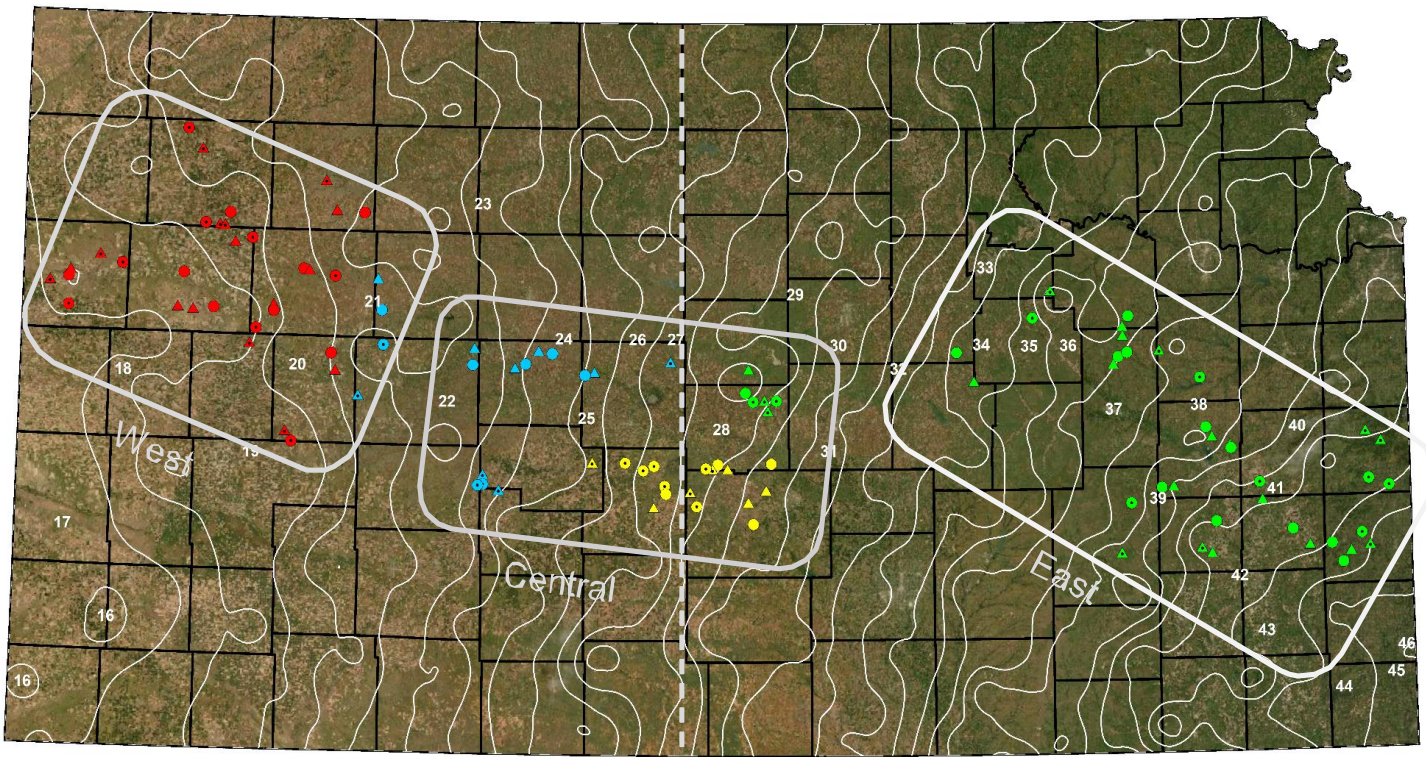
In 2016, the KDWPT began a statewide research project to examine the effects of cattle grazing on CRP fields in Kansas. This large-scale effort resulted in a project coordinated by researchers from Emporia State University and Wichita State University, in collaboration with partners from KDWPT, the Farm Services Agency (FSA) and the Natural Resources Conservation Service (NRCS).

After securing special research allowances from Kansas FSA, researchers worked with landowners to secure access to 108 CRP fields across Kansas to conduct their research from 2017-2019. Half the sites were grazed for two years and the other half were not grazed for comparison. Researchers focused on bird, insect, and plant responses to grazing. For bird responses, researchers examined bird abundance and nesting success and measured growth and blood fats from chicks to determine differences in feeding behavior at the nest. Insect research focused on beetle and bee abundance and diversity—key insect groups that provide insights into ecosystem function—in addition to overall insect biomass. The plant research focused on abundance and diversity of plants that are important indicators of ecosystem health, invasive species, and forage availability for cattle grazing.

The project resulted in the training of five graduate students at Emporia State and Wichita State universities and more than 50 undergraduate students received employment and important research experience.

This project has been very successful and is an excellent example of research designed to directly inform management and policy decisions. In addition to preparing multiple scientific publications for peer-reviewed journals, we expect additional products in the coming months that will inform ongoing and future discussions about grazing policy on CRP fields. The results will be useful not only in Kansas, but throughout the Great Plains.

We are hopeful the results of this project will increase opportunities to graze on CRP grasslands, thereby increasing the ecological benefits of CRP fields while also creating additional economic incentives for landowners to enroll in this important conservation program.



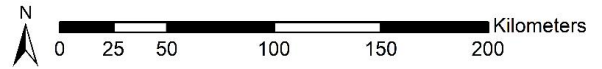
Grazing and CP

- △ Grazed
- Ungrazed
- △⊙ CP2
- △⊙ CP25

Ecoregions

- Mixed
- Sand
- Shortgrass
- Tallgrass

- Study Regions
- East/West Kansas



Map of CRP field study sites and study regions across the longitudinal precipitation gradient in Kansas. Numbers on map indicate average annual precipitation (1981-2010) in inches.

**Parks Permits from Kiosks
(115-9-6. Vehicle permits; display.)**

Electronic kiosks will be installed in each state park to replace the current cash self-pay system. The new electronic kiosks will give each user a receipt to display on the front driver's side of the dash. This permit will not be affixed like our current permits.

Workshop Session

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 firearm 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 overlapping the firearm season. With the exception of annual adjustments in permit allocations, this regulation has basically been unchanged since 2006.

Discussion & Recommendations

No changes are recommended for this regulation at this time, including season structure, bag limits, and permits.

We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents. Firearm and muzzleloader permit allocations will be determined following winter aerial surveys.

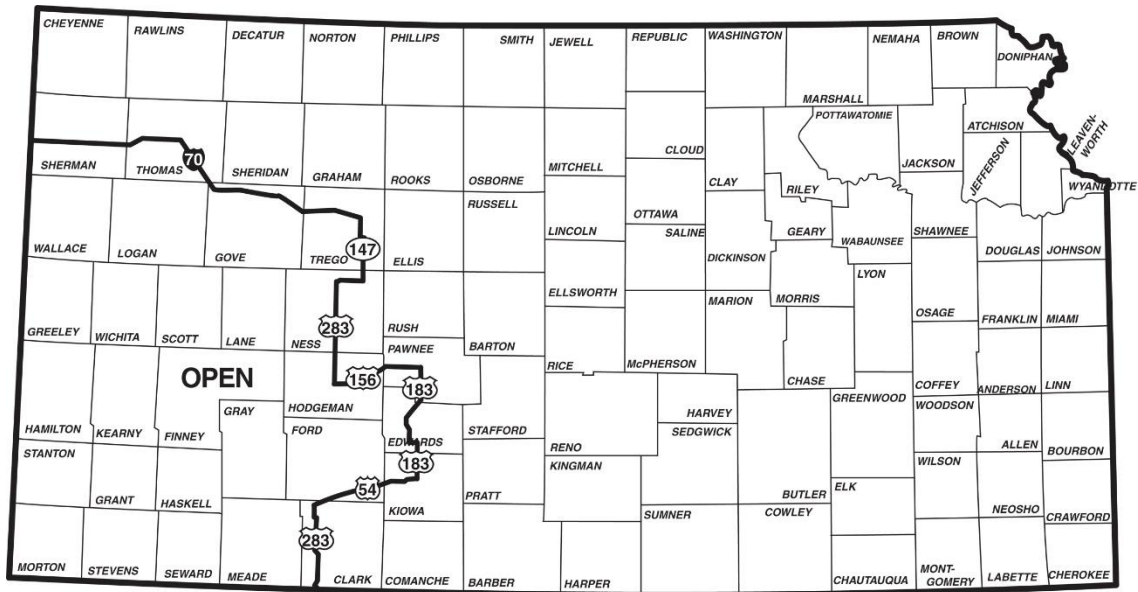
The proposed season dates are:

September 18-26, 2021 and October 9-31, 2021 for the archery season.

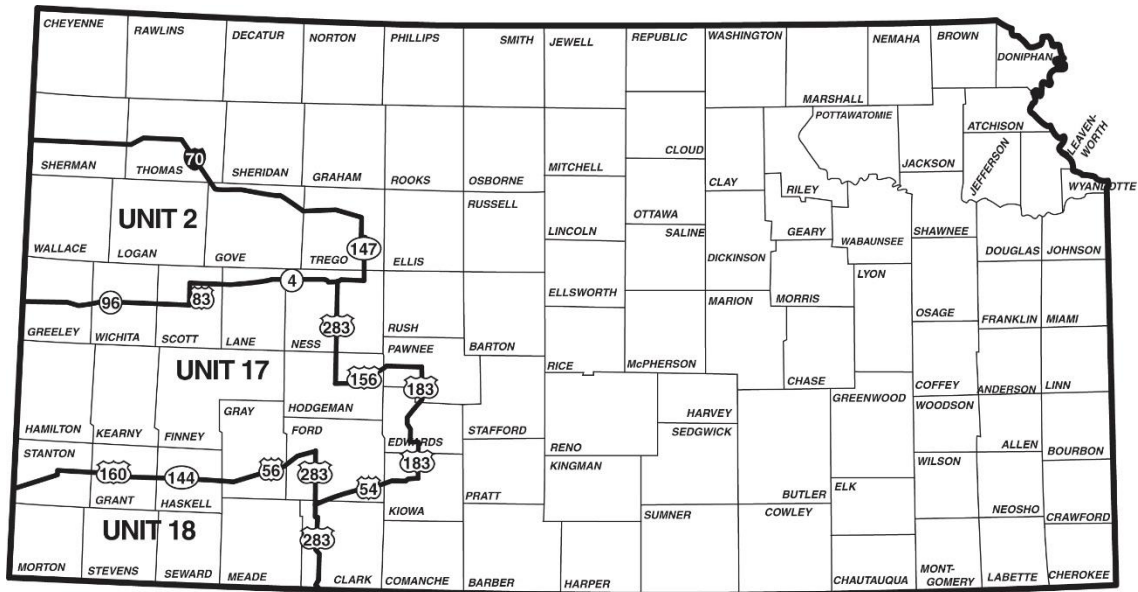
September 27, 2021 - October 4, 2021 for the muzzleloader season.

October 1-4, 2021 for the firearm season.

Archery 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 were first reintroduced onto Fort Riley in 1986, and a hunting season was initiated in 1990. 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 have been closed to elk hunting since 1995, following several years of heavy harvest pressure.

Since 1999, longer seasons and less restrictive permitting options have been authorized except near Fort Riley and the Grasslands. This framework is intended to allow for elk that may be causing crop damage or other conflicts on private land to be harvested, and for landowners to have the opportunity to maintain elk at desirable numbers on their own property while at the same time allowing the Fort Riley and Cimarron herds to be maintained.

Discussion & Recommendations

We do not currently anticipate any changes to season structure, bag limits or permit types.

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:

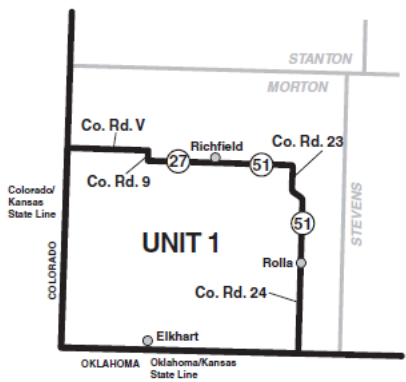
- a) September 1-30, 2021 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2021 for the firearm season.
 - a. Any elk permits are valid during all three months.
 - b. One-third of the antlerless only permits valid during each of the following segments:
 - 1) First segment: October 1-31, 2021.
 - 2) Second segment: November 1-30, 2021.
 - 3) Third segment: December 1-31, 2021.

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

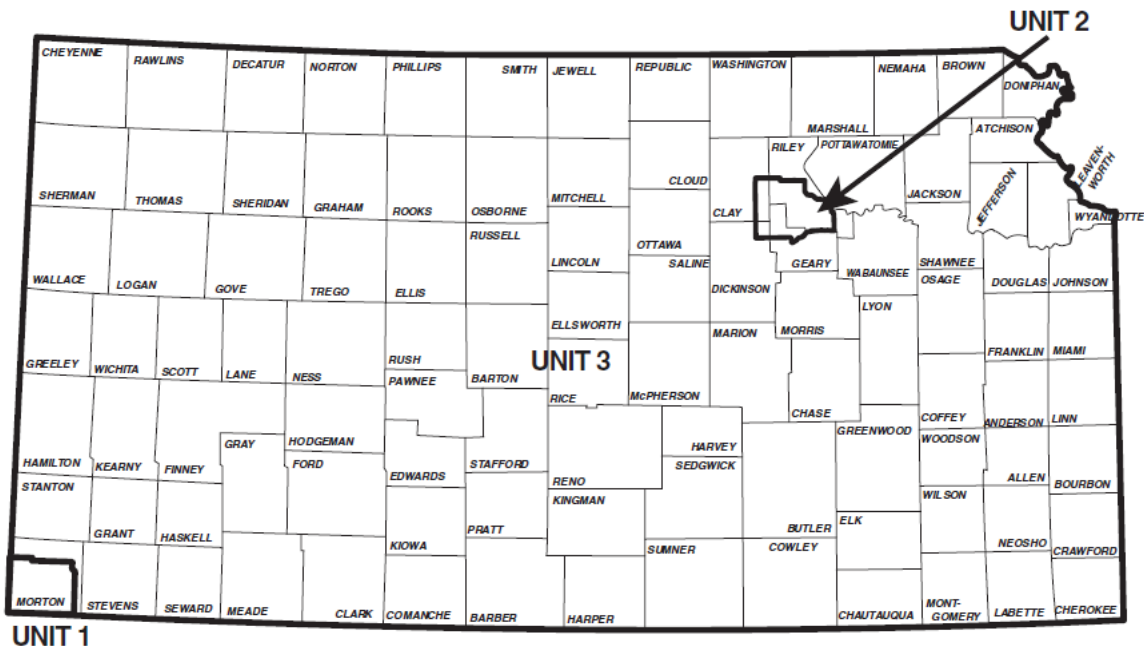
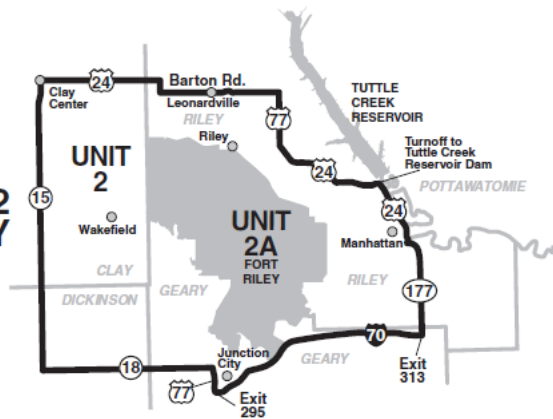
- a) September 1-30, 2021 for the muzzleloader season.
- b) September 13-December 31, 2021 for the archery season.
- c) August 1-31, 2021, December 1-12, 2021, and January 1-March 15, 2021 for the firearm seasons.

Elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants. Unit 2 permit recommendations will be determined at a later date. An unlimited number of hunt-on-your-own-land antlerless-only and either-sex 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.

Elk Units



NEW UNIT 2 BOUNDARY



**General
Discussion
(continued)
(evening session)**

Lanowner and Tenant Deer Permits

2019 Kansas Statutes

32-937. Big game permits; deer crossbow hunting pilot project. (a) When used in this section:

(1) "Landowner" means a resident owner of farm or ranch land of 80 acres or more located in the state of Kansas.

(2) "Tenant" means an individual who is actively engaged in the agricultural operation of 80 acres or more of Kansas farm or ranch land for the purpose of producing agricultural commodities or livestock and who: (A) Has a substantial financial investment in the production of agricultural commodities or livestock on such farm or ranch land and the potential to realize substantial financial benefit from such production; or (B) is a bona fide manager having an overall responsibility to direct, supervise and conduct such agricultural operation and has the potential to realize substantial benefit from such production in the form of salary, shares of such production or some other economic incentive based upon such production. Evidence of tenancy, if requested, shall be provided to the department and may include, but is not limited to, natural resource conservation services records, farm service agency records, or written agricultural contract or lease documentation.

(3) "Regular season" means a statewide big game hunting season authorized annually which may include one or more seasons restricted to specific types of equipment.

(4) "Special season" means a big game hunting season in addition to a regular season authorized on an irregular basis or at different times of the year other than the regular season.

(5) "General permit" means a big game hunting permit available to Kansas residents not applying for big game permits as a landowner or tenant.

(6) "Nonresident landowner" means a nonresident of the state of Kansas who owns farm or ranch land of 80 acres or more which is located in the state of Kansas.

(7) "Nonresident permit" means a big game hunting permit available to individuals who are not Kansas residents.

(b) Except as otherwise provided by law or rules and regulations of the secretary and in addition to any other license, permit or stamp required by law or rules and regulations of the secretary, valid big game permits are required to take any big game in this state.

(c) The fee for big game permits and game tags shall be the amount prescribed pursuant to K.S.A. 32-988, and amendments thereto.

(d) Big game permits are valid throughout the state or such portion thereof as provided by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(e) Unless otherwise provided by law or rules and regulations of the secretary, big game permits are valid from the date of issuance and shall expire at the end of the season for which issued.

(f) The secretary may adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations for each regular or special big game hunting season and for each management unit regarding big game permits. The secretary is hereby authorized to issue big game permits pertaining to the taking of big game. Separate big game permits may be issued for each species of big game. No big game permits shall be issued until the secretary has established, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, a regular or special big game hunting season.

(g) The secretary may authorize, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, regular landowner or tenant hunt-on-your-own-land big game permits. Members of the landowner's or tenant's immediate family who are domiciled with the landowner or tenant may apply for resident big game permits as landowners or tenants, but the total number of landowner or tenant regular hunt-on-your-own-land permits issued to a

landowner or tenant and a landowner's or tenant's immediate family members for each big game species shall not exceed one permit for each 80 acres owned by such landowner or operated by such tenant. Evidence of ownership or tenancy, if requested, shall be provided to the department. Such permits and applications may contain provisions and restrictions as prescribed by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(h) Special hunt-on-your-own-land deer permits may be issued to a landowner's or tenant's siblings and lineal ascendants or descendants, and their spouses, whether or not a Kansas resident, by paying the required fee for a general deer permit. The total number of regular and special hunt-on-your-own-land deer permits issued to a landowner's or tenant's siblings and lineal ascendants or descendants, and their spouses, shall not exceed one deer permit for each 80 acres owned by such landowner or operated by such tenant. Evidence of ownership or tenancy, and sibling or lineal ascending or descending relations, if requested, shall be provided to the department.

(i) Fifty percent of the big game permits authorized for a regular season in any management unit shall be issued to landowners or tenants, provided that a limited number of big game permits have been authorized and landowner or tenant hunt-on-your-own-land big game permits for that unit have not been authorized. A landowner or tenant is not eligible to apply for a big game permit as a landowner or as a tenant in a management unit other than the unit or units which includes such landowner's or tenant's land. Any big game permits not issued to landowners or tenants within the time period prescribed by rules and regulations may be issued without regard to the 50% limitation.

(j) The secretary may issue, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, resident deer hunting permits available on a limited basis and valid for a designated species and sex in designated units, and antlerless-only deer permits in designated units as necessary for management purposes, and, any of the following options:

(1) Either sex white-tailed deer permits valid statewide during any season with the equipment legal for that season;

(2) either species, either sex archery permits valid statewide;

(3) either species, either sex muzzle loader permits valid in designated units;

or

(4) either species, either sex firearm permits valid in designated units.

(k) The secretary may issue permits for deer to nonresident landowners, but any such permit shall be restricted to hunting only on lands owned by the nonresident landowner.

(l) The secretary may issue deer hunting permits to nonresidents, subject to the following limitations:

(1) The total number of nonresident deer permits that may be issued for a deer season in a management unit and which may be used to take antlered deer shall be established with the goal of meeting demand for those permits, using a formula developed by the department that will consider adjustment factors, including deer population trends, deer-related vehicle accidents, age structure in the harvest, deer damage, landowner desire for nonresident deer permits, general public desires and health of habitat. The 2008 permit numbers shall be based on the adjustment factors and an average of nonresident demand for permits in each management unit from the previous six years, establishing at least a 10% increase but not more than 50% increase in permit numbers in each management unit, except in unit 16, where permit numbers shall not increase more than 100%. In subsequent years, the formula shall be used to determine permit allocations based on demand and the adjustment factors.

(2) Nonresident deer permits may be restricted to a particular deer species.

(3) Nonresident deer permits shall be restricted to two adjacent deer management units.

- (4) Nonresident deer hunters shall select one season at the time of application.
- (5) For an additional fee, nonresident deer hunters applying for a whitetail either sex archery or muzzle loader permit in a designated mule deer unit may also apply for one of the limited number of mule deer stamps. If they are successful in both drawings, they would be issued a permit that will allow them to take either a whitetail deer or a mule deer in that unit.
- (m) A big game permit shall state the species, number and sex of the big game which may be killed by the permittee. The secretary may require any big game permittee to provide survey information at the conclusion of the open season.
- (n) (1) Prior to April 30, 2013, the secretary shall develop and implement a combination antlered and antlerless deer permit and adopt rules and regulations for the administration thereof.
- (2) Prior to April 30, 2013, the secretary shall develop and implement a prerut antlerless deer rifle season by deer management unit. The provisions of this paragraph shall expire on July 1, 2015.
- (3) The secretary shall develop and implement a deer crossbow hunting pilot project. Such pilot project shall be implemented in no more than four deer management units. The secretary of wildlife, parks and tourism shall study the effects of such pilot project on the deer population and the number of crossbow users in such deer management units and report to the house committee on agriculture and natural resources and the senate committee on natural resources prior to January 31, 2014. The provisions of this paragraph shall expire on January 31, 2014.
- (o) The permittee shall permanently affix the carcass tag to the carcass of any big game animal immediately after killing and thereafter take such killed game to a check station as may be required in the rules and regulations, where a check station tag shall be affixed to the big game carcass if the kill is legal. The tags shall remain affixed to the carcass until the carcass is processed for storage or consumption. The permittee shall retain the carcass tag until the carcass is consumed, given to another or otherwise disposed of.
- (p) The provisions of this section do not apply to big game animals sold in surplus property disposal sales of department exhibit herds or big game animals legally taken outside this state.
- History: L. 1963, ch. 245, § 4; L. 1965, ch. 270, § 1; L. 1969, ch. 214, § 2; L. 1973, ch. 178, § 4; L. 1975, ch. 227, § 1; L. 1978, ch. 152, § 11; L. 1981, ch. 176, § 3; L. 1981, ch. 178, § 1; L. 1981, ch. 179, § 1; L. 1985, ch. 135, § 1; L. 1986, ch. 149, § 3; L. 1986, ch. 151, § 2; L. 1989, ch. 118, § 69; L. 1990, ch. 139, § 1; L. 1994, ch. 245, § 1; L. 1997, ch. 127, § 3; L. 1998, ch. 180, § 1; L. 1999, ch. 98, § 1; L. 2000, ch. 104, § 1; L. 2000, ch. 159, § 5; L. 2002, ch. 96, § 4; L. 2003, ch. 121, § 1; L. 2004, ch. 99, § 5; L. 2007, ch. 133, § 1; L. 2012, ch. 154, § 6; July 1.

K.A.R. 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Smoky Hill ANG, Fort Riley, and Fort Leavenworth

Background

This regulation has typically been brought to a Public Hearing in June. Personnel at Fort Riley requested this later period to finalize the seasons because the schedule for military training activities were occasionally unknown at the time KAR 115-25-9 was approved. The regulation has also been used to address legislative actions pertaining to deer hunting that were made after KAR 115-25-9 was approved.

Discussion

We shall address all deer season on military subunits under one regulation. Personnel at Smoky Hill ANG, Fort Riley and Fort Leavenworth have been contacted and we have received preliminary information on the season dates that they prefer.

Smoky Hill ANG personnel requested to have deer hunting seasons at the same dates as the seasons established in KAR 115-25-9.

Fort Riley personnel requested the same seasons as those established in KAR 115-25-9 with the following exceptions:

- Additional archery days for individuals authorized by Fort Riley – September 1-12, 2021, and January 1-31, 2022.
- Additional days of hunting for designated persons (i.e., youth and people with disabilities) – October 9-11, 2021.
 - No Pre-rut Firearms season for antlerless white-tailed deer.
- Firearm season dates – November 26-28, 2021, December 18-23, 2021, and December 26-28, 2021.
 - No Extended Firearms Antlerless Only season in January

Fort Leavenworth has requested the same deer hunting seasons described in KAR 115-25-9 with the following exceptions:

- The open firearm season for the taking of deer shall be November 13-14, 2021, November 20-21, 2021, November 25-28, 2021, December 4-5, 2021, and December 11-12, 2021.
- An extended firearm season for the taking of antlerless-only, white-tailed deer shall be from January 1-23, 2022.
- An extended archery season for the taking of antlerless-only, white-tailed deer shall be from January 24-31, 2022.

A deer hunter may use one antlerless-only white-tailed deer permit in Fort Riley, subunit 8A or Smoky Hill ANG, subunit 4A. A deer hunter may use up to five antlerless-only white-tailed deer permits in Fort Leavenworth, subunit 10A.

Recommendation

The proposed dates for the firearm season at the Smoky Hill Air National Guard subunit, Fort Riley subunit and at the Fort Leavenworth subunit will be reviewed at Workshop Session in March. Final action on those seasons shall be completed at the Public Hearing in June.

**Workshop
Session
(continued)
(evening session)**

VI. DEPARTMENT REPORT

C. Workshop Session

3. Big Game 4-Series Permanent Regulations

All permanent regulations dealing with big game will be discussed together at this meeting. In recent years these regulations have been brought forward in the General Discussion portion of the Commission Meeting in August to allow public comments and to determine if further review was needed.

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

Background

This regulation contains the following items:

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

Discussion

Last year, changes to this regulation included modifying proof-of-sex regulations for antlerless deer and elk to allow hunters to voluntarily help prevent spreading chronic wasting disease by leaving the most infective parts of a carcass, the head and spine, at the site of harvest. Additionally, recent changes have been made to regarding E-Tagging big game.

Recommendation

No change is proposed for this regulation.

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

Background

This regulation contains the following items:

- Specific equipment differences for hunting various big game species.
- Specifications for bright orange colored clothing, which must be worn when hunting during certain big game seasons.
- Accessory equipment such as calls, decoys, and blinds.
- Shooting hours
- Special restrictions on the use of horses or mules to herd or drive elk.

Discussion

New hunting equipment continues to be created and people request changes in the regulation to allow novel equipment. Historically changes in this regulation have attempted to balance a potential benefit of allowing new equipment for benefit of a few hunters against the added complexity caused by changing the regulation, which may confuse other hunters. Typically, the department has changed this regulation after a review for a period of years rather than annually.

Large caliber airguns have been proposed as legal hunting equipment for big game. Currently, the airgun industry does not engage in the American model of conservation funding (Wildlife Restoration Act, commonly the Pittman-Robertson Act) as do the archery and firearms industries. Initial entry cost of airguns suitable for big game hunting may also be cost prohibitive for many hunters. The ability to utilize airguns, has in other states, increased hunting opportunities in urban areas; but currently the Department is unaware of any municipalities that have requested the ability to utilize airguns for urban deer management hunting. Additionally, to ensure airguns are capable of ethically harvesting game, several requirements and restrictions would be necessary that would add complexity to hunting regulations.

The Commission requested that KDWP review the Firestick, produced by Federal Ammunition, for inclusion as legal muzzleloading equipment for big game hunting. The Firestick system eliminates some of the handicaps of more traditional muzzleloading equipment such as inconsistent powder charges and eliminating powder issues due moisture and the elements. The Firestick does require the projectile to be loaded from the muzzle; the powder charge loads from the breach, can be easily removed or reinserted, which if utilized by shooters would be an improvement in safety over most traditional and inline muzzleloaders. Due to ATF categorization, weapons utilizing the firestick system are subject to the Wildlife Restoration Act excise tax.

Recommendation

No change is proposed for this regulation.

- c) **K.A.R. 115-4-6. Deer; firearm management units.**

Background

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

Discussion

Recent changes adjusted the boundaries of Deer Management Unit 19 for greater continuity of harvest management and to simplify the boundary lines for hunters.

Recommendation

A segment of the DMU 19 boundary, US-73, does not intersect with the Kansas-Missouri state line. Federal Highway US-73 intersects with Kansas highway K-92 which intersects with the Kansas-Missouri state line. We recommend changing the DMU 19 boundary to include this segment of Kansas highway K-92.

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

Background

This regulation describes general application procedures, including the establishment of priority drawing procedures when the number of applicants exceeds the availability of authorized permits. The regulation also authorized hunters to purchase a preference point for future applications.

Discussion

No changes in the application process of big game or wild turkey permits are currently being discussed within the department.

Recommendation

No change is proposed for this regulation and it is not scheduled for further review this year.

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

Background

This regulation contains the following items:

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

Discussion

Starting with the 2016 season, Either-species Antlerless Only Permits (ESAO) were no longer issued in Kansas. This was done to address the changing mule deer population to reduce harvest of female mule deer. Mule deer population status in other DMUs within the East and West mule deer hunt zones currently is stability at low density or declining.

Recommendation

No change is proposed for this regulation.

VI. DEPARTMENT REPORT

C. Workshop Session

4. Deer 25-Series Regulations.

Background

The regulation contains the following items:

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

Discussion

Annual adjustments will be made in the deer hunting season dates. This review process initiates the discussion of potential changes in deer hunting seasons for 2021-2022. The recommendations currently follow the traditional season structure, with potential changes to some seasons:

Designated Persons: Youth and Disability Season – KDWPT is considering an option to expand big game hunting opportunities for young hunters by changing the definition of a youth hunter during designated persons seasons for big game to include those hunters 17 years of age or younger. Currently to hunt as a youth during big game designated persons seasons a hunter must be 16 years of age or younger.

January White-tailed Deer Antlerless Only - Typically, the first extended white-tailed deer antlerless-only (WAO) season has started on the New Year's Holiday and was open through the first weekend in January, or during the first weekend if January 1 fell on a Saturday. New Year's Day falls on Saturday in 2022. Hunter input during the 2018-19 season's deer harvest survey indicated hunters wanted more days to hunt and always want weekend days included in an antlerless season. There is also a need to increase harvest as part of chronic wasting disease management. The option currently being considered:

1. Three January WAO season lengths, 9 days, 16 days, and 23 days.

Population indices, mortality due to disease and changes in fawn recruitment will be examined and public input will be considered in the development of a list of units where an extended firearms season and WAO permits will be authorized. The number of WAO permits that may be used in each unit will also be evaluated after additional data becomes available.

Public comment is sought about this option.

Recommendation

The proposed season dates suggested for deer hunting during 2021-22 are as follows:

Youth and Disability	Sept. 4, 2021 – Sept. 12, 2021
Early Muzzleloader	Sept. 13, 2021 – Sept. 26, 2021
Archery	Sept. 13, 2021 – Dec. 31, 2021
Pre-Rut WAO	Oct. 9, 2021 – Oct. 11, 2021
Regular Firearm	Dec. 1, 2021 – Dec. 12, 2021
1 st Extended WAO	Jan. 1, 2022 – Jan. 9, 2022
2 nd Extended WAO	Jan. 1, 2022– Jan. 16, 2022
3 rd Extended WAO	Jan. 1, 2022 – Jan. 23, 2022
Extended Archery (DMU 19)	Jan. 24, 2022– Jan. 31, 2022

Public Hearing

No Public Hearing Items