

**Kansas Department of Wildlife and Parks  
Commission Meeting Minutes  
Thursday, August 4, 2022  
Dillon Nature Center  
3002 E 30<sup>th</sup> Ave, Hutchinson, KS  
including a  
Virtual ZOOM Meeting Option**

**Approved** Subject to  
**9/8/22** Commission  
Approval

Pre-meeting discussion on CWD. 9 a.m.-11 a.m.

The August 4, 2022, meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. Chairman Lauber and Commissioners Aaron Rider, Lauren Queal Sill, Phil Escareno, Warren Gfeller, Troy Sporer, Emerick Cross and Delia Lister 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 June 23, 2022, MEETING MINUTES**

Commissioner Warren Gfeller moved to approve the minutes, Commissioner Lauren Sill second. *Approved* (April 21 Minutes – Exhibit C).

**V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**

Norman Mantel – People are interfering with wildlife, I called Fish and Game because they were hauling that baby deer around, not domesticated animals. Were you aware of this? It happened in Onega, called Fish and Game enforcement and I don't know if they followed up on it. People who published Country Living magazine thought it was alright. Do not interfere with wildlife, not a domesticated animal. Something needs to be done to these people who are doing this. Kentucky restoring elk and shooting them with paint guns to make them aware humans are a threat to them. Commercial farming, raising birds and pheasants, that is wildlife. They have them in pens and you don't restrain wildlife, that needs to go away. Fishing, hunting and guiding services needs to go away, interfering with nature. You are selling wildlife; you don't sell wildlife meat parts that is against the law. Why is it legal to chum fish but not deer? People are putting up feeders. What are you going to do about reckless drivers on jet skis, young people have not idea of concept, causing problems and interfering with other boats? Seen boy run into his own sister, run in front of pontoon boat. I understand you are short on money to enforce that stuff. But he even went out to Lucas Point on Wilson Lake and hitting boys. Should private citizens be taking videos and turn this in? The money charged to hunt for deer, why doesn't state

get part of the money from guides? For what they paid me and what they charged I cut them off, they didn't even want me to come in and cut firewood, I told them no, my great-granddad bought that in 1898 so I am 4<sup>th</sup> generation owner. I am not letting anyone hunt on it anymore, a lot of us landowners are tired of it. Have you been following lawsuit in U.S. Supreme Court? Need to get copy of National Geographic, this started in Oklahoma. This is not United States this is still native tribal land and this is snowballing. The Cherokee Nation has their own court system and judges, own attorney general. Who has jurisdiction over this land; we have discussed this before, like water rights? Somebody has to do it. We don't have the authority; they got a mess in Oklahoma. Any of you following this? Chairman Lauber – Yes. Mantle – I can go on that property and you can't arrest me. This happened in Oklahoma, I know the man he sold horses and sold horses to man in northern Oklahoma and he was out hunting on his own land, game warden came in and told him he couldn't hunt quail because it wasn't quail season, he attempted to arrest the man. Game warden tried to take him into custody using force, man's head ended up between door post and door. He feared for his life. They charged him with a crime in Oklahoma but it was dismissed. We have a mess and we need to talk to our legislators or somebody, up to you. In Beloit, discussed duck hunting season, someone wanted to move duck season later because ducks weren't coming south soon enough. Pack your bags and go where the ducks are. You want to deny vets that right, we put our butt on the line, I am a vet, shame on you. Chairman Lauber – Don't know how to answer everything. We will digest it. Regarding the quail and pheasant, captive raised birds, that is legal, but administered by the Department of Agriculture, not us. They get a permit from us but registered and monitored by them. It is lawful and permitted activity. Mantel – It is about ethics and fair chase. Many states don't allow game farms. Chairman Lauber – Some do. We get your point.

## **VI. DEPARTMENT REPORT**

### **A. Secretary's Remarks**

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission – Stuart will give financial report. I want to congratulate Stuart for interim assistant secretary position. He is still over public lands also. Had spirited competition for the position when Mike Miller left and Stuart will do terrific work. Stuart Schrag, interim assistant secretary – Excited about this new endeavor and looking forward to it. I am still actively involved with public lands division, asking my assistant division director, Ryan Stucky, to step up and take over some aspects of our responsibilities too. I appreciate him. He will talk about public lands regulations today. Agency and fiscal state, our fiscal year begins July 1 and runs through June 30. The agency overall budget is around \$97.8 million for all divisions and efforts for our operations. In addition to regular budget the legislature did pass a 5% salary increase for most of employees, those not part of a defined pay plan. Some law enforcement officers who receive automatic pay increases were not eligible for 5% increase. For park fee fund (PFF) FY 22 revenue was around \$13 million, which equated to a 7% decrease from previous year. However, park receipts continue to be higher than long-term averages. As we came out of pandemic we saw record visitations. Cash balance in PFF is \$8.2 million at end of FY22. Cabin Revenue funds, mostly in state parks and a couple on public lands, \$1.49 million for FY22. Which was 13% less than last fiscal year but above long-term average as we are coming out of record peak visitation times. The wildlife fee fund (WFF), our main fund from hunting and fishing license sales, ended FY22 with receipts of \$35.6 million. Like other funds revenue declined a little bit but well above long-term average. Balance in WFF for end of FY22 was \$29.5 million. Boating Fee Fund (BFF), which is derived from boat registrations and is necessary

to provide boating safety, education and infrastructure to protect and support boaters. FY22 receipts for BFF were \$1.4 million, a decline from previous years, but still above long-term average. Last year \$1.9 million, the highest revenue ever recorded. Working on required reporting for revenue and expenditures from FY22, plan and discuss and set FY 24 budgets and reviewing and approving FY23 budgets and if supplemental increases we need to request we will be working on those as well. We have until mid-September, so staff is busy working on those. Inflation continues to be an issue we are dealing with. Cost of fuel, supplies and materials have increased substantially and we are having to plan wisely to combat that and be smart and efficient on how we conduct business. Fleet vehicles is a major one; we try to replace a certain number of vehicles every year and we are having difficulty having dealerships bid on our contracts and having trouble having them fill them. Chairman Lauber – If someone asked what annual budget would be and we said roughly \$100 million that would be about right? Schrag – That is about right, that is department-wide. Chairman Lauber – To keep up with inflation we need about a \$9 million increase to keep up with inflation. Assistant Secretary Schrag – Can you make that happen? Chairman Lauber – I cannot but I wish I could. Mantel – If you want to raise money, go talk to Melissa Scott Basel, she has \$480 million and she is giving it away to nonprofits for stuff like this. Bill Gates is giving money away too. The money is out there.

## **B. General Discussion**

1. Big Game Permanent Regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit D). Here to introduce the big game permanent regulations. These cover general provisions such as what is on carcass tags, transferring meat to other people, legal equipment and taking methods, deer firearm management units that we set tag quotas for, big game and wild turkey permit applications and different deer permit restrictions. No recommendations but discussing possibilities to bring forward to future meetings. Deer 25-series regulations is where we set season dates and address what permits may be used, especially for antlerless permits. All the dates follow what we have been doing the last couple years. So far we are continuing to discuss seasons and which units may fall into which categories such as extended whitetail antlerless seasons based on management needs. Where we look at populations, hunter preferences when possible and having to work with disease management within those. Basically, falls into just adjustments for days on the calendar, November 29 is the Wednesday after Thanksgiving where we traditionally set our rifle season. Same number of days, just adjusting for calendar. Still discussing things. If we find places that need changes we will bring those to you. Chairman Lauber – Have a recommendation later on that may require a draw permit for nonresident turkeys. Will that come in your previous discussion about turkey applications? Jaster – Kent will discuss that later.

2. Agency Efforts to Promote Awareness of CWD – Brody Latham, public affairs marketing manager, presented this update to the Commission (Exhibit E, PowerPoint – Exhibit F) – Been on job for about a year now. We realized we needed to come up with some campaign objectives. Wanted to create a centralized information portal to define what CWD is, clarify symptoms and stages of the disease, identify positive locations in Kansas, share testing information and opportunities for people and provide stakeholders with clear action steps they can take to help slow the spread. We launched and integrated communications campaign that consists of traditional, social, digital and print media. Things like posters flyers, billboards, created branding, a website and advertisements that drove a lot of traffic to the website with

social media marketing. The logo and campaign slogan was developed, “Take Aim at the Spread – Help Suppress Chronic Wasting Disease”. We wanted to use language symbolically that hunters would know and understand well and digest quickly and easily. Key messages of the campaign were “Get the Game Plan”, to invite stakeholders to join the fight and suppress CWD and it included action steps they could take to help out. “Watch The Waste”, this helped people understand that symptoms are not always visible but when they are what to look for. Things like difficulty moving, poor body condition, throwing of the head, drooling, grinding of teeth and when they see those things to contact us and report it. “Dress. Test. Suppress.”, we wanted to encourage people to bone out or at least quarter meat on site and dispose of the carcass in a proper way to help slow the spread and test. What worked well was compelling imagery and branding and used throughout the campaign to stay consistent. Being visually consistent leads to recognizability and our hope was that would lead to credibility and trust. We want people to take heed of these messages and trust us and this recognize this campaign when they see it. Drove a lot of traffic to the website we created. Over 50,000 users clicked our ad and viewed pages over 150,000 times. The coolest part was how long they spent on these pages. On CWDKS.com they spent almost four minutes on that page; and our page on KSoutdoors.com they spent five and a half minutes. That tells me people are interested in the content, willing to spend their time to read and consume that information. That is what we hoped to see. In addition to the traffic, we drove to it and the amount of people we could track. We also engaged people on social media and Google display, this is harder to track but still impressive numbers; 1.7 million impressions on social media and 7.5 million impressions on Google. We reached almost a quarter million people on social media. The difference between an impression and reach is that the same person can have more than one impression. We have messaging like, “Report Sick Animals”, “Test to Suppress”, “Take Aim at the Spread”, “Help Slow the Spread”, “Report Sick Wildlife”, “Keep Kansas Deer Healthy”, “Find the Answers”, “Get the Game Plan”, “Watch the Waste”, etc. with accompanying topics to further explain what that means and entice people to click the action button to learn more. One of the interesting things about some of the social media post, in particular, is how many engagements we received, over 3,000 reactions and 300 comments and 900 shares. While the 300 comments may not seem significant, one person pointed out that if 300 people showed up at a commission meeting, we would find that significant. Not only did we drive traffic, but we initiated conversation online where people can partake, comment, like and share with friends and followers and amplify message even farther. Next steps are digital ad efforts worked so continue that and expand the reach of those; incorporate search, so showing up in search engine results when people are looking for CWD key words we direct them to our content rather than something random; integrate video ads; infuse more messages about testing and test kits, how to get them, submit them and how to collect; and continue to test new ad creative, things like new imagery, new tests, calls for action, etc. (Showed Video). Ways to measure success, from marketing perspective, continue to increase social and digital media engagements, monitor landing page visits, pdf downloads, email open rates, support for regulation changes if we decide we need that and monitor number of test kits submitted.

Commissioner Escareno – Any consideration for making that video on hunting guide TV programs, promoting in that arena? Latham – Not to my knowledge but something we could look into. Commissioner Lister – Work with education section folks on messaging on that? Brody – Yes, Aaron Austin was voice-over on that video. Commissioner Lister – I downloaded the Go Outdoors app, is there a way to put that information front and center for a deer hunter to access? Latham – I am not sure but that is a very good idea. Commissioner Lister – They are going to go there no matter what. Latham – There is a lot of ways to put targeted messages in front of segmented audiences with that new app. We will look into that. Commissioner Sill – I pulled up our regular KSoutdoors website and went to hunting, on left is CWD and on that page there is no

link to that on our own website. Latham – A lot of things we need improvement and that is something that needs to happen. This is going to be an ongoing campaign and we will continue to optimize and create new multimedia assets and make sure they get out there in front of the right people at the right time. Commissioner Cross – Getting more calls since we started that? Latham – I am not personally; not sure we have a mechanism to track that. Chairman Lauber – More bold information we could put in the hunting regulations the better. We have reference to that now but when it comes to educating people more is better. Latham – Yes, and lots of repetition so this is something we will continue over the years. To us it might feel like we are saying the same thing over and over, but it is going to take more than one touch point for someone to stop what they are doing, interrupt what they were doing and get them to take notice. Chairman Lauber – In areas where we are trying to increase harvest, I would be circumspect in any reference to eating the meat. We don't want to tell people to harvest deer but telling them not to eat the meat... We just need to be careful not to spook people to where we can't utilize hunting to minimize numbers when we need to. Latham - I agree with this being a fine line between educating the public and getting buy-in and that we all need to help out but also not scaring folks into quitting deer hunting. Commissioner Escareno – Contradictory on quartering harvest in the field, leaving head and spine in the field. How that could spread on the knives in the blood and on the ground and all of that. How is that not helping to spread the disease if you leave that in the field? I am confused. Will you touch on that later? Jaster – I will cover that. Commissioner Sill – What is the plan to measure changes in hunter behavior as result of this education? Latham – Levi can answer that. Commissioner Lister – Part of hunter education curriculum? Latham – Somebody talked about that earlier today, maybe not yet but that is in the works. Aaron Austin, education section chief – Those discussions came up this morning and is being discussed in hunter education advisory committee coming up in two weeks, so right on time for it. Levi Jaster, big game coordinator – To address Lauren's earlier question about increased calls, I have gotten more, not necessarily just hunters, but people who saw the billboards and want to know more, so seeing some of that. It is picking up. Wish I had better news but try to answer every question as best I can, it is hard to be definitive. As far as spreading prions, yes you can spread them that way but still better than the amount you could spread if you took the carcass, it is minimizing it. One of the tough questions is we don't know the dose the deer has to get before they get infected, it could be one or they would have to encounter thousands before getting it, we don't know how many prions. Anything that mitigates dragging that all over and creating larger amounts in other places. From human standpoint concerning but not a lot of information out there on that yet. From a deer standpoint often times other deer aren't necessarily in contact with that but definitely concerning. We don't want people to not eat deer, but best to test deer first, especially in area with known positive detection. I changed to gutless method because you get vast majority of the meat carcass and leave worst parts in the field. Preferable to taking a whole carcass. Chairman Lauber – I assumed the spine and the head were highest risk material. By leaving it there, not always practical but it is already in that area. What you are trying to do is eliminate transfer of the disease at 55 miles an hour. Jaster – To address how we are evaluating actual hunter behavior (Exhibit G PowerPoint). From my side of the table rather than Brody's marketing side. In early stages but we are measuring hunter behavior by having them self-reported on surveys, used minor stuff as part of special section on in the deer harvest survey. We asked hunter a little bit about processing and whether or not processing in unit where harvested and if moved it where they took it to. I don't have that data available yet but once I have it I will get it out to you. The other one was entirely focused on CWD was our human dimensions survey about CWD. We took deer license data and randomly selected hunters

from across Kansas to answer a questionnaire about CWD. Initial survey, so this is the baseline, so we need to establish that to know as we develop messages and get information out and work with folks if we are improving from where we stood at the start. Other surveys also included a couple of questions, in the landowner deer opinion survey done last year to start talking to landowners because they are going to be a vital part of this whole thing. Mostly hunter harvest behavior will be reported through self-reporting. Also, rough idea looking at CWD samples, and how that has changed, total samples and the ones we as an agency took, through taxidermists, processors, road kills, sick suspect animals that biologists or game wardens collected, and private submissions sent by hunters to Kansas State Veterinary Diagnostic Lab on their own, many outside of surveillance zone for that year. We only cover tests for those in the zone. They had to pay for this and in Kansas it is \$35 test, over \$40 with shipping to and from the Vet Lab. Those were folks that valued that enough to do that. With research project with University of Missouri that we started in 2021 season. We increased efforts, increased technicians in the field through that project and tried to get the word out. We collected a lot more road kills with technicians out and about. You don't just jump in and collect an extra 1,500 to 2,000 more samples a year without people knowing what is going on and getting information. We were growing through time already but it wasn't until we started to consider messaging and we jumped up. The decline in last few years is actually people taking advantage of the University of Missouri study that paid for the samples we tested, so aren't counted in other numbers. In talking to Shane, used to be one or two but is creeping up and more people are willing to pay out-of-pocket to get sampled. From that standpoint, folks are more concerned about it and whether or not that is actually translating into changing how they handle carcasses in the field, I can't say but you would think so.

Commissioner Gfeller – Right now handling carcass in the field is a suggestion, not a requirement? Jaster – Recommendation to do so? Commissioner Gfeller – If transporting and not leaving them where you found them and could cause geographic spread, why not require it now? Jaster – We initially proposed that but it was seen as too limiting, didn't strive for stakeholder buy-in at the time and our human dimensions survey also mentioned that. That doesn't mean that's not a step taken down the road once we have more support behind doing that. If we don't get hunters and landowners involved and they have buy-in even if we do restrict it they aren't going to follow it. Even with having rules that prevent importation or transporting of carcasses within states we have seen deer go from Kansas to Ohio, Kansas to Texas and Tennessee and South Carolina have seized carcasses that weren't positive. For those folks to do that they drove through several states that restricting import of whole carcasses on their way to their state. The word is not out and they are not aware of it and that is why we are doing messaging and getting that in front of deer hunters. Pushing that out to all deer hunters that they better check regulations where going or where traveling through. I don't want them to pay money to come to Kansas and lose deer in Arkansas because you didn't read their regulations. Commissioner Escareno – Commissioner Sporer and I discussed maybe offering an option to those hunters on their application or permit to say they would like a test kit included with their permit to submit when they bag a deer. Jaster – That is something we can discuss. Other states are looking at that and North Dakota is looking at kits that they send with every tag. What the cost effectiveness is if they only get a certain return rate, does it work or will it be an overwhelming cost to the agency. The kits cost money. Part of that is current kits we have we get through Kansas Vet Lab are vials of formulan and people don't want that laying around so that is a concern. There are a few other options out there that are not the preferred method, and different types of packaging that have been used before. It would be a matter of seeing if that is effective way to do it. In some cases, they quit using because didn't get enough good samples through it, too degraded by time they got them. We will look into it. Commissioner Sporer – There are two types of hunter, first type of hunter doesn't care and second wants to know. Is K-State still doing testing on pay scale for

\$35? Jaster – As far as I know they are but don't know how that is changing with inflation I'm not sure. Commissioner Sporer – How did the hunters find the University of Missouri? Jaster – We had a research project initially set up through Kansas State and the principal investigator, that professor, moved to University of Missouri. That is how we ended up working with them and their lab for that project. He has intellectual property in that research. They have a phone number available for hunters to call to get help and during rifle season there are technicians available to help take samples or pick them up from them. They also have their own email contact information in there and try to be visible while out working. That will go one more year so that project will pay for samples this season. After that we will have to talk because some hunters are going to want to see increased testing ability. Commissioner Sporer – Seems there should be a private lab out there that is willing to make some bucks to figure out a test kit that does it reliably and fast. Jaster – That has been our biggest hang up, the speed of testing. Commissioner Sporer – How do they get sample to Missouri? I understand how they do Kansas. Jaster – With technicians that are out doing it, they collect them and ship large batches as they can and working with additional taxidermists. Commissioner Sporer – So the average deer hunter isn't able to send his sample? Jaster – They can but in that case the University of Missouri struggles to cover shipping costs because of their internal regulations. It may be cheaper to do that than pay for the actual test like you would at K-State. They have worked with other folks, had a landowner or guide service where they collected all the samples and they sent shipping label and they shipped box of samples. Commissioner Sporer – Do they have to be froze? Jaster – All collected in vials of formulant and kits have a shipping bag that seals over the vial. It is shelf stable once in the formulant. Commissioner Sporer – Does K-State still do it for a fee. Jaster – Yes they still do it for a fee. You can go on Vet Lab website and get it, which is the preferred method, but out-of-pocket for the hunter. Commissioner Sporer – That is the first question I am asked. Where do I go to get the test? Somehow, we have to answer that or how that works and mechanics of that is. Jaster – We have experimented with head drop barrels. Other states have used those but where it is effective for them is high traffic areas where you have hundreds of deer hunters going through, like Michigan and Wisconsin who have five to six times as many deer hunters as we have. Not a great method in western Kansas, spread out and don't want to have to ask hunters to drive 50 miles to dump the head in a barrel. If doing that we need to have somebody there to take it at the very least. Commissioner Sporer – Going back to check stations? Jaster – Not right now, high cost, not sure people will want to do that in a wide area, but maybe on limited basis. I have talked with biologists at Fort Riley they could do it there and we talked about it when he was concerned about testing. Potentially special hunts or some of our wildlife areas but not on statewide basis, not easy or cheap and have limited staff capacity. Would have to use volunteers. Commissioner Sporer – Missouri has mandatory testing and have check stations during rifle season only. Is that statewide or just hot spots in Missouri. Jaster – They are focused on their disease zones where they want to increase sampling, spending three quarters to a million dollars a year on testing. Some of their work with culling they were expending 16 fulltime staff to it. Commissioner Sporer – Only culling in the hot spots? Jaster – Yes. They are spending a lot more money and have a lot more staff. Commissioner Sporer – They have been culling for how many years? Jaster – Since about 2010. That was their selected method on very first deer. Their incidences were more like a single or a couple at a time. Commissioner Lister – What is break down of people who field dress? Jaster – Many people that haul the whole carcass are still field dressing, taking the guts out but the number that do that versus quartering or boning it I can't tell you, not that many that do. Many that did it before did it because of convenience because they had to carry it a long way. Now that I quarter it I am not

going back it is a lot easier to take quarters out and not have waste in my garage. Commissioner Lister – Makes me wonder if going to be increased carcasses, and that is going to ultimately be an increase in lead poisoning. Jaster – I don't know. More non-toxic shot available and people are switching to that. Chairman Lauber - Probably be more carcasses on the landscape but deposited in an area where they were already. About 40-50% are hauled to a processor and one would think as a general rule that might be safer than hauling to various individual locations. Most of the time national byproducts don't buy them and most of that goes into a landfill. You have an opinion on that? Jaster – Better in landfill than dumped in a ditch somewhere. That is one of the questions asked on survey, whether or not they home processed or commercial processed, whether changed practice in last couple of years and whether that was related to our messaging or related to COVID and having more time and wanting to stay home. We hope we can get to how they are processing it, if home processed or if commercial and has their processor changed, are they taking whole carcasses or requiring only quarters or boned out meat. Stuart Schrag – Kurt Ratzlaff with Backcountry Hunters and Anglers is here today and they do a lot of processing and boning out clinics and presentations within their group in Kansas and at national level. It is becoming a popular thing. Kurt, I would like to get your perspective on this conversation. Kurt Ratzlaff, chair for Backcountry Hunters and Anglers – We do a lot of clinics and workshops talking about processing your own deer and on hunter podcasts. We do advocate strongly for quartering method. It is easier, once you get past, this is how dad and grandpa did it, it is 100% easier. Talk a lot about processing your own deer and half to three-fourths of our membership eats most of their meat off of animals they get on public land. Need to work more on testing. It is easier and more practical after you do it a couple of times. Schrag – In clinics promoting boning in field? Ratzlaff – At least quarter. When I take a deer out of the field it is boneless, but I grew up in a butcher shop. Realistically quartering is super easy, and we talk about that on national scale. Chairman Lauber – Whether quartering and don't bone it you are still leaving high-risk material in the field. Ratzlaff – Absolutely. If want to take trophy head with you cut off and leave entire spine in the field and take it to taxidermist and they can take it from there. Commissioner Gfeller – Seeing more in our country and more demand for knowledge like yours. Chairman Lauber – It is getting harder to find a processor. Commissioner Cross – Is it possible to put a video out there on our website on how to quarter it to understand exactly what you are talking about? Jaster – I believe so. We put one out a few years ago about how to pull the lymph node samples using the same knife you would cut the deer up with. There are probably several very good ones we could use. Commissioner Sill – For those who aren't boning out but want to be cautious and responsible when they haul a deer. They are careful where they butcher it and they bag up and take to the landfill the remnants. Is there a difference in landfills? This morning you talked about permitted landfills in other states. What can a person do to make that as safe as possible? I understand that increases the risk of spread but I don't quite get how taking that to the landfill risks spread but leaving that to degrade in the field in the soil where plants can pick it up, a generation later deer comes along and eats the grass. Removing it and putting it in a landfill seems like it would help. What is permitted landfill, what can you do to make that safer, and is there some benefit to putting it there? Jaster – In a permitted landfill means don't take it to landfill that is pile out back. Some of those have additional requirements on how they are built and are sealed and how they take care of fluid coming out. The risk is that if you move it from where it is already occurring, what happens if somebody decides it is going to cost me to dump it at the landfill and decides to put it in the ditch for the coyotes to clean it up. That is the next option rather than leaving it in place. It is already there and there for a long time. Ideally, we could make them go away entirely but effectively we haven't figured out how to do that. Commissioner Gfeller – Talked about idea of reducing the size of the herd seems to be a good management tool. In doing that you take does and young bucks. So, in educating people or

incentivizing hunters to take does and young bucks to help us with CWD is that going to encourage other hunters not to take them because they are afraid of CWD? Jaster – Potentially, that is where messaging comes across. It is also hard message when you tell them we want them to kill them to save them. It is a tough message but once you work through it we are not saying we are going to wipe them all out but trying to reduce movement. It has always been highly contentious on whether you should remove does at all in many places. It is a case of moving some of that effort to reduce the herd away from that small proportion of herd that is older bucks. We still need to harvest them because they are where we are finding it first and highest prevalence rates in a herd but once they are in a territory they are staying there, moving around some while they breed but not spreading around like a young buck does that moves ten miles down the road to a new territory. And are much larger segment of the whole population so taking pressure off of one group and putting it on another and still moving animals into that older age class. When you try to increase harvest, want to do different things. Commissioner Gfeller – Something we need to figure it out. That is management tool the same way as transporting a carcass. At some point we have to make the call. Jaster – Right. Mantel – Hunters aren't going to like it but you are going to have to make a demand toward ports of entry. Used to have port of entry in this state, bringing in corn or other products.

### **C. Workshop Session**

1. Turkey Regulations - Kent Fricke, small game coordinator, presented these regulations to the Commission (Exhibit H, PowerPoint – Exhibit I). Going over spring and fall season dates for 2024 and bag limit recommendations for 2023. Last year during 2021, we increased spring turkey season youth eligibility to 17 years and younger, tried to do that department-wide for all youth seasons; we set 2023 spring and fall season dates; and included handguns as legal equipment for spring and fall seasons. We are overviewing recommendations coming for 2023 and 2024 and include boundary definition, valid units for Unit 4 permits, spring and fall season structure for 2024 and 2023 spring and fall bag limits and permit quotas. At end of June meeting in general discussion several questions were asked about some of the broader topics in terms of aspects of harvest management and turkey biology and ecology. The intent of leadership is to have a meeting, like you did this morning with CWD, at our next meeting in September have similar session for turkeys. There are a number of changes we are proposing. Focus on background behind changes and address broader harvest management at that turkey meeting in September. The first change is language clean up, a couple of years ago we noticed both spring and fall unit definitions in the regulation that there was a slight error; 183 was in there twice and it should have been Highway 81. 5-The spring season dates, 115-25-6 got changed but the fall season didn't so this is simply a number change to that regulation. In Unit 4, the southwest unit, is currently a resident-only draw, half of the permits for landowner/tenants and half, or whatever is left over, for Kansas residents. In 2018 was the first time we had applications over the 500 permit quota and since then have seen a relatively large increase in the number of applications for those Unit 4 permits for the spring season. Biologists and turkey committee started hearing feedback from residents of Unit 4 who would like the opportunity to hunt in Unit 4 but because of higher number of applications were having a tougher time hunting in their own unit. We have heard this for several years now. Unit 4 permits are currently allowed in adjacent units as well, similar to deer units. If drew you drew a Unit 4 permit you could hunt in Units 1, 2 and 5. We want to try and maintain opportunity for the residents of Unit 4 so we recommend removing the adjacent allowance. If approved if you drew Unit 4 permit you would

only be able to hunt in Unit 4. That falls in line with drawing for a permit and hunting specifically in that unit. Population trends will be discussed at September meeting. Kansas not only state seeing turkey declines in last 15 years. From spring rural mail carrier survey, we have seen population declines at the statewide level, peaked in 2008 and consistent declines since then due to lack of production. This is the story throughout the Midwest. Trying to figure that out but low turkey production equals low turkey populations and that is something we are struggling with, how to deal with harvest management aspect of that. Western Kansas has similar trend as well as central Kansas and broader declines in eastern units as well; consistent decline across the state. Did not have post season harvest survey at June meeting, got that July 1. Had committee meeting in early July and developed briefing items. Spring and fall season structures, spring is set up where youth and disabled always begins April 1, get a full weekend; archery starts Monday after first full weekend, 9 days; and regular firearm season starts Wednesday after second full weekend in April. For fall season, beginning in 2020, was changed from October 1 to January 31, a four-month season, which was reduced to a 41-day season from October 1 to November 10. For 2023, earliest start for regular season, April 12, before calendar begins repeating itself. Youth/disabled season will be April 1 and 2, followed by archery nine days of archery and regular season starting on April 12 and October 1 through November 10 fall season. For 2024, have latest start date to regular season if season structure stays the same.

Recommending no change to spring structure. Also recommending no change to the season date structure for the fall season. Overview of harvest surveys for this spring. Just got data in and analyzed internally. Bag limits in each unit, Units 1 and 2, northwest and north central, still at two-bird bag limits and Units 3, 5 and 6 at one-bird bag limit and Unit 4 was limited draw with 500 permits with one-bird bag limit. Estimated harvest and total number of permits and game tags sold and overall success rate is in the briefing book. Over time we have decreased significantly in terms of overall hunter success, keeping in mind that in early 2010s we had as high as 71%. Compared to 2021 season, last several years have seen consistent decline of about 10-12% in resident permit buyers but also consistent now with nonresidents as well. We have been hovering around 15,000 for nonresidents for 5-6 years, plateaued and this is first year we saw 10% dip. In 2020 we had Covid and spring season was basically suspended for nonresidents. Have seen consistently high rate of nonresident participation for quite a while. Typically, between 35% and 40% and with that 10% decline in nonresidents this year, 43% nonresident turkey hunters this year. Overall harvest was 21% decrease from 2021 which had the same regulation structure in place. Overall harvest success 40%, with 35% for residents and 45% for nonresidents. Typical harvest in age structure, 85% toms and 15% jakes. Seen significant declines from peak harvest estimated in 2015. Basically, at same level even with decrease we saw in 2020 due to Covid. With increase of hunters back we still had a low year in terms of harvest. Overall, as continue to see shift in lower number of satisfied hunters and over time see hunters on dissatisfied side of spectrum stop buying permits and we stop surveying them.

Harvest strategy, we have adaptive harvest strategy lays out various regulation packages in terms of spring and fall bag limits, thresholds in terms of spring harvest and what the looks like through time in terms of guiding recommendations for bag limits. Harvest strategy is a simple document has regulation packages and we enter data into that. The highlighted aspects of table is when the thresholds were not met and consecutive years of below thresholds we then would recommend changes. All six units were below thresholds for consecutive years, so for the 2023 season we would be recommending changes based on the harvest strategy. If we move specifically with the regulation packages as recommended by the harvest strategy we would see reducing spring bag limit in Units 1 and 2, from two to one, removal of fall season in Units 3, 5 and 6 and Unit 4 was below the threshold as well so reduction of resident draw permits as well. However, committee and management staff felt that in one sense it wasn't enough and there were

other aspects we felt we needed to look into. Rather than moving directly with the prescription made by the harvest strategy we want to be more consistent statewide and address concerns about the number of nonresidents statewide and in a few units in particular. We are making overall recommendation to reduce bag limits from two to one in Units 1 and 2. So statewide one bird bag limit for spring and not including Unit 4, which is resident only, reduce nonresident hunters by 25% and therefore creating a draw system for the first time for turkeys. We came up with numbers in post season spring harvest survey I asked what county they primarily hunted in. From that data we get estimates per unit of residents and nonresidents and from that I developed five-year average, taking out 2020 because it was an anomaly and would have skewed the data, 2017 to 2022, not including 2020 to come up with five-year average. From that we decided 25% reduction would be good starting point to make nonresident reductions and rounded to the nearest 100. Those are the numbers we used to make our recommendations for quotas for units. As I mentioned Unit 4 will be reduced from 500, unit bounces around a lot and low sample size. It is the unit most effected by weather over time. This year we saw a 50% hunter success in Unit 4 but still below the threshold we identified in harvest strategy. In speaking to biologists and public land managers in Unit 4 they thought the strategy was making a good recommendation in terms of further reductions. To remain consistent with 25% reduction, we are recommending reducing 500 permits to 375, half for landowners and tenants by statute. If not all of those are used by landowner/tenants they roll over to the broader draw. We have not ever met that 250 quota for landowners and tenants and it will roll over if not filled. For fall season, number of permit buyers statewide continues to decline consistently, 15-20% per year. When we moved to a statewide one bird bag limit, with reduced season length, we thought numbers would plateau, but continue to see decline, don't expect that to change. We used to sell more game tags for fall hunters but those have been removed and harvest has continued to decline. Given there has been no bottom plateau we are not recommending any change to fall season, same season dates, one bird limit stays the same, no changes to nonresidents, less than 750 per year; no permit quota, hunt statewide, other than Unit 4. There are a number of changes we are proposing; clarifying Unit 2 boundary language cleanup for Unit 2 in fall regulation; removing adjacent unit allowance for Unit 4 permits; no change to spring or fall season structure; reduction of spring bag limits in Units 1 and 2 from two to one bird; reducing Unit 4 spring quota to 375 permits; and creating draw system for nonresidents to 25% level. I want to clarify that part of recommendation for nonresident draw is to apply for specific unit, and if you draw only hunt that unit and no adjacent units. Youth permits for nonresidents would also be included in that draw. Chairman Lauber – Will that take place in 2024 or 2023? Fricke – The hope is to have it established for 2023 spring season, see how it goes through the process. Going over overview of recommendations today, have information morning session September 8, in workshop that afternoon spend time on population trends and recommendations and have public hearing vote at the November 19 meeting. If that occurs, currently the Unit 4 draw occurs early- to mid-January and that is the goal. Chairman Lauber – Will nonresidents be notified there is going to be a draw? Fricke – We will work with public relations, information and education to get that word out. It will be a short turn around. Commissioner Sill – Those are landowner/tenant tags not hunt-your-own-land tags? Fricke – Correct. Chairman Lauber – Landowner/tenant tags only in that area? If you own land in Unit 2 as landowner/tenant can you apply in Unit 4? Frick – No, have to own land in the unit. Commissioner Gfeller – One of main concerns I have is about taking hens. Fricke – Typically one-third to one-half of fall harvest. Commissioner Gfeller – Did math calculation and maybe my assumption is high on how many hens you take. For the sake of example, if only 500 hens in the season, those hens, if you didn't take them, would produce 14 eggs of which four poults

might be raised and two might be hens, so those 500 hens would raise 1,000 turkeys, so next year you now have 1,500 hens; in year two same exercise, by time you get to year four dropping off year one hens, for that year alone you have 36 additional turkeys of which 18,000 are hens. The point is it is exponential so, taking of any hen seems to have significant effect on population. Fricke – The assumption of first year, 500, is a little faulty, from that some won't make it and more importantly, in terms of nest success, even in a good year you are saying 33-50%. Commissioner Gfeller – Four out of 14 is 30%. Fricke – I am just saying that nest hatching any, so, rather than 500 nests successful looking at more like 250 on the high end. Of that it is rare that all 14 hatch and make it beyond poults, talking two to three per nest. Commissioner Gfeller – Cut by 75%, still a significant number of hens that don't exist because we are taking hens. Fricke – I understand that. Discussed at length in the turkey committee and with other state biologists and given that a large amount of thought. Chairman Lauber – I am proponent of fall season. I calculated 140 hens harvested statewide. From last harvest, 487 birds, of which 35% were hens, harvest 400 birds with 140 hens with increase of 1.1 offspring per hen, not sure a significant number. That is why I hate to close that season. Commissioner Gfeller – It is exponential, just math. Fricke – That is something we can go into more at the next meeting. From turkey harvest management standpoint, the fall season that includes the harvest of hens is always a question mark in terms of recommendation for the season. That season is likely always to be one of the most biologically relevant seasons to make reductions in if concerned about production, which we are. I believe that the number continues to decline, consideration for opportunity remaining, but also we are learning more of the impacts of spring season, while a lot of uncertainty remains about the impact of the spring season and removal of toms on the landscape, from a number of angles unrelated to season dates, fall harvest pressure and that kind of thing, that is becoming more of an issue. Within the agency we feel we are able to make more impact on that end of things. Not to say there might not be potential on fall season as well and keeping that in mind. Commissioner Gfeller – When it comes to spring season, reducing the bag, just eliminating taking of toms. So, our expectations, equivalency question, it will improve success rates but don't expect it to increase the size in the fall. Fricke – Uncertainty on that. With lower bag limit and related to reducing numbers of hunters on the landscape as well during that spring season, concern continues to be removal of toms through time don't know if hens are being bred. We don't have a good answer to that and that continues to be a question mark. The overall goal is to allow there to remain some number of toms on the landscape that would have been harvested otherwise. Mantle – Glad you are concerned about the hens. We discussed that at wetlands in Great Bend last year. I and another gentleman got up and said, you don't shoot the hens, you shoot hens you lose the factory, lose factory, lose production. We need to close the season for hens if not entirely for all of them. Our population is going down. My land that I closed down has exploded and hunters are mad at me because I won't let them in. We are more concerned about us than the wildlife, that is our problem. Commissioner Sporer – A dead hen doesn't get bred. Audience – Thought about trapping, getting rid of possums and skunks so they leave the hens alone? I took out 62 coons. Have chickens in your yard, feed them grain they will produce, same in nature. I had 17 in one nest 19 in another.

*Break*

2. Commercial Harvest of Mussels – Jordan Hofmeier, aquatic ecologist, presented this update to the Commission (Exhibit J, PowerPoint – Exhibit K). Talk about commercial mussel harvest regulations. Historically used in pearl button industry and for cultured pearl production using native freshwater mussel shells. We have four native species previously permitted for harvest and one non-native species. Since the beginning of 2003 we have had a moratorium on

commercial mussel harvest due to declines; and extended one time. The current moratorium is set to sunset at the end of this year. We have seen good results from the moratorium, an increase in monkeyface mussel and seen prevention of decline in some other species but species like the washboard have failed to recover yet from previous harvest. Harvest in other states, most occurring in Tennessee, but cultured pearl producers are more frequently looking elsewhere than the U.S. because they don't see our supply as a long-term viable supply as it is largely unsustainable. Oklahoma hasn't issued a harvest permit since 2013 and Arkansas only issues a single permit and those states speak to the lack of a market. Missouri removed regulations allowing commercial harvest in 2009 and Nebraska also closed commercial harvest. Concerns with commercial harvest are that mussels have pretty specific habitat requirements which leads to concentrations of mussels in one location and leads to concentrated harvest and drastic depletions in population numbers. Mussels have to have a lot of things going right for them to successfully reproduce. There are many threats, old and new that affect mussels, ranging from water quality to invasive species and potentially new emerging diseases. Regulatory listing processes take a look at commercial harvest as a potential point of concern and whether a species should be listed as threatened or endangered. By removing commercial harvest that helps check that box to remove that as a potential concern. Mussels are challenging to identify; mussels of same species can look different and a lot of different mussel species look similar. Tom Mosher, when he was in fisheries research, found regulation compliance was lacking in previous harvest reporting. There were thousands of pounds of mussels harvested that went unreported every year. There is no market for them anymore. They shifted techniques in Asia to create pearls, they have their own native material they use to produce those cultured pearls. All these things speak to the sustainability of practice and why we are proposing to replace five existing regulations related to commercial harvest, salvage and sale of freshwater mussels with a single regulation that prohibits the commercial harvest, salvage and sale of freshwater mussels. Moving forward with that and dealing with new regulation requirements at the state level. Hopefully vote on this at next meeting or two.

3. Fishing Regulations – Bryan Sowards, fisheries assistant director, presented these regulations to the Commission (Exhibit L). The first item is changes to the reference document which outlines the length and creel limits for individual impoundments that is different than statewide regulations. Full list in briefing book but will mention most notable ones. We are proposing to remove 10-inch minimum length limit on crappie at Cedar Bluff Reservoir. Instituted in 2018, based on response to poor recruitment and rapid growth. Since lake filled up in 2019 and growth has slowed, recruitment has improved, so more eight and nine inch fish competing for resources and there isn't that many 10-inch fish showing up. Proposing a 6-inch to 9-inch protected slot on sunfish at Antelope Lake in Graham County. Part of statewide research to see how these protected slots to see if regulations limit harvest enough to shift the population to larger individuals. We have seen some success over last couple of years but still getting information on how that is working. An eight-inch bluegill in a Kansas impoundment is very rare. At Pomona and Melvern Reservoirs we are proposing an 18-inch minimum length limit on saugeye, started stocking them there in 2021 and already have walleye that are protection by an 18-inch minimum length limit and due to the species identification concerns we like to keep those the same minimum length limit. Chairman Lauber – What would it take to reduce Pomona's crappie limit to 20? There are a lot of constituents commenting to me because it is close to Topeka and Kansas City and gets a lot of pressure. It may not make any difference but there is a perception that there are a lot of limits being caught there. It has been good and able to

withstand it but public is clamoring for reduced limit. Sowards – Had that at several impoundments where we get human component that is just enough outcry to make that change. Chairman Lauber – I don't think numeric limits make any difference on the species but the social benefit of responding makes people feel like something is being done. Sowards – I agree, we can look into that. Commissioner Sporer – I get that all the time, people wanting to reduce the limit from 50 to 20. Consideration might be going 20 statewide and 50 where you think it needs to be. It may not change things but so many people see people taking 50. Make sense to go 20 statewide and increase to 50 where needed. That may make more sense to the public. Sowards – There used to be unrestricted creel on crappie, doing surveys back then and changed it to 50 and it actually increased amount of crappie people took home because it gave them a target. Right now, a lot of our human dimensions stuff is showing the average angler takes home between 10 and 20 crappie or less. The thought process is that if you go from 50 to 20 someone who normally would have stopped at 15 or 16 would hang around to get that limit of 20 so, it might not have the effect you want. Back to Chairman Lauber's point, it might make more people happy so that is something we will look at. Commissioner Sporer – I have caught a limit of crappie one time in my life and that will be the last time because you got to clean them.

KAR 115-7-4. Fish; processing and possession. Change this regulation to read: (a) "Each person who takes any fish *with a statewide length limit or a water body specific length limit* from a body of water shall leave the head, body, and tail fin attached while person is in possession of those fish on the water." We added with head attached, before when taking a gizzard shad or legally captured bait and using it as cut bait for channel and blue cat fishing, technically was illegal in the language.

KAR 115-1-1. Definitions. In response to use of umbrella rigs with up to five hooks. In the past umbrella rigs were legal but could only have two hooks on them. We felt the use of umbrella rigs with five hooks is not likely to have population effects of any particular species and we haven't seen any scientific research to the contrary at this point. There have been a few issues of snagging but feel that is covered adequately in other regulations that restrict snagging as a means to capture fish and requires the release of fish that are accidentally snagged outside the mouth. First change to allow this is in definitions, KAR 115-1-1, changing definition of an artificial lure; means a man-made fishing device made of artificial or non-edible natural materials, used to mimic single prey, we took out the word "single" and added a sentence. "*Devices mimicking individual prey shall be limited to no more than three hooks, devices mimicking multiple prey shall be limited to no more than five hooks*". This would change KAR 115-7-1 also. Change this regulation to: "*Fishing lines with not more than two baited hooks or two artificial lures per line. The latter, artificial lures, shall not exceed six hooks per line.*" That would keep a person from using two umbrella rigs on one line, but you would still be able to use two crank or jerk baits with three hooks each. A treble hook is considered a single hook.

KAR 115-17-3. Commercial fish bait permit; requirement, application and general provisions. We want to add dead fish twice under part a. "A commercial fish bait permit that shall be required for harvest, sale or purchase or resale of fish bait except for the commercial fish bait permit shall not be required for *non-living, commercially packaged fish bait or the harvest or sale of anilids or insects or for purchase of anilids or insects for resale*". Exempt shops that only selling dead fish, like Walmart. That way we don't have to do commercial bait permitting at all of these additional facilities just selling dead fish.

KAR 115-7-10. Fishing; special provisions. We want to remove the term "Asian Carp" throughout and replace with silver and bighead carp to be more specific. We want to add rusty crayfish to the prohibited species list and add Lebo City Lake to the "Kansas Aquatic Nuisance Species Designated Waters" reference table due to the 2021 zebra mussel infestation. Last year, started a two-year study on crayfish sampling at state fishing lakes and found rusty crayfish at McPherson State Fishing Lake. Currently the only one we found it in out of 10 lakes sampled. This species is native to the Ohio River basin, but range is expanding west and south. Not huge concerns at this point but there are negative interactions with other crayfish species and can typically push those out of systems and create a monoculture of rusty crayfish. They can have issues with juvenile fishes if they obtain great densities. A lot of our state lakes have high volume abundance of predators, whether largemouth bass, drum or saugeye, we don't have too many concerns that they will overpopulate but jury is still out on that.

Last item is changes to trout water. King Lake-Emporia, add as a Type 1 trout water. OJ Watson Park-Wichita add as a Type 1 trout water; Wichita KDOT-East, remove from trout waters list. There are two types, type 1 water needs trout stamp to fish during season, we designate trout 1 waters in areas where trout is only opportunity during that time of year.

4. Furbearer Regulations – Matt Peek, furbearer research biologist, presented these regulations to the Commission (Exhibit M). Three changes to recommend to furbearer regulations.

KAR 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions. Proposing allowing the use of laser sights to take furbearers that are treed by dogs. Currently furbearers taken under those conditions can only be taken with hand-held battery-powered flashlights, hat lamp or hand-held lantern. The laser light would be used with a firearm, simply a tool to improve accuracy of the firearm, not used to detect the furbearer, it functions similar to a scope.

KAR 115-25-11. Furbearers; open seasons and bag limits. Other two changes are in this regulation. One proposal is to extend the general furbearer season by about two weeks by changing closure of the season from February 15 to the last day of February. There recently has been a lot of people expressing concern about furbearer overpopulation and it is true that furbearer harvest has declined in recent years due to low pelt values. This season extension will give people who feel additional fur harvest is needed additional time amounting to three and half months total in which they can address furbearer management issues. Those saying we need more trapping it gives them more time to go out and participate. The other change is to increase otter season bag limit from five to 10 otters. Associated with that is we are also increasing the bag limit from five to 10 on the Lower Neosho and Marais des Cygnes otter management units and from two to five on the Verdigris and Missouri units. I gave a presentation on otters specifically a couple of meetings ago. They are doing well and damage concerns related to otters are fairly common. An employee at Lovewell said they saw a female otter with five young, so they are pretty widespread in the state and on the increase. When they get into people's ponds, they are not too happy about it. Their impact on ponds is not always negative but sometimes it is. This is the fifth time I have presented these regulations and we hope to have a vote on these recommendations to the Commission in time for them to go into effect this season. They are caught up in the legislative review process. Once that is completed there will be a 60-day public

comment period for 115-5-1 recommendation and 30-day for 115-5-2 and 25-11. It is uncertain as to when you will have an opportunity to vote on these but we are going to keep presenting them and hopefully vote occurs in time to be enacted for this season.

5. Public Land Regulations – Ryan Stucky, public lands assistant director, presented these regulations to the Commission (Exhibit N). Talked to chief counsel, Dan Riley, about how many times a regulation gets worked. Basically, they are hung up in our external process with DofA so we don't know how many more times they will be workshopped. The four I am presenting today have been workshopped three times, so I won't go over all the details just the main points.

KAR 115-8-23, baiting. It outlines baiting and restrictions on department lands. We are recommending that we prohibit placing bait on any department lands and WIHA and iWIHA for any activities. This would not apply to licensed furharvesters that trap on public lands. Talked a lot this morning in our round table discussion on CWD and this regulation change parallels or CWD talks and trying to help slow that spread

KAR 115-8-9, our camping regulation on covering camping restrictions on department lands and waters. On public lands, state fishing lakes and wildlife areas we are seeing influx issues with vagrant homeless folks living on wildlife areas and state fishing lakes. It has caused a lot of extra law enforcement issues and is also a deterrent to our regular users. We are recommending reducing the number of consecutive camping days allowed on state fishing lakes and wildlife areas from 14- to 7-days. This would not affect state parks. Keeping track of someone who is there on our areas for 14 days is very difficult for us to do on random patrols. At state parks they have camp hosts and regular patrol. It is troubling to keep track of these folks but when they do come in and set up residence they start accumulating things and it is hindering what our vision and purpose is of these recreational areas. After talking with most of the managers around the state they all recommended this 7-day opportunity would be plenty. And we decided if someone is there wants to stay past the 7-days that manager could give them that option. It still allows 14 days with managers' approval. Along with that, when we allow these folks to come in and set up residence not for the purpose of recreating they are having some trouble in their life. Instead of enabling them and allowing them to stay there maybe they should watch closer and keep them in place where they could get that help and support from programs, so that is other aspect to that. Commissioner Cross – Is there a maximum time? Stucky – Currently 14 days, with permission from manager they can extension of another 14 days for 28 total. That is still in place for state parks. We would have at state fishing lakes and wildlife areas, 7-day and, with permission of manager, a possibility of another 7 days for 14-day total. Then you have to leave the property for five days. Mantle – Is that per individual for time limit? One family member reserves it for seven days and another family member will come along and reserve for another seven days. Stucky – Reservations are different than we are talking about. Mantle – It is still camping. Stucky – If you set up campsite you will be able to stay for seven days, currently 14 days. If a family member comes in they can camp there but if you come in and set up a campsite you would have to take your property and leave after the allotted time. Mantle – What if it is joint property? Stucky - If you bring it in you have to take it out. Mantle – They are going to try. Stucky – I have seen it all. KAR 115-8-25, this is a new proposed public land regulation to address trail cameras, game cameras or other devices. Currently, no regulation that covers trail or game camera and other devices regulation on department lands and waters. Our recommendation is that they not be allowed. Again, this applies to WIHA and iWIHA properties. Stuart, in the last three presentations, has talked about fair chase and Model of Wildlife Conservation and how

technology has grown and he has visited with folks from other states and why they have implemented these regulations. He has done due diligence with staff, managers, law enforcement and biologists in looking at this. Our recommendation is they not be allowed on department lands and waters. Schrag – Only other thing was satellite imagery as part of the regulation, subsection (b) no person shall use images of wildlife produced to transmit it from a satellite in addition to regular trail cameras. This is a new regulation.

KAR 115-8-1, public lands special use restrictions reference document. The first section is under refuges, addition to Cherokee Lowlands Wildlife Area, Perkins East and Bogner Center tracts. Daily hunt permit section, having all public land properties be in electronic check-in and check-out system. We have done trials around the state, our staff is pleased with results and rest of staff that did not have them on their properties are now requesting that they do. This is for hunting only. There would be two properties for all activities, Buck Creek and Noe Wildlife Areas. Three areas are excluded, Maxwell Wildlife Refuge, Big Basin Prairie Preserve and all state park properties. Commissioner Sill – What is penalty for being checked in but not on the property? Schrag – For instance someone checks in and goes home and forgets to check out they get an email. Commissioner Sill – I know, it took me three days to get checked out. I am thinking of people who may be hunting multiple areas adjacent to public lands and going back and forth, may be checked in but not on it at the moment. What is best? Schrag – Look at that on 24-hour basis, if going back and forth during the day we don't expect you to check out every time you cross the property line, if coming back that same day. Commissioner Sill – Can you be checked into two areas at the same time? Schrag – I don't believe so; you have to check out from one before the system will let you check into another. Stucky – Some people check in ahead of time because they don't have service or have poor service, check-in early when they have service but may not be there/ Schrag – We had a select few in the past as part of iSportsman check-in, check-out system, mostly for waterfowl reasons. If this is approved we are going statewide with this and a lot of properties. Having the new system with Brandt we will work closely with them deciding we add all properties at one time or some at a time regionally or whatever the case may be. The thought process is working with Brandt to facilitate the best implementation of this moving forward. Commissioner Sporer – Are there any penalties for not checking in? Schrag – It is a misdemeanor in our regulation and can be cited for such, however we try to take an educational approach to begin with. There could be varying reasons why they didn't or couldn't check in. what we have seen over the years is there are certain individuals that use these properties who blatantly don't want to check in so we focus on enforcement of those folks but the majority we are trying to educate why this information is so important to us. Ultimately it helps us provide better management and better decision making, not only on public lands side of things but as we talked about waterfowl issues, this data is important. Yes, someone can be cited for not checking in. Unknown Audience – Can I ask question about public ground and WIHA. If you have a navigable river, like the Arkansas River, who owns that? Stucky – I believe the Secretary of State office monitors that property. Audience – Is it okay to bait along the Arkansas River for deer? Riley – Technically we don't have any jurisdiction over it so we can't say. That is not exactly the answer to your question, but we don't control it so regulations we are talking about only applies to land we manage. Audience – Which land. Stucky – Department owned and that includes WIHA. Riley – We don't own WIHA but have control over it. Audience – so it is legal to hunt on state ground? Riley – The regulation you heard don't apply unless it is land we have control over. You need to ask whoever has control of the land, ultimately the Secretary of State's office. Schrag – We currently prohibit baiting on department lands and waters, but there

was some verbiage in the regulation that allowed people to place it prior to this. It said, “No person shall place, deposit, expose or scatter bait while hunting or preparing to hunt on department lands...” What our officers found out was that people were using that as an excuse to place bait for wildlife viewing or photography but hunting over it. So, we just made a blanket statement that you can’t bait on department lands, period.

Chairman Lauber – Public items need to be publicly heard at time published, which is this evening. Because of the aforementioned problems in Department of Administration our 30 days isn’t up today but is tomorrow morning. That is why we will have to vote on those tomorrow but have discussion today. Tomorrow morning on the Zoom call we will authorize anyone from public who wants to have any discussion on them speak. Don’t expect there to be any. The workshop item Levi has on big game permit applications, I don’t see any reason we can’t have it now rather than when we reconvene this evening.

6. KAR 115-4-11 Big game permit application - Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit O). This is big game and wild turkey permit applications. This is to address potential point creep for pronghorn. Currently, a hunter can apply for a firearm or muzzleloader pronghorn permit and get a point if they don’t draw and still be able to get an over-the-counter archery permit. We want to modify this so that they can either apply and get a permit for firearm/muzzleloader or get that preference point or they can get an archery permit over-the-counter and would not get that point if they did not draw a firearm permit. That is to minimize that due to increase of folks hunting pronghorn and also get a point. If we continually see pronghorn numbers reduce we may have to reduce some tags and this would exacerbate that. People can still get a tag and a point at the same time. This regulation would modify so a pronghorn hunter must either get an archery permit or apply for a limited draw permit. They would not be able to apply for firearm/muzzleloader and buy a preference point, or buy a preference point and purchase an archery tag during the same season.

Commissioner Sill – Do preference points have a time frame on them? In other states you don’t buy a preference point every year or apply or you risk losing what is there. Do we have requirement like that? Jaster – Yes, we have a limitation that if you do not purchase a point or apply for the draw and get a point if unsuccessful every five years you will lose points. You cannot get a point for four years but you have to do something fifth year to keep it.

Chairman Lauber – Someone who does a lot to keep the Commission informed and involved is Jason and I appreciate all he does for us. I often ask him to do something for me or send me an email for something. He is responsible for the communications that comes out to all of us Commissioners. I appreciate him. You will also notice that Delia Lister is attending her first meeting and we are glad to have her on the Commission. I think she will be a welcomed and productive member. We got to know each other over lunch today. She has a lot of knowledge about buzzards. Lister – Turkey vultures. Chairman Lauber – It is time to recess the meeting and reconvene at 6:30 p.m. We will discuss the two public hearing items tonight; however, we will not vote on them until tomorrow’s Zoom meeting. I hope we can get this resolved, but don’t know what we can do. We are stuck with slow pace that a lot of people are involved in. Dan Riley – I promise I won’t display the rant I did at the last Commission meeting; I will restrain my comments about the process and the legislature. The primary reason for our abnormal agenda on those two regs is the fact that the publication deadline for the register is on Thursday. They were submitted for publication in a timeframe that would have given us 34-35 days’ notice as of today, unfortunately at the same time the fiscal year ended, and I was not aware that the Secretary of State’s office pushes back all their deadlines to accommodate end of fiscal year.

What happened was Thursday deadline was moved back to Monday. One day makes all the difference. We have 29 days of notice on those two regulations which require 30. Fortunately, our agenda always has a next day provision built in there. I don't know when that originated but it always mentions the fact that potentially, if business is not completed, the meeting may be readjourned on the next day which is exactly what we are going to do tomorrow to allow anyone who has a day 30 comment to make that and to vote on those. Hopefully the things that caused the process to move so slowly will be corrected. Some of the pressure put on the system by forces outside of the system are causing a lot of the problem. It has always been a laborious process, the reg promulgation process has always been famous for taking a lot longer than it seems like it should. The slow-down in last few months has been problematic, for not just us, but other agencies also. Some of the agencies are having problems are some of the agencies involved in the process. The Secretary of State's office had a tremendous backlog on regulations they need to have in place for voting this week and they had problems getting theirs through the process too. It is not just us and something we hope will improve. I promise you will have a slug of regulations at the next meeting for approval, seven next time, many of the ones you have heard workshopped over and over again. We will dispatch quite a few at September meeting. Many of the ones you heard discussed today are in various stages in the process. Have a few at the Department of Administration, the public lands ones and another batch that has moved onto the Attorney General's office. Matt's furbearer regs are in stage two of the process. Typically, a batch will be entered and will move through the process as a unit but certain regulations seem to slow things down. So, I am breaking them up now and moving them through in smaller groups and consequently will have them scattered out now. I am open to trying anything to see what works best and hopefully will get it loosened up and rolling. I apologize for complicated agenda bifurcated over two days. Under the circumstances those regulations need to be heard at this meeting because of the timeframe of the seasons coming up. Levi's regs needed to be heard at August meeting so our only option was to accommodate the way we have. Chairman Lauber – At next meeting in Chanute, are you planning to have a meeting in morning as well or look at Neosho or what? Secretary Loveless – Haven't finalized that. We talked about two options. One was if people choose they could come the day before to Neosho Wildlife Area and then morning technical session in Chanute. We haven't finalized yet. Chairman Lauber – What are you proposing for the topic? Secretary Loveless – It is a turkey conversation. If that continues to be valuable sessions like this morning to the Commission, we would like to continue that. We see an opportunity to provide a lot of good information that we normally can't. If you still think it is valuable we think it is too. Turkey in morning and if people want to come early to see Neosho we have a lot to showcase down there the afternoon before. Assistant Secretary Schrag – Travis and Monte at Neosho are ready and prepared and excited to have you there. We are planning on that tour the day before and will finalize those details. Regulatory process is creating new challenges. One of the things last week is a lot of these may be voted on and passed during open seasons, after hunting regulations have already gone to print We are going to have to make a concentrated effort to get the word out on changes to the regulations. We have discussed that internally, maybe on the web page or the new Brandt app. I wanted to let you know that has already discussed and taken into consideration with this new process for getting regulations passed.

Mantle – On Native American issue, you changed it from one-eighth to one-sixteenth to have a hunting and fishing license. You said by tribal roles, why not DNA? Chairman Lauber – We don't do DNA. Mantle – You can get tests and have DNA done. Chairman Lauber - If on tribal

role they have made that determination and we didn't need to second guess them. Dan Riley – The change was made for consistency standpoint because we found the tribal roll conducts the determination and no one is on the tribal roll unless they meet that criteria. So, rather than us trying to determine somebody's lineage and percentage, we rely on tribe's determination.

**VII. RECESS AT 4:08 p.m.**

**VIII. RECONVENE AT 6:30 p.m.**

**IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS**

**X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**

Lynn Bixler – Glen Elder, fishing is poor, guide services has ruined lake on catfish. The guides pour soybeans in the lake, bring in pontoons with 8-10 guys on them and last week they pulled in 900 catfish the guide told me. They have 3-4 pontoons at a time doing this. These chum piles are all over the lake. This needs to be stopped. I fish at Milford, a guide there on blue catfish and channel catfish but no baiting. A lot of fish there. All you can catch at Glen Elder is drum, depleted catfish and can't get on the rivers up here anymore, they put posts out. I am 70 years old. Like to fish the river too. Boulder Park boat ramp is completely shot, have to be careful how you drive on it because the middle is out of it. Walleye fishing is poor, just like Cheney and other lakes, catch them when they are spawning and don't have good walleye like we used to. Daughter and son-in-law from Minnesota says you can't fish when spawning. I am a catfish fisherman. Caught a lot of whitefish at Milford on the Republican River, caught four and we let them go. Caught 40-pound blues at Milford and we turn them back. From one to 24 we can eat them but bigger ones have to be turned back. Glen Elder has no rules on any of this chumming. Guides have their own houses they put people in and come up give them \$125 to \$150 a day to fish and come home with a sack of fish every day. I don't think that is right. Chairman Lauber – Our biologists will review that. Bixler – I just want you to realize what is going on, there is 8-10 cars parked up there every day to go fishing. Guy at marina used to be a guide too. It is a chummers lake, so fish caught out of there. Think about this. It is like fishing in a rain barrel, drop line with a little cheese, or soybeans in this case, and you have them in the boat. Not the way to fish. Like hunting up here, get pheasants for \$10 to \$15 a piece, put them in a clump of grass and dogs sniff them and you shoot them, not very good. I wanted to bring to your attention. Chairman Lauber – Thanks for your input.

**VI. DEPARTMENT REPORT**

**D. Public Hearing**

Chairman Lauber – We will hear public hearing items now and vote tomorrow.

*Notice Form (Exhibit P).*

6. KAR 115-25-9a Deer; open season, bag limit, and permits; additional considerations; Fort Riley (military subunits) – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit Q).

Fort Riley is asking for adjustment of dates for their rifle season, same number of days as usual. Firearm season dates are November 25-27, 2022, December 17-23, 2022, and December 26-27, 2022. They are only going to allow one antlerless permit for whitetail deer at the Fort. Has asked for additional archery days, September 1-11, 2022 and January 1-31, 2023 for those individuals authorized by the Fort, typically those individuals who are going to be either deployed or coming back from deployment. They want to close the pre-rut season and replace that with additional youth and people with disabilities, from October 8-10, 2022. They will be closed for extended firearm antlerless-only season in January.

Fort Leavenworth has requested the firearm season, November 12-13, 2022, November 19-20, 2022, November 24-27, 2022, December 3-4, 2022, and December 10-11, 2022, again the same number of days. They would like to be in the longest extended firearm season, January 1-22, 2023. Also, participate in extended archery season, in Unit 19 from January 23-31, 2023, for antlerless whitetail deer; and want to be able to use up to five whitetail antlerless-only permits in their subunit 10a.

Smoky Hill has requested to have same season as statewide deer hunting seasons as set in KAR 115-25-9 and they want the five, whitetail deer antlerless-only permits, same as Unit 4.  
Chairman Lauber – We will vote on this tomorrow morning.

2. KAR 115-25-20. Sandhill crane; management unit, hunting season, shooting hours bag and possession limit and permit validation – Richard Schultheis, migratory game bird biologist presented this regulation to the commission (Exhibit R). This is straightforward change to this regulation and has to do with sandhill crane. The only change to the regulation is on the second page. Changing wording of that requirement for the annual online sandhill crane identification examination to be completed before hunting versus before you purchase the tag. This primarily has to do with our new system and online system and online purchasing of permits and it makes sense to make requirement before hunting, which was the intent of the regulation before.

Chairman Lauber – We will vote on this tomorrow.

## **XII. OLD BUSINESS**

## **XIII. OTHER BUSINESS**

### **A. Future Meeting Locations and Dates**

Chairman Lauber – Our next meeting date is in September in Chanute. Our next meeting date is actually tomorrow at 9:00 am. Commissioner Escareno – We are having a pre-meeting the day before? Chairman Lauber – That is our intent, yes. Secretary Loveless – We will go to Neosho Wildlife Area, so we will get that information out to you.

*September 8, Chanute, Holiday Inn Express*

*November 17, Colby, Colby Event Center*

*January 12, Wichita, Great Plains Nature Center*

#### **XIV. ADJOURNMENT**

Adjourned at 6:44 p.m.