

AGENDA
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING AND PUBLIC HEARING
Thursday, October 26, 2006
Neosho Community College
Auditorium, Sanders Hall, 800 W. 14th St., Chanute

Breakfast and Tour at Safari Museum, 11 N. Lincoln, 9:30 am; and lunch is on-your-own but space for about 15 people is being held at Opie's Pizza and Grill at 122 E. Main for anyone interested.

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE August 17, 2006 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. Proposed Legislation for FY 2007 Legislative Session (Chris Tymeson)**
 - 2. FY 2008 Budget (Dick Koerth)**
 - B. General Discussion**
 - 1. Commissioner's Forum Report (Robert Wilson and Frank Meyer)**
 - 2. Commissioner Permits (Keith Sexson)**
 - 3. Status of Deer Working Group and public comment (Mike Miller)**
 - 4. Quail Research Project and SE Kansas Quail Initiative (Tom Glick/Justin Harbit)**
 - 5. Fall Turkey Season (Jim Pitman)**
 - 6. Deer Regulations – 115-25 series (Lloyd Fox)**
 - 7. Recommended Recreational Trails Grants (Jerry Hover)**
 - 8. Kansas Paddlefish Project (Tom Mosher/Sean Lynott)**
 - 9. Marais des Cygnes – Waterfowl Area and National Refuge (Karl Karrow, WA Mgr and Ryan Frohling, National Refuge Mgr)**
 - C. Workshop Session**
 - 1. Big Game Permanent Regulations (Lloyd Fox)**
 - 2. KAR 115-18-10. Add white perch and edit big carp in prohibited species list (Doug Nygren)**
- VII. RECESS AT 5:00 p.m.**

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

1. **KAR 115-2-2. Motor vehicle permit fees (Jerry Hover)**
2. **KAR 115-2-3a. Cabin camping permit fees (Jerry Hover)**
3. **KAR 115-16-5. Wildlife control permit; operational requirements (Kevin Jones)**
4. **KAR 115-25-6. Turkey; spring season, bag limit, permits, and game tags (Jim Pitman)**

Senate Bill 578 (Items 5 & 6)

5. **KAR 115-20-5. Dangerous regulated animals; primary caging requirements (Kevin Jones)**
6. **KAR 115-20-6. Dangerous regulated animals; registered designated handler (Kevin Jones)**

Fishing Regulations (Items 7 – 15)

7. **KAR 115-7-8. Bass fishing tournament (Doug Nygren)**
8. **KAR 115-18-20. Tournament bass pass; requirements, restrictions, and permit duration (Doug Nygren)**
9. **KAR 115-18-12. Trout permit; requirements, restrictions, and permit duration (Doug Nygren)**
10. **KAR 115-18-18. Hand fishing permit; requirements, restrictions, and permit duration (Doug Nygren)**
11. **KAR 115-18-19. Paddlefish permit; requirements, restrictions, and permit duration (Doug Nygren)**
12. **KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season (Doug Nygren)**
13. **KAR 115-7-1. Fishing; legal equipment, methods of taking, and other provisions (Doug Nygren)**
14. **KAR 115-7-4. Fish; processing and possession (Doug Nygren)**
15. **KAR 115-2-1. Amount of fees – Tournament Bass Pass and Paddlefish Permit (Doug Nygren)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on October 26, 2006, to reconvene October 27, 2006, 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, January 11, 2007, at Winfield.

**KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING MINUTES
Thursday, August 17, 2006
Pratt Community College, Pratt, Kansas**

Subject to
Commission
Approval

Department staff and Commissioners toured KDWP Headquarters, the Education Center and the Pratt Fish Hatchery in the morning.

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

The August 17 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Jim Harrington at 1:30 p.m. at the Pratt Community College Auditorium, Pratt. Chairman Harrington and Commissioners Kelly Johnston, Gerald Lauber, Frank Meyer, Doug Sebelius, and Shari Wilson 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

Moved "Secretary's Remarks" item number one, "Economic Study of Development around Federal Reservoirs" to the October meeting in Chanute.

IV. APPROVAL OF THE June 29, 2006 MEETING MINUTES

Commissioner Meyer – On page 5, paragraph 4, change "the" to "they". Commissioner Meyer moved to accept minutes, Commissioner S. Wilson second. **All approved.** (Minutes - Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Rick Dykstra, Geary County Convention and Visitor Bureau – I am speaking on a subject that will be covered this evening but I am unable to be here tonight. Packets provided to Commissioners include: Geary County CD; Big Red One information; and "Fishing Tournaments in Kansas" handout (Exhibit C). Dykes talked about the Bass Pass program and how Geary County and Travel and Tourism are trying to bring regional and national fish tournaments into our state. Geary County and Milford State Park have hosted national walleye championships as well as national bass tournaments and in 2007 are going to host Cabela's King Kat National Championship, a catfish tournament. We applaud the bass pass, but we want a walleye pass and a catfish pass. We want considerations too, what is good for the goose is good for the gander. We want to stop the flow of bass tournaments from leaving the state too, but we want to bring in other tournaments also. We hold our tournaments in the state park and bring in revenue for the state as well as the surrounding area.

Cris Coller, Great Bend Visitor Bureau, announced that the Kansas Wetland Education Center at Cheyenne Bottoms will have its groundbreaking ceremony on Friday, October 27 at 10:30 with lunch to follow. The Commissioners will be receiving invitations at a later date.

Keith Houghton, owner of Ringneck Ranch CSA and President of Kansas Sporthunting Association - I have a problem with the new license sales. There are several spots in the online process that can fall

down where we would not have service to sell a license. Whether it is the online system that goes down or a power outage either could cause big problems. We have about 1,000 guests who do about 2,000 hunter days a year and if I get a new guest in the evening and take all of their data and I can't issue him his license because of one of those reasons, how do we handle that situation? I am looking for an alternative, a way to issue a temporary license that would be good until the permanent license is printed. Chairman Harrington – Personally I don't think that is an unreasonable demand. The department will look into that. That is one of the things that have to be addressed in the future. Houghton – I wrote a letter a couple of months ago, but I forgot to bring copies, but I think we can come up with something that is reasonable and manageable.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. FY 2008 Budget – Dick Koerth, Assistant Secretary of Administration, gave this report to the Commission (Exhibit D). The details of the request will be provided at the October 26, 2006 Commission meeting. When we started in February we were trying to decide what to build our budgets on. We started with the amount we were anticipating and we circled back and regrouped and decided how to spend the additional funds. The State General Fund (SGF) is used to fund a large part of the parks program budget and is also used to support portions of administration. The SGF allocation for the department was set at \$8,778,960, a slight reduction from the FY 2007 approved amount (\$9,046,303) but larger than anticipated, which is approximately the same level as FY 2007. The department will use a portion of the SGF allocation to increase the request for Parks Major Maintenance projects from \$375,000, as submitted on July 1, 2006, to an amount not yet determined but could be approximately \$1,700,000. The FY 2007 approved amount for Parks Major Maintenance projects was \$2,250,000. The additional funding will be used to increase amounts for utilities, supplies, and capital outlay such as trucks and tractors. In addition KDWP will have a larger amount of Wildlife Fee Fund to expend than previously estimated. The actual receipts to the Wildlife Fee Fund for FY 2006 exceeded estimates by approximately \$2.9 million and we expect this trend to continue and be available in FY 2008. KDWP will maintain a minimum balance of \$6.5 million in the Wildlife Fee Fund. With these increases, the department anticipates maintaining the current level of services with enhancements that have yet to be finalized. Such enhancements could include additional land acquisition funding, increased funding for WIHA, expansion of the Archery in Schools program, and new land acquisition programs to provide buffer zones around state parks and a KDWP marketing program in conjunction with the State Division on Travel and Tourism. The department will request funding to continue the half-price park vehicle permits for calendar year 2008. The FY 2008 budget is to be submitted on September 15, 2006 and will continue to use current sources of funding. The department will also request a dedicated funding source for the operations of state parks. This will not be included in the budget request but will be discussed with the Office of the Governor and the Legislature during the 2007 Legislative Session.

Commissioner S. Wilson – I would like to express my support for including marketing funds in the budget. With state Travel and Tourism starting on their new plan this will let the department be an active partner.

Commissioner Sebelius – I see we are working on promoting dedicated funding again, what is best chance of making inroads? Secretary Hayden – If we look at legislative history over the last several years; last year two senators came forward and passed a bill that gave the parks the use of unused lottery funds. That passed the Senate 37-3 and the Governor before the Omnibus bill ran. However, the House did not vote it down, they just never voted on it at all. Dick is working on the numbers to see what percentage of the lottery it would be if they were to dedicate part of that to fund the parks and not take away from any existing programs. The lottery has been producing \$15-\$17 million a year more than what is dedicated. That money goes to the general fund, in one sense we would be reducing general fund amount, but the general fund is very healthy right now and it is estimated that by July 1 we will have \$750 million in the general fund. We hope we will be able to convince the budget director that was

a good idea and have the Governor endorse it again in her budget message. We would then come forward with a similar proposal to what was passed by the Senate last year. Commissioner Sebelius – Do you think if we had an earlier start it would have had a greater chance of success? Secretary Hayden – That would be helpful and we will have a new Speaker of the House and probably a different chairman of the Ways and Means Committee, depending on the speaker. We have an opportunity to present it to some people who have never voted on it before. If we could start at the beginning of the session and have the Governor’s endorsement from the beginning it would increase our chances greatly. The House always says they want to do something for the parks and this is that opportunity. Commissioner Sebelius – We hope you can get it passed.

Secretary Hayden – All of you know how much we struggle with land acquisition, but we have never had any money in the budget to protect the parks. Just this last year we had a developer buy 20 acres of land that is surrounded by a park and the only access to it is the current park road. They are going to want to run water and sewer and use the park road to access that property. We are not against development but when that development begins to impact negatively the natural resources in the parks and the public’s experience in those parks then we are greatly concerned about that. For the first time ever we are going to ask the legislature for money in the budget to protect the parks when these land acquisition issues come up so we have the ability to compete and try and buy those properties to protect the parks. Commissioner Meyer – While we are on the subject of parks and development around parks, currently when we purchase land we continue to pay property taxes and I am talking to some legislators and putting forward the idea that as development happens around the parks and taxes are being paid on private land that amount of development ought to be taken off the amount we’ve got to pay because it wasn’t there before. This would be a source of money, these tax savings to protect the parks. I think it is ridiculous we are paying taxes on public land, particularly when that public land is attracting new development and increasing the tax base of the area. Secretary Hayden – We certainly have several examples of that very thing happening where once we develop a park you can go down the list of the people who move as close as they can to the park boundaries and develop subdivisions. They not only do it on the parks, but on state fishing lakes and a number of our properties such as wetlands because essentially they get a 500-acre backyard. Commissioner Meyer – They have to realize that tax base wouldn’t be there if we weren’t there, so why are we paying taxes on public property?

B. General Discussion

Status of Deer Working Group and public comment – Mike Miller, special assistant and Task Force Chairman, presented this report to the Commission. A quick update on where we are with the public meetings. Lloyd and I have conducted 10 meetings since August 1 and have had good attendance; (Medicine Lodge - 66; Wichita - 95; Winfield - 32; Salina - 56; Colby - 23; Phillipsburg - 27; Hays - 35; Seneca - 32; Topeka - 38; and Kansas City - 70). We have good attendance and good involvement from the public. Our recommendations have met with mixed reviews, as we expected. The comments have been varied, but not much different than what we got prior to the meetings. It depends on the mix of constituents. We have had good support from the Commissioners and at least six legislators have attended. Most of the Task Force members have been to at least one meeting as well. Most of the common issues are: more leasing; if we open nonresident permits in the eastern part of the state we will increase the number of permits we sell dramatically; loss of hunting opportunities; concern about reduction in the number of trophy deer; increased poaching; increased competition for hunting spots. What we heard initially from people who called or emailed isn’t consistent with what we are finding at the meetings. The two units haven’t been as supported as we expected it to be and there are concerns about concentrating hunters in one or two areas. I have taken down all of the comments we have received and all of the Task Force members will get a chance to see to see them. We have had an increase in emails, phone calls and blog comments, so people appreciate the opportunity to provide their input and I have assured them that the Task Force will review comments before recommendations are made to the Management Team, Commissioners and Legislature. Right now we have four meetings left, Garden City; Iola; Emporia; and Independence. The best meetings have been the meetings where we had

the best variety of constituents there. I expect the Task Force to begin meeting on a regular basis after the public meetings are complete. Chairman Harrington – The lack of correlation between public opinions and emails is the same for us on the Commission. Miller – Lloyd completed a hunter opinion survey in July and he got a really good response. At the meetings I present the recommendations as we gave them to the legislature in February and Lloyd gives them a brief rundown on how the hunter survey came out. There were some things in there that surprised us. We still want to survey landowners that aren't in our database and non-hunting public. Commissioner Johnston – What is the time table for developing final recommendations and taking them for approval? Along those lines, is this something the Commission is going to be voting on before final recommendations go to the legislature? Miller – The Commission is going to be involved. There is going to be some statutory changes that we would hope to give the Commission more leeway in setting certain regulations. This January would be the earliest we could go for any legislative action and we won't be able to get any of that in place until the 2008 season. It will be a combination of Legislative and Commissioner action. I'm hoping we can simplify the statutes to the point that the Commissioners will act as the agency that sets regulations. Commissioner Johnston – You anticipate you will bring this to us before you take it to the legislature? Miller – Yes. Commissioner Lauber – What I thought Kelly was asking is will we vote on a proposal or will we be advisory in nature? Will there be some things we vote on certain things we won't? Secretary Hayden – You don't have to vote on any pending legislation. This all started when the House Committee asked us to look at the deer statutes and regulations, hold public hearings and come back with suggestions. It doesn't require any vote of the Commission to introduce legislation. The idea would be that we would hold the hearings, clearly inform the Commission of what our thoughts were on pending legislation. The legislature then will debate, and possibly amend, any legislation we put before them. Once they do that, which we hope will be in the 2007 session, then the actual rules and regulations, to implement those changes would come before the Commission and you would act on those during 2007 for the 2008 season. You will be voting on any regulatory change which would be precipitated by the final outcome of the legislation that they might pass. We will introduce legislation and we will lay out our reasons for it and what general issues we think it addresses. We know that can be a risky process because any committee or the House or Senate floor can amend that legislation and the Governor can veto it if she is not satisfied with the legislation. We do want to meet the mandate of the Chairman of the House Committee to hold public meetings and come back with suggestions to modernize and simplify statutes. We only have one more public meeting before the beginning of the legislative session, which is October. We probably won't have that legislation ready before then, but will give you a copy and give you a chance to give us feedback before we would ask that the bill be introduced. We will have a meeting in January and hope that we would have that bill (or several pieces of legislation) introduced and ready to discuss. Commissioner Lauber – That answers some of my questions. I was at the Topeka meeting and Lloyd and Mike conducted the meeting quite artfully and sometimes with great patience. It was full of controversy and there are a couple of items that are going to have a visceral reaction by a lot of people -- what to do with the nonresident permits. I was somewhat surprised at the amount of passion that seems to go along with this, although it is not always laced with logic and I am just trying to figure out which way some of these regulations are going to go. Secretary Hayden – I think we can expect it at all levels. Remember that it was the legislature that 1) created nonresident hunting for deer; 2) created transferable permits over the objection of the department; and 3) created archery units over the objection of the department. We are fully aware of the legislative process and how it works and we know that these things can change very rapidly. We know that when we go in with a bill there is very little likelihood that it will come out 100 percent intact when it finally reaches the Governor's desk. It might even go back and forth two or three times during the process so there is an opportunity to change a bill five times in that process before it goes for the Governor's signature. Each side of these issues will have their day, but we hope to have public policy that is in the best interest, that we can administer in a reasonable way and is biologically sound. Commissioner Lauber – I think the manner we are conducting the public meetings accomplishes a sense of fair play and will help make acceptance a lot better. I am reminded of an old saying, "There are two things a man should not see made, law and sausage". Chris Tymeson, Legal Counsel – The deer statutes are in several layers and the specific recommendations of

the Task Force are not going to be in statutes. It is my intention to remove several sections as I do the drafting which then places the flexibility back with the Commission to make those decisions. So there wouldn't be a need to approve any sort of legislation, it would be a more broad-based approach.

Commissioner Johnston – I would hope that the final recommendations that are presented to the House Committee are recommendations that the Commission supports. Since we won't be voting on it I hope there is a timely way to gauge Commission support.

Secretary Hayden – We certainly will get feedback. It is important to remember what Chris just said, our goal is to introduce as generic legislation as possible that gives the Commission the greatest regulatory authority. To introduce a framework that would allow you Commissioners to make as many decisions as we can. Right now we have legislative mandates that tie your hands and certain things like transferable permits are in the statutes and you can't abolish them even if you wanted to. We want to get the power where it belongs, with the Commission.

Commissioner Meyer – I concur with Gerald about the way Mike and Lloyd run these meetings. I was proud to be a Commissioner. I think we've got our work cut out for us and that all of us pull together because there will be things in there that not all of us like, not everyone is going to be happy with everything. We have a hodgepodge of contradicting overlapping legislation that is a real mess. We need all of us working with our local legislators and educating them because it always amazes me that those legislators who know nothing about hunting and parks will, at the spur of a moment, vote for something that is totally ridiculous.

Chairman Harrington – If any of you are afraid you won't have enough time on deer management issues, by this year next time we will be up to our ears in it.

2. Update of Hunter, Bowhunter and Furharvester Education Program – Wayne Doyle, hunter education coordinator, presented this report to the Commission (Exhibit E). I will not be giving you a PowerPoint presentation as I am having technical difficulties with my computer. I would like to introduce Monica Bickerstaff, assistant hunter education coordinator and Bowhunter/Furharvester Education Program coordinator and Stacy Hagemen, our administrative assistant. The law was amended last year with 2005 being the first year of that, it now reads that anyone born on or after 1 July 1957 must have hunter education, except those under 16 may hunt with an 18-year-old adult without Hunter Education. There are no military, law enforcement or any other exemptions. We accept state certification from other states. No one under age 11 may be certified and no one under 12 may hunt alone, but 12 to 15 year olds can hunt alone if they are hunter education certified. Bowhunter education is required for anyone under 14 to hunt big game and the law authorized us to have a crash course for nonresidents. Recruitment and retention was one of the primary reasons that this law was amended. The idea being that a lot of younger folks have so many activities that keep them busy and to ask them to go through 10 or 12 hours of a hunter education course to go out and find out if they wanted to hunt didn't seem to be working. That part of it is too early to tell, we have just had calendar year 2005 with this law and there is no way to see if we have increased the number of people in that age group. There is no license required for them. The graduates from the hunter education program are down 45 percent. The general public is positive and they like the idea that this age group can be out with their parents or responsible adult learning to hunt. The hunter education instructors on the other hand are not quite as excited about it. They saw it as a decreased emphasis on hunter education, but they have gone along with it pretty well. The one good thing is that the average age of students is gone up from 11 to 13. One group that is not happy with the law is the bowhunting community. We ended up with the strange fact that a 10 year old can go hunting with a high-powered deer rifle without hunter education but the same 10 year old can not go deer hunting with a bow without bowhunter education. The crash course that was authorized is for nonresidents only and is a shortened version of hunter education. The current law requires a 10-hour minimum course, so in order to have this we had to get statutory authority. The individuals take the International Hunter Education Association website course and then come meet with one of our instructors at a scheduled time for three hours to get a temporary card that is good only until essentially the end of the next pheasant season. It is only good in Kansas and is not recognized anywhere else. We only had about 20 people do that last year. I have been asked if it was worth doing and I think it was new and people didn't know much about it. A lot of people called about it, but when they found out it wasn't permanent decided to get something in their own state and that isn't a bad thing. When I

talk about hunter education I talk about the basic Hunter Education course we all know, Bowhunter Education and Furharvester Education, all rolled in together. All of those are run by volunteer instructors, and we can't do any of this without those folks. When people start telling you there aren't enough classes, keep in mind that the primary class time is August through October and then again in early spring because there is no demand any other time. Since 1973, when the law came into affect we have certified 456,000 plus people, approaching a half-million people in our 33 years. We have been averaging 12,000 to 13,000 people a year, 900 of our 1,500 instructors teach one or more classes a year and we have about 320 classes. Since the new law, in 2005, 850 instructors taught 275 classes to 6,700 students, but I am hoping to see a bump up in that but it is too early to tell. A way to measure whether a hunter education program is successful is hunting accidents. In 1972, the year before we started this program, there were 46 accidents, five of which were fatal. In 2005, there were 20 accidents, none fatal. We have gone up and down and there was a change in the law in the late 1970s or early 1980s where accidents had to be reported by medical personnel so we had a big jump then, but numbers and the severity of the accidents are going down. The most common accident in Kansas is swinging on game -- more than half -- and it's usually not severe because the victim was 60-70 yards away. The most unlikely thing to happen is being mistaken for big game, because of hunter education and wearing blaze orange while hunting. Hunting accidents are not news because they are so common, but because they are so rare. They just don't happen. You more likely to be hit by lightning. I don't keep track of heart attacks, broken bones or cuts or bruises because they are not reported as hunting accidents. Tree stand accidents count but unless somebody is injured by their bow or their gun we may not hear about it. What is hunter education up to these days? The emphasis has shifted from safety to being a responsible hunter. That doesn't mean we deemphasize safety, but you can't be a responsible hunter without being safe. We spend a lot of time talking about the laws, why they are there and why you need to obey them. The ethics and responsibilities these individuals have to themselves, the resource and the general public. We have made a great effort to use modern educational tools like audio visual systems and are trying to improve the professionalism of staff and volunteers. We have 20 audio visual systems out now; hunter education trailers, including basic hunter education program, 14 of those; five bowhunting trailers that have just gone out; and shooting trailers that belong to both the hunter education and the Pass It On programs. We have quality firearms, ammunition and targets and the laser shot hunter simulator, which a lot of people refer to as a game, but that is an electronic shooting scenario set up in Room 36 and we can show you that on break this afternoon. It is a superb tool and we use it for both recruitment and retention and we use it for hunter education classes. About one-third of our classes last year had an opportunity to use the laser shot and it was used at recruitment functions such as boat show events, county fairs and Pheasant Forever banquets. In all about 25,000 to 30,000 people a year have an opportunity to use that. They see how to handle a firearm properly; it shows them where to shoot; puts people in shoot, don't shoot situations; and we actually use it to teach shotgun shooting. There is no such thing as a hunter education course on the internet where they get a card at the end. We use the internet for two things, for the crash course and as an introduction to hunter education. The International Hunter Education Association has the course that we use available on www.IHEA.com and they call it "Introduction to Hunter Education" and it is a great tool for reviewing and for kids who are going to be taking a class. On the class that uses the internet, we give four hours credit towards that 10-hour class that the law requires. One of the pieces of software we have is called HE tools for instructors which was a game called "The Hunting Game" which was found a by a couple of our instructors. They found pieces in that game that would be great examples in a hunter education class, but you had to play the whole game to get to that spot or had to be really computer literate to bypass everything. They got a hold of the company and asked if they could give us some shortcuts and one thing lead to another and now we have this thing called HE tools which is designed for instructors. It graphically lets things happen instead of an instructor having to stand in front of the room and talking about different parts of the shotgun, you can have something in front of the class on screen; or on how to load a shotgun; how to use pin sites on a bow; or what happens when you move the rear site on a rifle, for example. We got unlimited license to make as many copies as we want for our instructors, but other states have to pay to do the same thing. The Kansas Hunter Education Instructor Association started about six years ago and

they pay for things that I can't. They have just purchased three Crossman pellet ranges that have Kevlar sheets around them that could be set up inside a room and be perfectly safe and they travel around the state. We have been working with advanced hunter education classes, which is basic bird hunting; basic hand gun hunting; basic black powder hunting; etc. We have done them on waterfowl, deer, varmint calling and a few others and have a number of those scheduled for this year. Monica is working on getting hunter education in the schools and she has had a number of meetings and we have given presentations to educators at various conferences with the idea of getting some form of the hunter education program into the middle schools. We hope to have schools enrolled by next fall. There are some schools already doing that, but hope to have more. Under professional improvement, we are doing a lot of instructing on techniques of how to instruct at a class. Commissioner S. Wilson – Is there any part of state where we are having more success getting hunter education in schools? Doyle – Schools that have done it in the past range from Tonganoxie to very small rural schools, about 20 schools around the state. We are hoping to get it in a broad range of schools through this program Monica is working on. Commissioner S. Wilson – Is it part of the physical education program or after school programs? Doyle – We hope to have it part of physical education. Monica is working to make the educational standards that are out there for physical education to find the parts of hunter education that match that. It is not an after school program, but part of the curriculum.

3. CFAP and FISH Update – Jessica Mounts, CFAP coordinator and Kyle Austin, fish management specialist, presented these reports to the Commission. (Exhibits F, H).

Mounts – (PowerPoint – Exhibit G) Community Fisheries Assistance Program objectives are to strengthen partnerships with cities; counties; and local governments to reduce barriers to fishing; remove fees; improve public access; enhance fisheries management by providing incentives to communities to improve fisheries through fish stocking; habitat assistance; and population monitoring. CFAP locations include over 200 lakes in 130 communities and have improved access in over 12,000 water acres. The program has removed additional fees and improved access. Fishing is allowed from a boat or from the shore with only a Kansas state fishing license. Funding is provided by federal excise taxes on fishing equipment. We did a program evaluation by sending a questionnaire to participating communities and we had a 90 percent response. Comments and results were used to make program improvements. Of the district fisheries biologists who were sent the questionnaire we had a 100 percent response. Comments from cooperators included: appreciate the quarterly newsletter; difficulty tracking user numbers (provided scientific creel data collection procedures to communities); pleased with the program; some enforcement issues (clarified roles of the community and department in enforcement); thanks for a great program; and more information on program specifics (re-designed reporting form and quick-reference sheet provided). District fisheries biologists reported: 28 percent increased fishing pressure; 17 percent adjusting management techniques to accommodate increased pressure; 88 percent positive effects of the program; 22 percent negative effects of the program; and 78 percent positive comments about the program from anglers. The fisheries biologists comments included: anglers appreciate lower costs and are more willing to try new lakes as well as fish more often; some anglers reported concern about the possibility of increased pressure (biologists monitoring populations by sampling and adjusting specific creel/length limits for each lake to protect the population); noticeable improvements on property maintenance by cooperators (mowing, access, and trash pick up has improved); and more local ownership and pride in the lakes. The next steps are to utilize similar questionnaires in coming years to evaluate improvements made to the program; plan an angler survey to contact the anglers directly on their opinions of the program; and continue to track number of anglers purchasing a Kansas fishing license and new angler recruitment.

Austin – I want to acknowledge Jessica and the work she has done on the CFAP program. As a temporary employee with no benefits she has done a heck of a job and I want to recognize her. (PowerPoint Presentation – Exhibit I) The goal of the F.I.S.H. program is to increase public fishing opportunities in cooperation with private landowners. It was patterned after the very successful Walk-in-

Hunting Access (WIHA) program. This was a pilot program established in 1998, and was accepted as a federal aid program in 1999. KDWP leases private waters from landowners for public fishing from March 1 to October 31 according to the number of water acres enrolled in impoundments, or the length and quality of the streams. Almost anyone who owns or leases streams, ponds or lakes can lease their waters to KDWP -- resident and absentee landowners; tenant farmers; and estate and trust managers. Waters need to be available from March 1 to October 31. We do lease a few on a year-round basis with a 20 percent increase in payment. KDWP pays \$40 per acre for impounded waters, \$1,000 a mile on Class I streams; \$750 a mile on Class II streams; \$500 per mile for Class III streams and stream access sites are negotiable -- \$100 per acre on larger sites and \$200 on smaller sites and \$1,000 per acre on navigable rivers (Arkansas, Kansas and Missouri). KDWP provides signage; mows and gravels parking areas; portable metal fence and cattle guards; periodically patrolled by COs; fish stocking for multi-year leases; and provides an atlas for anglers. In 2006 we had 42 counties, 1,322 acres, 128 ponds, 102 stream miles and 2 stream access sites. We are falling a little short of our goal, but are remaining stable at about 1,300 acres.

4. Intro to Department Website – Jon Henry, web project manager, presented this report to the Commission. Jason Dickson is our lead programmer on the website and is my computer operator today. As you can see from the programs presented, the agency has a lot of information that needs to be relayed to the public. That was one of our biggest challenges, to build a website capable of doing that. Our website, about two years ago, had about 400 pages of information and it currently has about 9,000 pages. We used to get 200,000 to 400,000 page views a month and currently we get two million to three million a month. We have over 1,000 documents available on the website. Our monthly visitation was about 40,000 to 50,000 visits a month and now is about 400,000 to 500,000 a month. A few years ago we had a part-time person that managed the entire website, currently the website allows for 170 different employees to have access and input to the site. I want to run through that process and show you some of the technology we have been able to implement to relay this information to the public. Jason will log in as one of our state park managers and demonstrate how a state park manager can update their news. All of the changes are made under the edit and then submitted and then it is sent for publishing. We have a tiered server setup where our people log in and make their changes and at the end of each day Jason is in charge of moving that information from what we can review as an agency up to where the public can see it. So whatever changes have been made during the day can be seen by the public that night. A park manager can change information or add a facility and that information is immediately in automated fashion and relayed to maps and documents on the website, such as GPS locations and other information about the facility. One of the newest things on the website is the mapping capability. We have done a mash up (in computer terms) with Google maps and we take the information we have on our website and combine it with what Google offers as a map. We can show all of the park facilities on a map with all the roads and everything that is there and we can zoom in and out so we can see how to get there or zoom in on the individual things in the park. There is also a box for directions that you can click on and put in our address and get driving directions from your home to the area you are going to visit. You can scroll around the park without having to reload different pages because the maps are loaded to your computer when you open them. We can also go to the hybrid mode, which adds a satellite image so we can see the overlay of the roads. There is another new feature called RSS feeds or news feeds which has been around for a few years, but just recently has come to the forefront where individuals can use it and take advantage of it. A lot of the portals, like Google, Yahoo or MSN have offered readers service that you can customize within your portal. Whenever we have news, like weekly news releases or any of the web news articles on our site, we can create an RSS feed file and all of the services out on the internet can attach to that file and see what is new on our site within 30 minutes. You could actually be notified that there is something new on our site without going to the site to find out. We have six feeds going right now and two main feeds that have all of our news in them. We have all of the web news and agency news releases that take place once a week are fed out there. They can see the title, how old it is, the summary, and anytime there is an update it pops in there. We have had it for quite a while, but there hasn't been a lot of public response to it, we only had about 30 or 40 subscribers that picked up our feed

until the last two or three months. In June we had 185 subscribers, a big increase because of the availability of easier to use feed readers. One of the services that we use, called feed burner, now offers the ability for us to send that news out to you in your email. What we did was consult with our web team internally yesterday and put a form out there where you can submit your email address to us and anytime we put any new news on the website it will be sent to you in your email. I wasn't sure this would be popular, but overnight we had five subscribers and we haven't really stuck it out there yet.

Department Role in Avian Influenza Monitoring – Helen Hands, wildlife research biologist, presented this report to the Commission. Avian influenza is a hot topic in the news, especially since earlier this week there was a positive test for a low pathogenic H5N1 in Michigan. (PowerPoint Presentation – Exhibit J) I will talk about: how wild birds fit into avian flu; what the department's role is in dealing with avian flu; and if hunters or other rural residents should be concerned about avian flu in migratory birds. There are three types of flu: avian; pandemic and seasonal. Avian flu is caused by avian influenza viruses, which occur naturally among birds. There are 144 types, of which H5N1 is just one. To date about 238 people have been infected and 139 have died from H5N1. So far, the virus has not acquired the ability to easily spread from person to person. Once that happens it becomes a human influenza virus. The pandemic flu is a virus that causes a global outbreak, or pandemic, of serious illness that spreads easily from person to person. Currently there is no pandemic flu. Seasonal flu is a contagious respiratory illness caused by influenza viruses and has no bird origins. Every year in the U.S. has about five to twenty percent of the population get the flu. More than 200,000 people are hospitalized from flu complications, and about 36,000 people die from flu. Avian influenza is a natural occurrence in wild birds, as much as 30 percent in late summer to fall. If you look at an annual time period, it might be one percent. For shorebirds it occurs in the spring. It is less common in terns, occasional in upland game birds and not known to occur in cranes and waterbirds such as ducks, shorebirds, and gulls are natural reservoirs. The avian influenza in wild birds is low pathogenic which is a mild disease of the respiratory and/or GI tract and must be transmitted by fecal droppings, saliva, and/or nasal discharge. There is concern about pandemic influenza because the three pandemic influenza viruses we hear the most about were started in avian populations.

In May 2006, bar-headed geese, gulls and whooper swans (about 5,000) died in an outbreak at Qinghai Nature Reserve (China). There is worry that this will be transferred all over the world because of migration, but there is not much overlap or pattern. A particular concern is the Asian and European areas because some of these birds interact with some of our North American birds. However, before we get too wrapped up in the fear of our migratory birds bringing in H5N1 to us, keep in mind that a group of experts got together and decided that migratory birds might play a role in the spread of H5N1, but that trade of domestic poultry products would play more of a role in the spread of this disease. The department's role is surveillance of wild birds and providing information to the public to address their concerns. As part of a nationwide effort 36,000 birds will be sampled nationwide -- 7,750 in the Central Flyway and 750 in Kansas. The objective is to detect H5N1 in wild birds in North America as early as possible to provide an early warning and to potentially control for the spread of H5N1. However, we are not trying to find out the prevalence of the disease over time or its spread. We need to get samples from dead birds and live birds from die-offs and hunter-killed birds and we may supplement with birds taken with a scientific collecting permit. We will also trap some birds. The northern and western tier of states has a high percentage of birds that nest in Asia and Alaska so potentially have the most contact with H5N1. Also, some of the southern states are down to collect 1,000 birds as a contingency because if it is not found earlier in the fall if we sample there in the winter we have a better chance of detecting H5N1. The sampling period will be July of this year through February 2007 and we have already started. This time frame matches migration periods and times when avian influenza is most likely to occur in wild birds. The species were selected based on their susceptibility to avian influenza in general and species most likely to come in contact with H5N1 because they nest in Asia or Alaska or nest in the Canadian Arctic. Secondly we will be sampling the birds that come in contact with those birds. In Kansas we will be sampling 10 species of ducks, 3 species of geese, sandhill cranes and 13 species of shorebirds. We are trying to spread out our sample throughout all five department regions. We will try to get 80

percent of our birds from migrant birds and 20 percent from resident birds and the birds we have selected are from the Central Flyway list which was derived from the national list. We hope to sample by month. In July, August and September we will be sampling the early migrants, then we will move into the ducks, geese and cranes in October and November. We are doing this sampling under a grant from the U.S. Department of Agriculture (USDA) Animal Plant Health Inspection Service (APHIS) and will be doing environmental sampling of water and fecal sampling. They will also be doing sampling like us and will be sampling 800 additional birds in Kansas plus 800 birds in each state. Hunters and rural residents may be worried about this disease, but first we need to recognize that H5N1, the highly pathogenic Asian strain, has not been detected in North America (NA) and they have been testing for this disease in Alaska for the last four years or more (over 12,000 samples). The positive test in Michigan was for a low pathogenic strain of H5N1 and was in a wild mute swan, but was a healthy bird and it is not the same strain that killed all of those birds in Asia, Europe and Africa. Based on the information we had on avian influenza's natural cycle, there had never been situations where a person had gotten avian influenza directly from a wild migratory bird. It had always gone through domestic birds or pigs before it got to a human. But, in February individuals in the former republic of the Soviet Union got it straight from a migratory wild bird while collecting feathers from dead birds that had died in a H5N1 die-off. This is a situation that is unlikely to happen in the U.S. and is an extremely unusual occurrence. Hunters should harvest healthy flying birds, not sick birds on the water; use rubber gloves when cleaning game (whether a wild duck you shot or chicken you bought at supermarket); and thoroughly cook the bird. This isn't CWD, you can cook the bird thoroughly and it is safe to eat. The public should observe wildlife from a distance. If people see dead birds they should report it when it affects waterbird species and at least five or ten birds are dead. High path H5N1 has not been detected in North America and wild birds aren't the only way H5N1 can come here because it can come through legal and illegal trade or global travel. (Handout – Exhibit K)

Break

5. Big Game Permanent Regulations – Lloyd Fox, wildlife research biologist, presented this report to the Commission (Exhibit L). All permanent regulations dealing with big game will be discussed together and I will go through a short background on each one of them.

KAR 115-4-2 is big game; general provisions regulation contains information that must be included on the carcass tag; procedures for transferring meat to another person; procedures for possessing a salvaged big game carcass; and who may assist a big game permittee and how they may assist, including the provisions for designating an individual for assisting a disabled big game permittee.

KAR 115-4-4 is big game: legal equipment and taking methods regulation contains information on 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 prohibiting shooting at turkeys while they are in a tree; and special restrictions on the use of horses or mules to herd or drive elk.

The next two, KAR 115-4-6 and 115-4-6a are deer; firearm management units and archery management units. KAR 115-4-6 also established the boundaries for the 19 Deer Management Units (DMU) in Kansas. This regulation was recently changed to exclude landowner deer management program properties from each deer management unit. The boundary between DMU 10 and DMU 19 was changed to include areas of the city of Leavenworth in the DMU 19. Fort Leavenworth, unit 10A, was changed to an urban deer management unit.

KAR 115-4-6a, the archery deer management units and I have background on how we actually got into this. We formed boundary lines for the nine deer management units and also how we allow archery hunters to hunt in Unit 19 as well as two units that are designated on their permit.

KAR 115-4-11 is the big game and wild turkey permit applications regulation and contains the application process; preference points; and the drawings for applications if they are limited or there are quotas.

KAR 115-4-13 is deer permits; descriptions and restrictions; regulation creates permit types that include: a white-tailed deer, either sex permit valid during muzzleloader and firearms seasons; a white-tailed deer antlerless only permit valid during any season with the appropriate equipment; an antlerless white-tailed deer game tag; firearm any-deer permit; archery any-deer permit; muzzleloader any-deer permit; hunt-on-your-own-land permits, including resident hunt-own-land (HOL), nonresident HOL, and special HOL transferable permits.

At this time the Deer Task Force is currently reviewing all aspects of the deer management program and depending on the outcome of that review process and subsequent legislative action there may be a need to modify various permanent regulations. However, at this time no recommendations are proposed for any changes of these big game regulations. We will bring these regulations back in October.

6. CWD Update/Captive Cervid Ranching - Lloyd Fox, wildlife research biologist, presented this report to the Commission (Exhibit M). The department has collected and tested samples from white-tailed deer, mule deer and elk for chronic wasting disease (CWD) since 1996 and this last year we collected samples from 2,026 animals that were sent to the diagnostic lab at Kansas State University. Last year was the first time we found a positive animal, a 3 ½ year old doe killed by a hunter in Cheyenne County and was confirmed positive at the Vet Services lab in Ames, Iowa. After that the department went back to the area where the animal had been killed and collected and sampled an additional 52 animals and all of those were negative. We will continue to monitor for CWD this year, our grant has been approved again and is a larger grant than we had in the past and we will be relying on contractors to help collect samples and using similar types of procedures as we have in the past. We will not be using procedures such as check stations, but will use the contractors to collect from taxidermists, locker plants and cooperating hunters. Another issue is captive cervid operations which are regulated by the Kansas Animal Health Department. There are approximately 112 of these facilities in the state with approximately 2,000 animals in private ownership. There is a procedure with the Kansas Animal Health Department to monitor for chronic wasting disease at those facilities. It is a voluntary program and currently there are 36 operators enrolled in the CWD program. Public input coming back through our random survey conducted for the Deer Task Force shows that the public was strongly in favor of carefully monitoring captive deer operations to reduce the chances of disease being spread from captive facilities to wild deer and elk. Many hunters and landowners are aware of the problems associated with diseases in wild populations and they understand that prevention is essential. Commissioner Lauber – In about 1993, this agency lost control of the captive cervid operations and I was looking back at comments made at that time. Now we have a completely different risk factor and the occurrence around high fence areas is where it is going to occur the most. I have been led to believe that certain handlers can tell if an animal has CWD even though there is no test available for live animals. We need to formally request from the Kansas Animal Health Department for the control of at least the high fence hunting operations. I don't think the Kansas public has a soft spot or concern for the general lack of supervision of these operations. I have noticed them in northeast Kansas and they are starting to pop up all over. Commissioner Johnston – On the first page of the materials, there was a comment about escaped cervids destroyed outside of pens. Fox – This was done in cooperation with the Animal Health Department. When one is found we contact the Livestock Commissioner and he contacts the facilities in the area and if they don't indicate they have an escaped animal, the Livestock Commissioner will allow us to euthanize that animal and we sample the animal at that time. Commissioner Johnston – Do you have an estimation of the number to be tested this year? Fox – Approximately, 3,500; 3,200 random samples and the rest from targeted animals showing symptoms. Commissioner Lauber – What part of high fence hunting falls under our jurisdiction? Secretary Hayden – None of it. Commissioner Lauber – They can do whatever they want? Hayden – No, whatever the Livestock Commissioner allows. Commissioner Sebelius – What authority does Dr. Teagarden have if an outbreak of CWD occurred in one of these areas? Fox – Voluntary reporting and programs of that nature. Sebelius – So they elected not to regulate? Your experience has been that they will supervise and help with funds and assist with detecting? Fox – In 2001, they did detect a positive animal from a facility in Kansas and it was traced back to a facility in Colorado. It is a very difficult disease to eradicate. Commissioner Sebelius – Is Dr.

Graham the USDA vet? Fox – He is with the Kansas Animal Health Department and he works with us. Commissioner Lauber – From 1993, the hearings stated the main desire to move these captive farms was minimal supervision and we needed to get help from the Kansas Livestock Commission. Things have changed since then. Do you have the ability to get some actual statistics from other states about how CWD appears in high fence, or around high fence, areas and what effects that has on the future of the wild herd? Fox – There are audits in other states where they have examined the captive operations and the number of facilities that were complying with the Department of Ag or the Livestock Commission. I can get these results to you. There are tests that show the occurrence of CWD inside the fence and prevalence rates in wild animals outside the fence and are a very good example.

8. Park 24 – Michael Wilson, chief engineer, presented this report to the Commission (Exhibit N). We were given the mission to develop a master plan that was recently completed. This is a little bit different than your normal state park, there is no overnight camping, and it is an urban day-use park, mainly used for hiking and biking trails and wildlife viewing and also to provide river access to the Kansas River. This park is bounded on the north by the Kansas River, Wanamaker Road on the west, on the east by MacLennan Park which is a state park that is connected with Cedar Crest, the Governor's Mansion, and on the south by commercial development and I-70. Over to the west is the Kansas History Museum off of Wanamaker Road. A group was put together that consisted of department personnel from parks and engineering and we hired a consultant to do the surveys, the aerials and to do the master plan. We also got considerable input from special interest groups. There is a list in the handout and a lot of those were trail friends groups, the Kansas Trails Council, the City of Topeka and Shawnee County and several others. We looked at the trail systems inside MacLennan Park and it is very popular and used by a lot of people. There is a trail head up by the Governor's Mansion and one off of Fairlawn and it is used quite extensively. These trails have extended into this undeveloped area that we have acquired for Park 24. Also, in the park area there is an existing roadway that runs down to the river and there is a double track railroad track. We looked at that area to develop a boat ramp. There are several ponds in the area that we are looking at for possible environmental education and recently the department moved its regional office into this area and this will be the base for the park office. Next to the regional office is another pond in a wooded area that we are possibly looking at making a youth fishing pond out of. There will be a trail head next to the office which will connect the hiking and biking trails that are dispersed throughout the park area. We currently have the Kansas Trails Council and several other groups who are helping to refurbish some of the existing trails and do maintenance on them. We are asking for some money to get the main road down from the south end up to the north end where the boat ramp is going to be. This old road is in pretty bad shape it is narrow and rutted and will take a considerable amount of work. We are in discussions with KDOT to perhaps provide some design work on this road. We can't really make many improvements in new area until we get approval from the legislature. Getting this entire section of land had a multi-purpose because of a desire to connect the MacLennan Park trails and the Governor's Mansion with a trail system that is able to go along the river and over into another section of land that is about 117 acres. We are currently planning on purchasing that land from the Menninger Foundation and developing it as a wetland. Originally the city of Topeka was looking at that as a storm water detention basin area as they have a lot of water run off from the Wanamaker corridor that runs through there. Working with them and our consultants we are planning on designing a wetland area that will work both as a wetland area and as a storm run off detention area for the city. There is an area adjacent to the new office that is owned by Washburn University, the KTWU Radio Station, and we are having discussions with them about using that area to place a maintenance building for the regional office and park. We have talked to them about access across their property to extend the trail system from Park 24 over to the west side of their property and they are comfortable with that and are looking forward to working with us on that. There is a county roadway easement corridor that will probably never be developed to a roadway but is one possibility of getting across the private land. We plan to sit down and discuss, with the property owners in the area, what would be the best way to allow people to hike and bike across so they can go from one end, where the Governor's Mansion is, all the way over to this wetland area. There are trails going through that area that people have used historically, but it is just

a matter of finalizing that and getting agreements to make everything legal. The railroad track that goes east and west across the property is a high use railroad track and we will be contacting them shortly to discuss the possibility of putting in a railroad crossing. There is a railroad crossing of sorts where the road goes across but it is not a formal crossing and will probably require a signalized crossing because people will be pulling boats and cars and trucks will be going across. The cost of that runs about \$250,000. The roadway we planned to bring down to this area, our estimate is that it will cost about \$250,000 to do that and the boat ramp system and parking lot usually runs somewhere between \$70,000 to \$90,000. Unfortunately, with today's gas prices the construction cost index almost changes daily. Those figures will probably be outdated a year from now because the price of asphalt alone has doubled in the last three years. We had a consultant from the International Trails Organization come in and look at the trails in MacLennan Park and the existing use trails in our new park and make an independent recommendation on which trails should be improved, where new trails should be put and which trails should be closed off to provide better access. Commissioner Lauber – The Sisters of Charity are currently negotiating for some of that land. Do you know which property that is? Mike Wilson – No I don't. Secretary Hayden – A portion of the old Menninger campus, south of our office and south of the property we currently hold for the park. Commissioner Lauber – Throughout last winter and spring I became confused on what this park is going to be named. Are we going to give up and start over on the naming of this park? Secretary Hayden – The Shawnee County delegation sent us a letter and they suggested that we have a contest among 5th graders in Shawnee County to name the park and the process is being set up right now. There will then be a selection committee of five or six people, which we will have two members, and they will choose the top five or six and then the school kids in Shawnee County will vote on those choices and the name with the most votes will be submitted to the legislature in way of legislation by the delegation as the name for the state park. The reason we will have the screening committee is because there may be some names that are inappropriate or inaccurate. As you will remember there was some discussion about the Oregon Trail State Park and the Oregon Trail never went through that property or anywhere close to it. It is the technique we used to determine the design for the Kansas quarter except we did it more on a statewide basis. Commissioner S. Wilson – On the map there are quite a lot of trails designated to be removed, who made the recommendations for the removal of the existing trail and where the new trails will be placed? Mike Wilson – It was an international trails organization consultant from the International Mountain Biking Association that came in independently to review those. Commissioner S. Wilson – Will any of the trail that will be there be reserved for mountain biking? Mike Wilson – Yes, it is in the master plan to develop hiking and biking trails. Future development will hopefully involve youth and advanced bike training areas. The topography is quite steep, there is over a 100-foot drop down to the river. The area where the park office is also drops off quite a bit so these trails are all switchback. Some will be beginner, some intermediate and some advanced. Because of the slope, hardly any of the trails will be ADA accessible and there is not much we can do about that. It is pretty exciting to be able to hike or bike from the Governor's Mansion, through MacLennan Park, through Park 24 and down to the wetland area. Commissioner S. Wilson – Do we know how many miles of trail that will ultimately be? Mike Wilson – I have no idea. Commissioner S. Wilson – Which railroad is the one that runs across the property? Secretary Hayden – It is the Union Pacific. Commissioner S. Wilson – Have we started talking to them? Mike Wilson – We talked to them a few months ago about the crossing and they said we had to submit a request for them to look at. From my experience in working with railroads you have to push really hard, it takes a long time and more often than not it goes into some type of litigation before they decide they are going to provide a crossing. Commissioner Meyer – Is that an active railroad? Mike Wilson – It is very active. Commissioner Lauber – There are over 100 trains a day. Mike Wilson – Also, on this roadway from the south end of the property down to the boat ramp which is restricted by the steepness of the terrain and trees on either side of the road, will have to be developed with turn offs and side parking with sufficient site observation so that people can see each other and have a chance to get over to the side. It is quite a bit to be considered, it has been patched and re-patched and is in pretty bad shape right now. Commissioner Meyer – How wide will the trails be? Mike Wilson – The trails will be approximately three to four feet wide and in some places six feet, depends on how much width we have to work with. Commissioner Meyer – That is

pretty narrow if you are going to have passing traffic. A lot of trails I have walked on in metropolitan areas are six to eight feet wide and with a lot of traffic that can get congested. Mike Wilson – We also have areas where you can stop and sit or move off the trail from trailhead to trailhead. Also, it is undetermined how many restrooms we are going to put down here or whether it is feasible. It would probably be up on the higher ground but would be good to have one down by the boat ramp in the parking area. You’ve got flood plain issues and worry about improper use of the facilities at night because it is planned for day-use only. Commissioner S. Wilson – I am delighted to see something on paper in a master plan because we have been talking about this for so long. I think this is great progress.

Eric Stong, Kansas Bass Chapter Federation – We are going to set up a weigh-in station between 5:00 and 6:00 for the 7:00 p.m. presentation and we wanted you to stop by and see that before you come back in. Chairman Harrington – Where is it at? Stong – We are going to set it right out front in the parking lot. We will have the weigh-in tanks, a trailer and our pumps and show you how they work according to the regulations that Mr. Austin has set up for us.

9. Playa Lakes Joint Venture (PLJV) – Mike Carter, PLJV, Denver, presented this report to the Commission. Secretary Hayden – He is not here. We can move that to the evening if he shows up. DID NOT SHOW UP IN EVENING.

VII. RECESS AT 4:30 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

C. Workshop Session

1. Fishing Regulations – Doug Nygren, Fisheries Section Chief, presented this report to the Commission (Exhibit O, P). We have proposed regulatory changes on studying length and creel limit by regulation; fishing tournament registration and bass pass; trout permit requirements; carcass tags for paddlefish; and a proposal on hand fishing as requested by the Commission. One of the things that came out of this, which is not in the briefing book, is to change the possession rules on the water. There had been some confusion because we had a “no fillet” rule that you can’t clean a fish while you are still on your boat on lakes that have length limits. This was put in place 15-20 years ago when most lakes didn’t have length limits. Virtually all lakes have length limits now so we are going to try and clarify 115-17-4 which will simply say you can’t fillet fish while on the water, which would make it easier for Law Enforcement. The reason for this would be if someone caught a short walleye and filleted the fish it is very difficult to prove that it was short. They can gut them as long as we can tell the species and the length. In addition, since we are proposing some new fees for hand fishing, trout permits, and the bass pass we will have to put the new fees in 115-2-1. On improvements on length and creel limits, in the past we have done our special regulations by Secretary’s Order and this proposal would convert that to a regulatory process and Chris has come up with a technique called a referred document. Tymeson – We would not list all of the creel limits within the document or it would be 50 pages long and can’t be changed unless the regulations are changed. Currently the species are listed in Secretary’s Orders. Nygren – What we would have is a regulation that lists the various species and for each species it will have what the creel limits are and what lakes fall into that option and what the length limits are and what lakes fall into that option. In addition, we had a couple of special Secretary’s Orders having to do with the Missouri River; and Chautauqua County; the Centennial Pond at Pratt; and Kids Pond at Pratt. We have also brought those over into a paragraph in this. The next topic is the fishing tournament

registration and the bass pass. This will allow tournament organizers to hold tournaments in the cool months of the year on waters that have length limits in excess of 18 inches and allow them to have two fish under the posted limit in addition to three fish that are over, for a total of five fish. To make sure the fish are well taken care of there will be minimum weigh-in requirements they would have to agree to and weigh-in equipment that would ensure a low mortality. Commissioner Johnston – I assume you heard the gentleman from Junction City, Mr. Dykstra this afternoon. I think I understood him to say that walleye fisherman, for example, for walleye tournaments, will next be knocking on our door with requests for similar exemptions for length limits. I am curious if you believe the situation with walleye length limits is the similar to the situation with bass and the attractiveness of tournaments? Nygren – He made a statement about, “what is good for the goose is good for the gander”, but I think as biologists we have to take a look at each species and their own unique capabilities to withstand the pressure of a catch and release tournament. You also have to look at the fish population under the current regulation that can be effected. Earlier, I showed you that under an 18-inch length limit system only one out of four anglers would be able to weigh in one legal fish on our bass lakes. That would not necessarily be the case on most of our walleye reservoirs even with an 18-inch length limit. I think we have to take it a species at a time. We only have length limits on channel catfish and flatheads in places where we are trying to develop some control for aquatic nuisance species. We do have a 35-inch length limit on blue catfish at El Dorado. If you wanted to have a catfish tournament in Kansas there really aren’t any length limits so the catfish people won’t have much of a problem. The Walleye Association has told us that the 18-inch length limit is fine. Rick Dykstra did ask for an exemption for the Milford tournament when the Cabela’s tournament came, but they were able to hold a very successful tournament without it and they had a lot of fish to weigh in and a lot of fish caught on both days. Commissioner Johnston – Your off the cuff feeling would be that this situation, with respect to walleye and walleye tournaments, is different with respect to bass? Nygren – They are not as good a catch and release candidate, their mortality is higher. It would be more difficult to stay under that 10 percent mortality on walleye. Commissioner Lauber – Also, walleye are the preferred table fare and one of the arguments compared to bass is people don’t usually catch bass with the theory of harvesting it as a food fish. It is completely different. I also heard Mr. Dykstra’s comments and I wasn’t sure if he was against tournaments in general even though I don’t think that is what his intended presentation was. The problem that I am getting, and I am convinced it has no negative effect on the species particularly if we have minimum weigh-in standards, the constituency that complains to me are usually those that are complaining from a feeling that it is an elitist deal and that the rich guys with the big bass boats can have short fish and I can’t. I understand that, but I would like for you to assure me one more time, in your opinion, that this is not going to have any negative impact towards the bass population. Nygren – No, in fact in some ways, because of the pressure we have on just a few lakes being good tournament locations, it might actually improve fishing on those lakes. It will spread the tournaments out. Commissioner Lauber – Does the 18-inch to 21-inch limit do much good? Nygren – There is no doubt that protecting fish to a larger size that the average angler isn’t going to notice it, but the biologists can look at creel survey information at the end of the year and say yes, this is making a difference at Big Hill. In terms of catch rate it is a pretty small difference. Bass anglers won’t notice the difference between 18 inches and 21 inches, or 18 inches and 15 inches because 95 percent of them let the fish go anyway. Commissioner Lauber – I could be convinced to be proponent pretty quick of a statewide 15-inch limit if that is something you want to do. Commissioner Wilson – I had a call a couple of days ago from lady who was echoing the sociological impacts of this change. A lot of the same complaints about treating the general bass anglers as second class citizens, in her words, and if the tournament anglers were going to get these special privileges why are they only paying \$10. I think there are a fair amount of those questions being raised and I think we do need to consider changes to the regulations. Commissioner Lauber – This is a per tournament fee isn’t it? Nygren – No, it is an individual license, a permit each participant would have to pay \$10 for a bass pass to allow them to fish in any registered bass pass tournaments in the course of a year. It is not \$10 for the whole group, but \$10 per participant. Commissioner Meyer – I think the demonstration in the parking lot was a good one and the mortality rate of a tournament would be significantly less than a catch and release fisherman out in a canoe. Commissioner Sebelius – Do we have an established

schedule of special event fees or is it free as long as they satisfy you or the park manager? Nygren – If they want to launch a tournament out of a department water, a state park or one of our state fishing lakes, they would need to get a special event permit from the property manager. That is on a sliding scale and the minimum is at least \$10 and if they want special privileges, like reserving a parking lot or reserving someplace for a weigh-in then it goes up from there. It depends on what they want. The purpose is so we know they are coming and we can accommodate them or if we have too many on the same day, deny the permit or move them to another ramp and control the traffic. No events will be registered unless they get clearance from the property manager before we allow the bass pass to be used. Commissioner Sebelius – Normally you base a fee, at least in the government sector, on the basis of how much impact it has on the agency. This sounds like this might need a little more oversight so it seems to me the fee might warrant being more. Nygren – We had quite a few conversations on what that fee should be. If you think about what goes on at a tournament, if you were a weigh-in tournament fisherman from Nebraska they could get a 24-hour license for \$6, now they will have to pay \$16. Also, any senior citizens or folks not required to have a license and bought the bass pass, we could count them for federal aid. So we would get the \$10 plus federal aid.

Eric Stong, President Kansas Bass Chapter Federation – Thanks for the bass pass and allowing us to set up the demonstration outside. Hopefully that answered a lot of your questions. We have worked with Doug's and Kyle's group to agree to all of the stipulations they have put on this bass pass.

Unfortunately, the Presidents from Colorado and Nebraska couldn't be here tonight, but they are very excited about this because this will help their travel expenses also to be able to add in a few lakes. When we had the meeting in Kansas City we had four clubs that came and there were 41 tournaments represented and only one was held in Kansas. We need to bring this back so our anglers are purchasing a Kansas license again. Those four clubs had about 120 members and less than 10 percent of those guys had a Kansas license. Somewhere we've got to have some assistance in the northeast and this will take a lot of pressure off of Milford, El Dorado and Cedar Bluff. The economic impact is unbelievable, we had a huge kid's event at Big Hill this last weekend and there were 31 kids that attended. The manager at Super 8 was ecstatic because that was the first time they had been full for about three months. Also, the manager at Big Hill Lodge in Cherryville. Anything we can do to bring Big Hill back into the picture would help us too. Our organization holds about 14 state tournaments a year and in the last three years we have not held any championships in Kansas. If we get this bass pass we can bring the team championship back because two guys will be able to each have a bass pass and can turn in four and one over the 18-inch length limit. Our championships earlier this spring and last fall were in Muskogee and that is \$150,000 that we have spent there in the last year that I'm sure the communities in Kansas would be more than happy to have.

Skip Hutchins, State Tournament Director, Kansas Bass Chapter Federation – In the demonstration you saw outside, just in the filters and pumping system I have a \$1,500 investment. I want it understood, from our perspective we are not taking this lightly. The mortality rate, the handling of the fish, and the saving and utilization of our resource is a number one goal for us. Most of us are working people, not elitist. I run a 1986 Champion Bass Boat with a 150 that has an approximate value of about \$4,000. It can have that perception, but most of us are average working people. It is detrimental to travel at these gas prices with the amount of travel and it is hard for the youth to participate. Eric spoke about the youth tournament, we had 31 youth between the ages of 13 and 18 and when you have major state qualifying tournaments for amateurs, and the grand goal of ever making a Grand Masters tournament, and you have to travel out of state as an 18 or 19 year old, two or three days out of state can cost \$500 to \$600. When we do it in state you can get up early in the morning and drive to the lake and go home that evening. This way we can keep our youth involved and don't keep them out for monetary reasons. We are not opposed to paying a fee for certifying someone's tournament set up if it takes an hour of someone's time to come out and certify that all of our stuff works properly and/or an additional fee for each tournament. Our biggest concern is someone wanting to do this out of the back of their pickup, because we don't want to see that. We want to see certified tournament organizers or someone serious about this.

The change in the regulation would require two different types of trout waters. One type would be if you are fishing during trout season you have to have the trout permit on you, no matter what you are fishing

for and the other type would be you only have to have the trout permit if you are fishing for and possessing trout. This would require some changes to KAR 115-18-12 to put the words in there that says, "to fish for and possess" and KAR 115-25-14 which would make the changes to designate which are Type 1 and Type 2 trout waters.

The next one is a requirement to acquire a permit to snag paddlefish on our designated snagging areas and with that permit you would get six carcass tags which would be sold for a cost of \$10. That will require changes to KAR 115-18-19 and it would also set up the locations where snagging would take place which are the Neosho River below Chetopa Dam; below the Osawatomie dam on the Marais de Cygnes River; and possibly in Browning Oxbow Lake and the low water dam on the Neosho River at Burlington.

The last one was a proposal on handfishing which you asked us to come up with. We have had several conversations with people who are for and against handfishing through our public meetings. We have come up with a pilot program that would allow handfishing on two of the navigable rivers: on the Arkansas River from the Broadway Street Bridge in Wichita to the Oklahoma state line and the entire Kansas River. We were going to include the Missouri River but it was going to cause us some problems with our interjurisdictional fisheries with the state of Missouri, so that would have to be done in coordination with Missouri. We would have a handfishing permit that would be on sale for \$25 that would allow you do fish June 15 to August 31 and be subject to the same creel limit as the rod and reel anglers, five fish a day. We would have mandatory reporting at the end of the season so we could evaluate the impacts to the resource. Chairman Harrington – Did Missouri outlaw handfishing sometime since I was there? Nygren – Missouri only allowed it for the first time in modern history last year and they had three rivers that were open on a pilot program. Their legislature mandated six additional rivers for the next calendar year, so they will have nine next year. Michael Pearce – When does this start? Nygren – It will start next year if the Commission votes to implement it, starting June 15 and running through August 31. Commissioner Lauber – What was negative about the comments you received? Nygren – Some people had concern that it wasn't fair chase and it was too easy and they were concerned about the potential for over-exploitation, meaning they could come in and wipe a stretch of river out by handfishing. We talked to Missouri about their first year, they had mandatory reporting also and they didn't sell very many permits. They sold 106 permits and they only reported harvesting about 38 fish. If that is the case you are not going to have a biological impact from the legal handfishing. The big question is it has typically been illegal and nobody really knows what that impact has been on our resource. Some of our law enforcement officers have made careers in the summertime chasing hand fisherman up and down the rivers, especially the Neosho River that has a lot of flathead catfish. It has been illegal for many years and people just wanted to keep it that way. Tymeson – In October when we come back, because these packages each have about four regulations, but several of the regulations are in each one. I am not sure if there is a proposal you don't want to go forward with. I will need to know at that point because there would have to be some type of amendment. The regulations aren't going to come as a package, so to speak, once you vote on one it has other portions in it so I will have to know at that time if you are going to make any amendments. Pearce – I have a question on the process of this. This is Secretary's Orders correct? Nygren – No, these are by regulation, voted on by the Commission. On the length and creel limit issue we have done those by Secretary's Orders in the past, but are no longer going to use Secretary's Orders because we have some judges and district attorneys who don't feel it is constitutional. Pearce – This will be decided in October? Nygren – Yes.

2. Spring Turkey Season – Jim Pitman, wildlife research biologist, presented this report to the Commission (Exhibit Q). We have two separate recommendations we are going to provide on KAR 115-25-6. Since the last Commission meeting I have been able to crunch some numbers from the 2006 turkey season and come up with some estimates. In 2006, we had a great turkey season -- we sold over 60,000 permits, 42,128 initial permits and 18,464 game tags. Those permits were bought by an estimated 40,390 hunters and they took approximately 34,000 birds across the state primarily with the initial permit which accounted for 78.3 percent of the harvest and the game tag 21.7 percent. We had a phenomenal hunter success rate of about 66 percent of those hunters taking at least one bird. That is about the best success

rate in the country to my knowledge. Because of the continued increasing turkey population, the department is making a recommendation to provide more opportunity across the state, especially in central and north-central Kansas. Our recommendation is to institute an early season archery-only hunt starting April 1 and running through the beginning of the regular spring firearm season. We are also recommending a change in the unit boundaries which would affectively extend Unit 3 northward which will provide a second game tag in some central and north-central counties. If the Commission approves these recommendations we will be making similar recommendations for the fall unit boundaries so they will coincide. Secretary Hayden – How many years are we away from perhaps allowing a third bird in Unit 2? Pitman – We have a departmental turkey committee and we have never discussed that since I have been on board. We feel, at the current time, it is more important to get that second bird in the central and north-central part of the state, but that third bird is definitely something that is on the radar screen and we plan to discuss that within the next year. Commissioner Meyer – I live in Unit 2 and at times I have 15-20 birds in my front yard. Pearce – You said you sold 60,000 permits, was that permits and game tags together? Pitman – Yes, about 42,000 of those were the initial permit. In affect we would just be extending Unit 3 northward and in Unit 3 currently you can buy an initial tag and a game tag so you would be given an opportunity to shoot a second bird. Pearce – How will that change the fall season? Pitman – In Unit 3 right now you can shoot the one bird in the fall, plus a second game tag and that is what would be added to those central and north-central counties. In Unit 2, in the fall, you are allowed the initial permit and three game tags.

3. Nuisance Animal Damage Control Operations - Kevin Jones, Law Enforcement Division director, presented this report to the Commission (Exhibit R). The matter I am bringing before you deals with a situation that we hadn't contemplated a few years ago when we rewrote this entire body of regulations. We recently experienced a situation where under the current regulation, it limits the handling of nuisance animals only to the permittee that holds that permit and no one else. We had a situation where a number of geese needed to be trapped and moved from a residential area and transplanted elsewhere in the state. The permit owner wanted to hire temporary help to assist in the capture and relocation. What we are proposing is to add language in the existing regulation that would allow a permittee to hire temporary help to assist in one of these large control projects for the duration of the project while under the direct supervision of the permittee so the operation is handled correctly. The reason the regulation was originally written in the manner it was, was to preclude people from getting a permit, opening a business and having a number of people working independently without direct supervision and we felt it was in the best interest to have those people who work out of satellite offices or several people going out and doing damage control on their own under that company so they would also hold a permit. So that would not affect that type of situation.

4. Caging and Handler Requirements for SB 578 - Kevin Jones, Law Enforcement Division director, presented this report to the Commission (Exhibit S). Senate Bill 578 became law on July 1, 2006. This law directs the Secretary to create regulations dealing with caging and handler requirement for large cats, bears and non-native venomous snakes. We have received approval from the Department of Administration and the Attorney General's office for KAR 115-20-5 (Exhibit T) dealing with dangerous regulated animals; and primary caging requirements. It would be our intention to bring this back in October for the final vote. It has been published in the Kansas Register for comment and is under the 60-day time- frame for comment. What the regulation does is sets up the standards for what caging requirements will be; and prohibiting contact with persons other than the owner, designated handler or veterinarian providing medical treatment. Generally describing what the structure itself would be made out of and the materials that would go into that. We have dealt with the mammals and non-native venomous snakes which have to be different. Chairman Harrington – I know you looked at all the metal specifications on gauges and I would like to know what your opinion is Frank? Commissioner Meyer – It works for me. Jones – We had quite a good conversation with the people from the American Zoo and Aquarium Association (AZA) and Zoological Association of America (AZOA) in providing recommendations for these standards as there are quite a number of accredited zoos that have different

needs for caging animals and we tried to take all of that into consideration. Commissioner Johnston – On the non-native venomous snakes as I understand, the proposed regulation size of the container, on page 9, if there is a 12-foot cobra that is being caged, the distance around all four sides has to be 24 feet?

Jones – That would be correct. Commissioner Johnston - What is the source for your information and is that an adequate cubic size? Jones – This was based on laws in other states and recommendations from AZA and AZOA. These are bare minimum size requirements to provide for the care of that animal.

Commissioner S. Wilson – On the economic impact statement, I noticed that it says no substantive economic impact will occur for department. I guess I am wondering who is responsible for inspections, for enforcement, making sure these people are getting their permits and if that is our department, then it seems that we will be spending money working on this. Jones – I apologize that I didn't bring copies of Senate Bill 578 with me, but in the statute it prescribes that the local animal control authority is responsible for maintaining the registration and inspection of those facilities and carrying out the implementation of the act. The local animal control authority is defined in the law and in the absence of what you think of an animal control authority would be the authority either goes to the chief law enforcement officer of the municipality (city of the first class) or the County Sheriff. So it goes to the county to administer, register and inspect and in that legislation it provides the fee structure that the local animal control authority can charge the owner for those registrations and inspections.

Commissioner S. Wilson – Given some of the issues we have had in my county recently with our animal control, dealing with dangerous dogs, that makes me a little nervous as to whether any of this is really going to be enforced. Are there any opportunities or requirements for training the local animal control people to know that these exist and what they are supposed to look for? Jones – Yes, there is a requirement in the statute and the one thing that has held us back from going forward, in fact the department is directed to provide the training for those people, is the fact that we were waiting for these caging and handling regulations to be adopted so we would have something meaningful to take to these people. There will be training seminars offered around the state and we have some verbal agreements with members of AZA and AZOA to assist in doing these presentations.

Commissioner S. Wilson – Again I apologize for not knowing what the bill says, but are there penalties laid out for people who don't abide by these requirements? Is there a fine that can be levied or does someone have to go to court? Jones – In any criminal penalty they would have the opportunity to go to court, however the law is very specific and violation of this statute is a Class A misdemeanor, the highest misdemeanor in the state.

Commissioner Johnston – I'm looking at KAR 115-25-6 (Exhibit U), defining a registered designated handler, then back at KAR 115-25-5 on non-native venomous snakes and it appears to me that there is no requirement for a registered designated handler for non-native venomous snakes. Under subsection (a) Mammals, is where we see the phrase "designated handler" come up, but I don't see such a phrase under subsection (b) for non-native venomous snakes. Jones – I need to take a moment to look at this.

Tymeson – That just states that has to be constructed in a manner that prohibits that physical contact. When you set out the containment requirements for non-native venomous snakes, when they are contained, there is no physical contact. Commissioner Johnston – Under the section for mammals it is conceived of and provided for that someone other than the owner of the snake is going to be permitted to come in contact with that snake. Tymeson – It is prohibited under statute. Jones – That may not be as well written, but in subsection (b)(2), each primary holding container for snakes shall be locked in the building or other structure that is inaccessible to unauthorized persons.

Commissioner Johnston – My question is, there are very distinct training requirements for a registered designated handler of an African lion, for example, which under this scheme you understood it could be somebody other than the owner of the lion, but there doesn't appear to be a similar provision for the handling of a cobra, by someone other than the owner? Tymeson – In the bill it prohibits the contact, a non-native venomous snake is still a dangerous animal, whether you are talking about an African lion or venomous snake, the statute prohibits contact with anybody other than the registered designated handler or the owner.

Commissioner Johnston – So the fact that there isn't a provision in this regulation for non-native venomous snakes is cured by the fact that it is in the statute? Jones – That would be correct. There is specific language in the statute that is very similar to that found in (a)(1)(A) that specifies only the owner, designated handler or veterinarian providing care. This is somewhat of a redundant statement in the regulation.

Tymeson – It

probably could have been written better, instead of saying unauthorized person; it could have said, owner, registered designated handler or veterinarian. Commissioner Johnston – Ok, I didn't know what was in the statute. Chairman Harrington – I recommend that you provide copies of the bill. Jones – Again I apologize that I forgot the copies. We have covered KAR 115-20-6, which basically prescribes what the training requirements would be for a designated handler: 18 years old; and 200 hours of training and experience through the owner under direct supervised operation. Commissioner Johnston – I think it might be a little restrictive for somebody to come up with training to be a registered designated handler of non-native venomous snakes because there wouldn't be a similar biological order that is substantially similar. But maybe that is a good thing with those kinds of animals. Jones – Some of the laws we looked at in other states, boosted that to 1,000 hours. I relied heavily on AZA on coming up with these regulations.

5. Park Fee Regulations – Jerry Hover, Parks Division director, presented this report to the Commission (Exhibit V). We have two regulations and this will be the last workshop prior to the vote in October and would go into effect with 2007 sales of permits which will begin on December 16, 2006. KAR 115-2-2 is motor vehicle permit fees. In recent legislative action, House Bill 2968 directed the department to reduce the motor vehicle fees by 50 percent. Taking the current fees as they are listed today and reducing them by 50 percent and putting them into regulation. A brief update as to where we are this year: up until July (mid-year) revenues were exceeding past years by a little bit. Some of that is because of a change in depositing. The deposits are made much timelier with the automated system. County clerks and other vendors outside the department had not been required to remit weekly and are now doing so. During the month of July we lost some of that, so that really showed where that timing factor came into play. We are afraid that revenue from August will drop significantly because of the hot weather and the low water conditions in many areas. Some parks are exceeding last year and other parks are dropping lower than they have been. Commissioner Meyer – What is your opinion on the affect on attendance you will have next year when the fees are half of what they are now? Do you think you will have a pretty good increase? Hover – Currently the legislation only directs it for a one year period in which they appropriated an additional \$800,000 in the current fiscal year and then the same amount in the next fiscal year. If it works the way we think it will, then additional people will be using the parks because of the lower entry fees. If the reservoirs don't come up that could hurt. At Kanopolis, for instance, you have to carry a boat several hundred feet to get to the water. Currently, Cheney, El Dorado and Hillsdale are holding their own They are dropping but there is plenty of usable water. Commissioner Meyer – The key is convincing the legislature not to cut the money they are subsidizing just because the attendance is up. Hover -- The second regulation is KAR 115-2-3a, cabin camping fees. We have been trying to add alternative camping facilities within our state parks and public lands. We are trying yurts, which are tent-like, canvas-sided structures with a solid floor (adobe-like), in a few parks. What we need to do is add those new cabins and their prices into the regulation with similar prices to where we are at now. We are not proposing to increase any of the current prices. We base our prices off of the local community and what they are charging and what the demand is for the cabin. Commissioner S. Wilson - Do you know which parks the yurts will be in? Hover – Two parks, Cedar Bluff, which will be set out over the edge similar to where the two primitive cabins are now and the other will be at Eisenhower which will overlook the point area off the campgrounds there. We are putting them on opposite sides of the state to see how the people react. They are used extensively in Colorado and all the way up and down the Pacific coast and beginning to show up on the Atlantic coast.

Steve Sorensen, Kansas Wildlife Federation – What happened to the bait regulation the Commission asked you to bring forward? Tymeson – The department decided not to bring that forth so they could get comments. Commissioner Lauber – I think it had a lot more far reaching consequences. I was a quick and hasty proponent at the last meeting and upon review it came to have a lot more issues and probably needs more study. Chairman Harrington – Doug, could you shed some light on why we are not discussing the bait fish issue tonight? Nygren – The main reason is we wanted some more time to collect some more information. We are going to conduct a licensed angler survey, a representative sample of all

anglers across the state, in the next few months. We will be able to ask them some questions about, “do you take your own bait?” and “what would you be willing to give up in terms of privileges you have now?” and be able to come back to you with a better idea of who would be impacted. This will tell us the severity of the impact and the willingness of the people to sacrifice some of their own ways of doing business in order to protect the resource. We also might do a survey of the general population to see what their thoughts are and what we need to be doing to protect our aquatic resources. We do have an ANS plan that is on file, signed by the Governor and it addresses things like bait, the aquaculture industry, the pet industry and all of the different ways ANS species might be transferred and come into the state. So it is not just a bait issue, it is an issue dealing with aquaculture, dealing with bait dealers, dealing with use of bait by anglers, dealing with the pet industry and even the aquarium trade can bring things in that we don’t want. It would be a little more holistic way of looking at what we need to do and give us time to look at what the other states have been doing and come back with firmer recommendation. Chairman Harrington – Steve, does that answer your question? Sorensen – Well it’s an answer. The Commission asked staff to bring forward a recommendation and yet there weren’t any recommendations brought forward by staff. Members of staff made the decision to not comply with your recommendations, unless there has been a meeting of the Commission sometime to forego that recommendation. I just don’t understand what procedure was used. Commissioner Meyer – As a Commissioner I would rather have staff take a little more time to make sure the work they are doing is complete and accurate before they give it to us, even if it is at a later meeting. Sorensen – I don’t disagree, but I would like to hear you make those comments in a public meeting after they made their recommendation. If you read the minutes several of you requested that they move on it on a very fast tempo and all of a sudden now it doesn’t show up after you asked for it. It seems to me there is a procedure missing here and I just wanted to know what happened. Commissioner Johnston – I think I would like an answer to that too, but more important on the substantive issue I think a more important question for me is the immediacy of the need for dealing with white perch being used as bait was impressed upon us, or at least that was my impression, and obviously waiting another year doesn’t seem to cut in the same direction as an immediate response to keep this problem from spreading. I am more interested in how you handled that? Nygren – I will let Keith answer this question. Keith Sexson, Assistant Secretary for Operations – Doug hit on it very well in his explanation and that is as we looked at this particular issue, the swathe that it cuts through our publics out there that are used to being able to seine for bait, transporting of bait and that sort of thing. We felt like we would be opening a larger can of worms, or hornet’s nest, if we just went forward and put something before the Commission without going back out and reevaluating the impact that a regulation like this would have. One would think that as you just look at bait and the seining of bait, transporting of bait, one might think that isn’t a very big deal, but when you start to introduce the idea that you are going to limit folks in some way, they start becoming very concerned about how that impacts what they have been used to doing for so many years. The other issue we talked about, as we looked at some candidate regulatory language, and this is something that came up after the Commission meeting, do you have such a complicated set of regulations on the species of bait, where you can take that bait, and where you can transport that bait to? That makes it extremely complicated for somebody who just wants to pick up some bait and go somewhere and use it to understand. Do you put them in a position where they may very well be violating regulations without even knowing they are doing so. You are right Commissioner Johnston, from the standpoint of urgency, when we see the silver carp situation that Doug brought forward and the ramifications that might have. There still is an immediacy here, but does it really mean that we bite the bullet and say we are not going to transport bait in this state. Some states have done that, eliminated that type of activity which then is very clear in a regulatory sense and gives you that full sense of security by way of regulation. It doesn’t cut out the potential for somebody violating the regulation and still transporting some of this stuff where they shouldn’t, but at least the regulation and intent is very clear. As we discussed this in staff we really thought we had to do a little bit of homework before we put something in front of you that you may very well pass and then we would have to live with a complicated regulatory system that may or may not do what we really wanted to. In terms of process, maybe there was a different way in which we should have gone about removing it from the discussion

and workshop item this evening. We think we do have an immediate issue we just think that this one needs more time to access what we need to do. Commissioner Lauber – I have no problem with the process with the way it was handled, I was a very strong proponent as Steve remembers, however it didn't take me very long to begin to get calls from people who fish for flatheads below Toronto Dam, people that seine bait and my father called and asked if we couldn't catch perch at the farm pond any more and go set them down at the creek. I became overwhelmed. You staff and agency personnel probably got the same thing and I think it was probably a good response not to bring it back. Yes, I suppose you could have brought it back and said this needs a lot more thought, but here is what you got, even though Chris was unsure whether he could have gotten it done in that length of time anyway because it was such a far reaching deal. I don't have a problem that it came about like it did. I do think we have an issue, but from my personal standpoint I began to see a lot of other issues surface with a lot more passion than I expected and I think I was a little hasty in my recommendation. Chairman Harrington – Steve, I certainly can tell you that decision was not unanimous because I was quiet and very opposed to immediately instituting some type of regulation of this magnitude and that is quite well reflected in the notes from the last meeting. I didn't even think there was a clear majority that actually was completely totally in favor of enacting regulations at the next meeting. I thought there was one or two very lactiferous members who expressed some concern about it, but under no circumstances was I impressed that it was unanimous or even that a majority of Commissioners was in favor of us rapidly adopting resolutions or regulations on this issue. Commissioner Johnston – I understand and recall that the proposal at the last meeting was very broadly based, but given that it appears to be a wise decision to discuss and analyze the broad-based changes in bait fishing, is there nevertheless something we can do more immediately about white perch at Cheney or Kingman? Chairman Harrington – I would submit that doesn't fall within our discussion as bait fish in general. I think that is a specific problem and think it a different problem than the overall bait fish question. I think certainly the department needs to address that Kelly, but I don't think it needs to be under the immediate auspice of the bait fish question. Nygren – On the white perch issue, we were debating on whether or not we should ban the use of white perch, of people having them in their possession alive. I suppose that could be handled in some other way, I guess I would have to defer to Chris. The point there was if somebody could have them in their live well and even use them for bait at Cheney, what is to keep them from loading the boat up and then going and using it somewhere else. That is controversial, there are people at Cheney who say they are good bait and need to use them there and we want to be able to use because they are just taking up space and are not providing anything back if we can't use them for bait at all. When we had our seven or eight meetings around the state we mentioned this issue at every one of them and I can guarantee there were a lot of people on both sides of the white perch issue. Nobody wants them in their home water, but when they are there a large portion of the people want to be able to use them for bait. That then opens up the problem of having them in their possession and the potential of moving them, which has happened already. We have them now in Kingman and they didn't get there via the river because they are not in the river above the low-water dam at Kingman. Our stream crew monitors very closely what is going on in the Ninescah River because we have a hatchery out at Pratt that we don't want white perch to get into. I ask them to come in every year and analyze the movement of white perch up the South Fork of the Ninescah. So that means somebody brought them there and used them as bait or intentionally stocked them. They are well established there now and are not at a level where they are a nuisance yet, but each year we are picking up a few more and it is just a matter of time before they pull off a big year class and then we are going to have a state fishing lake that is going to be in the same boat as Cheney where you have a bunch of white perch that don't offer much to the angler. Chairman Harrington – I think this situation has been discussed and settled and I see no reason for us to debate this any further. We have decided as Commissioners that we should not pursue this any further tonight. Commissioner Johnston – I agree that we are not going to pursue it tonight, but I do feel that we should pursue the Cheney/Kingman white perch issue before 12 months from now. I would like to see a regulation brought forward that is much narrower in scope that could address that issue. Tymeson – I didn't necessarily mean a year, I just meant we needed more time for Doug to work this issue. If Doug can come up with a proposal I can try and put something together for January for a vote, but Keith, Joe, Doug and Kyle have

to work on that and it has to be enforceable whatever the solution is. Chairman Harrington – I think we are talking apples and oranges, rather than a comprehensive fish bait type of question, as opposed to a specific question of white perch at Cheney. I think all of us are in favor of doing away with that problem. As far as the overall bait fish question, I don't think any Commissioners want us to tackle that regulation in the immediate near future. But with respect to the white perch I think all of us agree with Kelly that we need to start looking at that situation.

D. Public Hearing

Kansas Legislative Research Department and Attorney General's office comments (Exhibit W).

1. Late Migratory Bird Seasons - Marvin Kraft, waterfowl research biologist, presented this report to the Commission (Exhibit Y). Establishing waterfowl regulations is an annual process that involves the states, through their respective Flyway Councils meeting and developing recommendations which they deliver to the regulations committee of the U.S. Fish and Wildlife Service. The regulations committee then considers these along with those of their own staff and issues frameworks back to the states to establish their waterfowl seasons within those frameworks. At the last meeting we adopted duck zones for 2006 to 2010 and these are locked in place for that five year period, however we change season dates annually within those zones. I will forego presenting the frameworks themselves unless there is a change. Regarding the frameworks for ducks, coots and mergansers there is one change from what was presented in the recommendation. After this was developed I found out that the merganser bag limit could still be five, but we may now include two hooded mergansers within that five. There is also a different duck bag. The daily bag limit is for five ducks, which may include no more than two scaup; two redhead; two wood ducks; or one duck from the following group: hen mallard, mottled duck, pintail, and canvasback. A daily bag limit for coots of 15, and a daily bag limit for mergansers of five, which may include no more than two hooded merganser and may run concurrent with the regular duck season in the respective zones. Possession limit will be double the daily bag and shooting hours are one-half hour before sunrise to sunset. Recommended seasons dates for the High Plains Zone will be open October 7 and close January 2, 2007; and January 20 and close January 28, 2007. The Early Zone will open October 14 and close December 10, 2006; and December 16 and close December 31, 2006. The Late Zone will be open October 28 and close December 31, 2006; and January 20 and close January 28, 2007. The recommended seasons are unchanged from last year for ducks but there is a change in the bag limit. It includes an aggregate bag called the hunter's choice bag. Under the Adaptive Harvest Management System the mallard is the duck that determines the duck season. The problem is that we are getting these other species of ducks that may not be able to withstand the seasons that mallards can. In a case of a pintail or a canvasback it can not tolerate the harvest of one bird per day for 74 days then you have to do something more restrictive and what we have done in recent years is a season within a season. Waterfowl managers, both state and federal, really don't like seasons within seasons because it involves closing a season on ducks and we try to do just about anything rather than close a season because that puts a lot of pressure on our hunters, especially if you close a season on a brown duck. The aggregate bag is one way to address that and there is a third, which the Service is leaning towards and which the state of Kansas and the Central Flyway will oppose. The Service would like to reduce the overall season length and basically eliminate the liberal package we currently have. We would lose two weeks off the season and that in itself is not that much of a problem, but what that does is it makes it very difficult to treat our hunters fairly across the state. When you get 60 days or less that is when this room fills up with unhappy hunters and there are always people who go away unhappy. Our hope is the aggregate bag will in fact reduce the harvest of pintail, canvasback and other species that we may drop into it to the level of a season within a season would. That is the test we will have to pass in the next three years. Chairman Harrington – Basically what changes were there from the last season? Kraft – Last year we didn't have this aggregate bag where you could take one from a group. You could take one of several species, but then you had a 39-day season for pintails and canvasback that was set within the 74 days. Chairman Harrington – So this in effect corrects that? Kraft – Yes, you are allowed to kill a

pintail throughout the entire season. If you notice the bag limit has been reduced from six to five and the reason for that is if we left the bag limit at six and you had the good hunters out there they could shoot their five drake mallards and then they will wait around for that pintail or canvasback. By reducing the overall bag limit to the same limit as the mallard, if they decide to shoot a brown duck, canvasback or pintail, they are then forgoing a drake mallard. So we hope this will lower the harvest of pintails. The other is that the aggregate bag group includes ducks like the hen mallard and the mottled duck.

Particularly hen mallards don't need that level of protection, but it is a duck that is going to pass in front of most of the hunters while they are hunting. The aim is to reduce the harvest of pintail and canvasback. The youth hunt recommendation is to adopt September 30 and October 1 in High Plains zone; the Early zone, October 7 and 8; and in the Late zone, October 21 and 22, 2006. The bag limit includes all geese, ducks and mergansers. This is a little change from last year, snow geese are added this year because of the way the days fell out. So all waterfowl species are legal this year.

There is a change in the frameworks for Canada geese. We have increased the allowed season length to the maximum allowed by treaty which is 107 days. If you remember we did establish a contingency for a September Canada goose season over much of the state, all but the southwest corner, but we maintained the option that if the framework of a 107 days did come to pass that we could opt to use all of our 107 days in the late season and that in fact is what we decided to do. The harvest, under our new HIP harvest stamp survey for our September season for 2005 combined was 100 birds in the state of Kansas. It is just a minimal harvest in September and I can't believe we will harvest a lot more birds if we move those days later into the season. The recommendation is to adopt a split Canada goose season with a bag limit of three, a possession limit of double the daily bag, and with the following dates: October 28 and 29, 2006; and November 8 through February 18, 2007.

White-fronted goose frameworks we have an option of a 72-day season with a daily bag of two or 86 days with a daily bag limit of one. The recommendation is for a 72-day season with two splits, something new for this season for Kansas, and season dates running October 28 and 29, 2006; November 8 through, January 7, 2007; and February 10 through February 18, 2007. The daily bag limit will be two and the possession limit will be double the daily bag.

The light goose recommendation is to adopt a split season with a bag limit of 20 and no possession limit. The season will be October 28 and 29, 2006; and November 8 through February 18, 2007. The way it worked out this year, when we increased the length on Canada geese and by double splitting the white-fronted goose season we can have that first segment and then open up all of our goose seasons, along with the sandhill crane season on a Wednesday, November 8 and close all of our seasons on Sunday and then the second segment of the white-fronted goose season also opens on a Saturday and closes on a Sunday so it makes maximum use of our weekends. The Conservation Order for light geese will automatically open on the day following the close of the goose seasons, February 19, 2007. The third segment of the white-fronted goose season is late, the latest allowed by our frameworks. A number of hunters have reported having white-fronted geese during this period and I expect we will see a slight increase in harvest. We might see a distribution of the harvest to the eastern end of the state, which normally doesn't harvest that many geese.

Secretary Hayden – Are we prohibited by the Treaty from extending the shooting hours in February to a ½ hour after sunset? Kraft – Within our normal frameworks, yes, but not by Treaty but by the frameworks themselves. That is something the Flyways and the Service would have to change. Secretary Hayden – You have no duck seasons open in February, only geese, and certainly our dark goose population and light geese continue to increase. If we are going to really increase harvest in that late period we need to extend the shooting hours. Kraft – Are you talking just light geese or all geese?

Secretary Hayden – I was talking all. Kraft – That is something that would have to come up through the Flyway or the Service itself. Secretary Hayden – But the Treaty doesn't prohibit it? Kraft – No, I don't think so. In fact we have a special provisions where we could do it if all that was open was light geese season. We did that one year in fact. Secretary Hayden – Why don't you talk about that at the Flyway meeting next time. Kraft – I think the white-fronted goose would probably be the problem bird.

Populations of Canada geese and light geese continue to grow. It will take a while for people to accept that. Secretary Hayden – Maybe we could carve out that it only applies to Canada geese and light geese.

Kraft – The people at the Flyway will probably say it will take about two weeks for the geese to figure out they have to wait 15 minutes more. Chris Tymeson – In regards to Canada geese, was there something that came out recently in regards to a depredation order? Kraft – The EIS was just finalized recently on the management of resident Canada geese. The Service backed off just about anything that was of value because of their fear of lawsuits. There really isn't anything in there for Kansas. We can have a Conservation Order season during the month of August. That is an option a year from now, after we prove a need. We are rounding up some birds in Wichita and Kansas City, destroying some nests, but we are not going about it in a big way yet and there are problem areas and there probably always will be, but I don't think they are out of control. The Service got a lot of heat from the states in the Flyways when they came out with their final draft. Earlier they did allow a Conservation Order season in September, which would have done us some good because those dates don't count against the total 107-day Treaty limitation, but they backed away from that. They fully expect to get sued at any moment now, which will put the whole thing on hold for years. Steve Sorensen – So there is no urban seasons in September? Kraft – That is correct.

The dark goose management unit recommendations for Marais des Cygnes Valley Unit season are December 23 through February 18, 2007 with shooting hours one-half hour before sunrise to 1:00 p.m. For the Southeast Unit the season is basically the same as the statewide season. As far as the hunter is concerned, the Unit no longer exists, but we are keeping it in the event that the population should begin to decline so we can reenact it. The seasons run October 28 and 29, 2006; and November 8 through February 18, 2007. Shooting hours will be one-half hour before sunrise to sunset. The Marais des Cygnes season is one week longer than last year and it is because of calendar slip, but it still opens on the same day.

Recommendations for falconry seasons for migratory game birds will run concurrently with all established hunting seasons for those species. Daily bag and possession limits for falconers shall be three and six respectively, for all migratory game birds in aggregate. In addition, extended falconry seasons for ducks, mergansers, and coots will run: no days are available in the High Plains Zone; in the Early and Late zones it will run Thursday, February 24 through Saturday, March 10, 2007. I haven't had any contact with the falconers, but in the past they have been satisfied with the seasons they have had in recent years and they gave me no indication they wanted any change. **Commissioners approved.**

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

October 26, 2006, Neosho Community College, Chanute with tour of Safari Museum in morning and lunch at College at noon.

January 11, 2007, Winfield.

March 15, 2007, Topeka

XIV. ADJOURNMENT

Commissioner S.Wilson moved Commissioner Meyer seconded to adjourn.

The meeting adjourned at 8:42 p.m.

(Exhibits and/or Transcript available upon request)

Secretary's Remarks

TO: Commission on Wildlife and Parks

FROM: J. Michael Hayden, Secretary of Wildlife and Parks

SUBJECT: KDWP FY 2008 Budget Request

DATE: October 26, 2006

The Kansas Department of Wildlife and Parks (KDWP) has submitted our FY 2008 budget to the Division of the Budget. Attached is a table showing the amounts for the FY 2008 budget request and the FY 2007 approved budget. The total request for FY 2008 is \$58,363,741 of which \$9,275,054 is from the State General Fund (SGF). This request includes 410.5 positions, an increase of three.

The commission was advised at the August meeting of the commission that KDWP had received more financial support than anticipated from the annual SGF allocation used to prepare the budget request and the attached table reflects the additional financing. This additional support has allowed KDWP to submit a FY 2008 budget request that continues the existing level of services at the state parks. In addition, the FY 2008 request also includes \$2,450,000 for parks major maintenance construction projects.

The continuation of additional SGF support for the state parks will also provide an adequate balance in the Park Fee Fund to address unanticipated declines in revenue. The projected balance in the Park Fee Fund at the end of FY 2008 is \$592,659 as compared to an estimated balance of \$358,569 at the end of FY 2007.

For FY 2008, the KDWP has requested several enhancements that impact the state parks. An amount of \$745,000 is requested for development of State park No. 24. This request will provide for an improved road, river access, and a much safer railroad crossing. KDWP has met with staff from the Kansas Department of Transportation (KDOT). It was agreed that KDOT would design the road improvements for the park. Their support is greatly appreciated and will allow KDWP to utilize funding that will be made available to provide additional improvements to the project. In addition, KDWP is requesting that two unclassified Administrative Assistants at Crawford and Pomona State Parks be changed to full-time classified positions.

Another enhancement requested for the state parks is \$1,000,000 from Lottery proceeds that will be used for parks operations (\$650,000) and capital improvements (\$350,000). The park operations request includes funding for 1.0 FTE and operating costs for State park No. 24. The intent of the KDWP is to have dedicated funding for all state park operations and this request will serve as notice of that intent to the governor and the legislature. KDWP will ask the governor to support a dedicated funding bill similar to SB 583 passed by the Senate during the 2006 Legislative Session.

As was mentioned at the August KDWP Commission meeting, the revenue collected to the Wildlife Fee Fund has exceeded projections. This additional revenue has allowed KDWP to provide increases for operational expenses financed from this source. The FY 2008 request includes increases for fuel, utilities, and other operating expenses. The projected balance in the Wildlife Fee Fund at the end of FY 2008 is estimated to be \$6,812,008.

The FY 2008 budget request includes the following enhancements in addition to the Lottery proceed item for state parks:

- \$490,000 to implement 800 Mz radio plan for KDWP
- \$1,366,100 for a total of 75 vehicle replacements

- \$50,000 to initiate KDWP marketing plan
- \$20,000 to expand Archery in the Schools program
- \$75,000 to expand Community Fishing Access Program (CFAP)
- \$270,000 for local shooting range grants
- \$300,000 to expand the WIHA program
- \$50,000 to contract for a web-based survey of hunting and fishing participants
- \$75,000 for Local Community Boating Grants
- \$400,00 to support acquisition of the Circle K Ranch

These enhancements will allow KDWP to provide increased services to the public and to allow department employees to perform their duties safely and efficiently.

KDWP is requesting an FY 2008 Capital Improvement (C/I) budget of \$10,207,200 for which \$2,655,000 is financed from the SGF and \$350,000 from Lottery proceeds. The C/I request is shown on the attached table. This request is an increase from the information provided to the KDWP Commission Meeting at the June 2006 meeting. At that time, KDWP had submitted an FY 2008 C/I budget of \$7,687,200 to the Division of the Budget. As mentioned before, since that submission, the department has revised revenue estimates and therefore has provided a revised C/I budget to the Division of the Budget.

The revised C/I budget includes additional funding for parks major maintenance projects to be financed from Lottery proceeds, \$150,000, and the SGF, \$2,075,000. The amount for land acquisition was increased from \$600,000 to \$1,000,000. Of this amount, \$200,000 is from Lottery proceeds and will be used to initiate a Protect our Borderland acquisition program at our state parks.

The remaining change since the earlier C/I submission is an increase in the amount of funding for KDWP road maintenance. This amount, which is financed by a transfer of funds from KDOT, has not been increased for a number of years. KDWP has discussed an increase with KDOT staff and it has been agreed that, with approval from the governor and the legislature, the annual transfer of funds from KDOT to KDWP will increase by the annual percent of inflation as determined by the State Consensus Revenue Estimating Group. For FY 2008, the inflation rate is estimated to be 3 percent; which equates to \$45,000. However, over a period of years, the increases will be significant and allow KDWP to maintain park and other facilities roads.

The KDWP's request is a significant increase over prior years. However, the funding would be available to increase the services to the public we serve. The department intends to pursue a permanent dedicated funding source to finance the operations of the state parks that will allow this higher level of service to continue.

Attachments (2)

	FY 2006 Actuals	FY 2007 Leg Appvd	FY 2008 Agy Req
Programs:			
Administration	9,524,763	9,740,928	11,856,344
Grants-in-Aid	2,849,364	1,585,000	2,010,000
Law Enforcement	5,473,962	5,955,005	5,804,711
Parks	9,119,676	10,120,518	10,540,483
Fisheries and Wildlife	16,713,437	17,265,503	17,945,003
Debt Service	500,000	715,153	-
Capital Improvements	4,931,320	16,088,165	10,207,200
TOTAL	49,112,522	61,470,272	58,363,741
Expenditure Groups:			
Salaries and Wages	24,271,287	24,673,307	25,241,222
Contractual Services	9,871,888	11,189,990	12,571,857
Commodities	4,548,393	4,412,146	4,912,248
Capital Outlay	2,078,932	2,791,511	3,406,214
Aid/Other Assistance	2,873,554	1,600,000	2,025,000
Non-expense Items	37,148	-	-
Debt Service	500,000	715,153	-
Capital Improvements	4,931,320	16,088,165	10,207,200
TOTAL	49,112,522	61,470,272	58,363,741
Funding:			
<i>Operating Expenditures:</i>			
State General Fund	3,375,722	6,848,444	6,620,054
Nonrestricted Fund	240,708	200,000	200,000
Park Fee Fund	5,838,410	4,723,385	4,785,860
Roads Fund	424,754	-	-
Boating Fee Fund	1,069,157	1,012,335	1,286,499
Boating Fee Fund – Federal	623,188	492,396	417,450
Wildlife Fee Fund	19,132,069	20,745,728	23,773,329
Wildlife Fee Fund – Federal	7,418,761	6,676,050	6,259,484
Federal Ag Fund	706,022	600,000	600,000
Land and Water Conservation Fund	362,441	500,000	500,000
Federal Grants Fund	2,027,272	1,899,413	2,065,509
Wildlife Conservation Fund	1,372,351	160,000	160,000
Water Plan Fund	39,999	160,000	160,000
Nongame Fund	144,720	219,100	219,100
Other Funds	1,405,628	1,216,802	1,145,256
	44,181,202	45,453,653	48,192,541
<i>Capital Improvements</i>			
State General Fund	14,175	2,205,000	2,655,000
Cheyenne Bottoms Fed Grts Fund	285,060	1,714,204	-
Bridges Fund	10,000	671,852	200,000
Roads Fund	987,902	2,183,876	1,870,000
Wildlife Conservation Fund	856,718	2,077,441	-
Wildlife Conservation Fund – Federal	-	350,000	2,075,000
Park Fee Fund	109,703	94,729	-
Boating Fee Fund	261,643	311,291	104,000
Boating Fee Fund – Federal	-	200,000	209,000
Wildlife Fee Fund	1,048,060	1,520,621	2,156,000
Wildlife Fee Fund – Federal	-	1,400,000	588,200
Migratory Waterfowl Fund	40,474	276,759	-
Land and Water Conservation Fund	666,492	2,036,690	-
Federal Grants Fund	355,125	812,652	-
Tuttle Creek Mitigation - Federal	295,968	-	-
Other Funds	-	161,504	314,000
	4,931,320	16,016,619	10,171,200
TOTAL	49,112,522	61,470,272	58,363,741
FTE	406.5	407.5	410.5

**FY 2008
CI
Request**
(revised 9-15-2006)

Priority		Lottery	SGF	BFF	WF - F	WFF	BF - F	WCF - F	Roads Fund	Bridge Fund	Total
1	Circle K Dev					\$400,000					\$400,000
2	Park 24 Dev		320,000	100,000					\$325,000		\$745,000
3	Land Acquisition	200,000				\$600,000		\$200,000			\$1,000,000
4	Parks Maj Maint	150,000	2,300,000								\$2,450,000
5	River Access						\$100,000				\$100,000
6	Fish Hatchery Renov					\$473,000		\$1,125,000			\$1,598,000
7	Pratt Office Renov (a)		35,000	4,000		\$101,000					\$140,000
8	Wetlands Acquisition/Development							\$450,000			\$450,000
9	MILH Classroom					\$75,000					\$75,000
10	Public Lands Major Maintenance				\$152,500	\$92,000		\$200,000			\$444,500
11	Federally Mandated Boating Access				\$435,700	\$400,000		\$100,000			\$935,700
12	Coast Guard Boating Projects					\$15,000	\$109,000				\$124,000
13	Road Maint								\$1,545,000		\$1,545,000
14	Bridge Maint									\$200,000	\$200,000
		\$350,000	\$2,655,000	\$104,000	\$588,200	\$2,156,000	\$209,000	\$2,075,000	\$1,870,000	\$200,000	\$10,207,200

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10,000

General Discussion

Commission Permits Update

In January 2006 Wildlife and Parks held the first drawing for Commission permits. Winners of the permits were: Quail Forever State Chapter, Salina; Ducks Unlimited, South Central Kansas Chapter, Rose Hill; Rocky Mountain Elk Foundation, Wichita Chapter; Rocky Mountain Elk Foundation Greater Kansas City Chapter; and Kansas Friends of the NRA, Greenwood Chapter; Kansas Friends of the NRA Nemaha Valley Chapter; and Kansas Friends of the NRA Flint Hills Chapter.

The first winner was the Rocky Mountain Elk Foundation, Wichita Chapter which chose the one elk permit and the other six winners chose deer permits. No antelope permit was selected this year. Each winner sent in the fee for their perspective permit and was given a voucher to give to the person who bought that permit. The organization could auction the permit off to the highest bidder, raffle it off or just sell it. Five of the seven permits have been sold so far. Rocky Mountain Elk Foundation sold both permits the elk permit sold for \$23,000 at their national convention and the deer permit sold for \$7,000. They have sent in a check for \$25,500 for their 85 percent and KDWP has deposited that money into Wildtrust to be used for department-sponsored or approved projects. Also, the Friends of the NRA have sold all three permits for \$3,500 each, however they have not made arrangements on their 85 percent yet (\$2,975 per permit). Ducks Unlimited sold its permit for \$2,500 and used their 85 percent (\$2,125) at McPherson Wetlands. Quail Forever has not sold its permit at this time, but plans to use the 85 percent on forbs seeds for the Sunflower Electric land going into WIHA near Garden City.

**2007 Kansas Department of Wildlife and Parks
Commission Big Game Permit Application Guidelines**

Pursuant to K.S.A. 32-970, the Kansas Department of Wildlife and Parks Commission is authorized to issue up to seven Commission Big Game Permits per calendar year. Of the seven Commission Big Game Permits, up to one may be an elk permit, up to one may be an antelope permit, and the remaining balance may be any deer permits. Such permits are only available to nonprofit organizations that actively promote wildlife conservation and the hunting and fishing heritage. Only one Commission Big Game Permit may be issued to a qualified organization, but this limitation does not preclude individual chapters of the same organization from being issued permits. Organizations are not eligible to receive a Commission Big Game Permit more than once in a three-year period. Organizations that oppose hunting and fishing shall not be eligible for award of a Commission Big Game Permit.

Organizations must provide, with their application, **a copy of their 501(c) (3) nonprofit status, articles of incorporation, and their mission statement. Further documentation may be required to confirm qualifying status.**

Organizations receiving Commission Big Game Permits must market the permit to the public in order to receive the maximum financial benefit available to both the organization and the department. Organizations awarded Commission Big Game Permits by random draw must pay to the department the price established by rules and regulations for the highest value for the type of permit awarded. If the organization is Kansas Farmers and Hunters Feeding the Hungry, not less than 15 percent of the amount retained by the organization must be remitted to the department for use on jointly approved projects. For any other organization, not less than 85 percent must be remitted to the department for use on jointly approved projects. The remainder may be spent at the organizations' discretion.

The completed application shall be submitted no later than January 5, 2007 to:

Sheila Kemmis, Commission Secretary
Kansas Dept. of Wildlife and Parks
512 SE 25th Ave.
Pratt, KS 67124

The Commission shall conduct a random drawing from the pool of eligible organizations to award Commission Big Game Permits at the January 11, 2007, KDWP Commission meeting held at Southwestern College Auditorium, Wroten Hall, Winfield, KS.

Upon receipt of payment for the Commission Big Game Permit by the organization, the department's licensing section will issue a voucher signifying the type of permit awarded. Once the voucher is obtained by the final recipient, the final recipient shall return the voucher to the Licensing Section of the Department and a permit shall be issued in the final recipient's name. After a Commission Big Game Permit is issued in the name of the final recipient, it shall not be transferred to any other individual for any reason. Any Commission Big Game Permit shall be subject to the restrictions of the season, sex, equipment type or hunt units as issued on the permit by the department.

**2007 Kansas Department of Wildlife and Parks
Commission Big Game Permit Application**

Nonprofit Organization Name _____

Address _____

City _____ State _____ Zip _____

Name of Individual Making Application _____

Position of Individual Making Application _____

Telephone (_____) _____ Email _____

Address of individual making application (if different than above) _____

City _____ State _____ Zip _____

The following permits are available as Commission Big Game Permits. List your 1st, 2nd and 3rd choice to the left of the type of permit.

_____ Deer - One Any Deer permit; available to resident or nonresident; valid statewide during any season with legal equipment. Cost of permit is \$322.15.

_____ Elk - One Any Elk permit; available to resident or nonresident; good anywhere within elk management units during any season with legal equipment. This permit would be valid on Fort Riley during seasons and restrictions established by Fort Riley. Cost of permit is \$257.15.

_____ Antelope - One Any Antelope permit; available to resident or nonresident; good anywhere in antelope management units during any season with legal equipment. Cost of permit is \$202.15.

The completed application, **copy of 501(c)(3) nonprofit status, articles of incorporation and mission statement** shall be submitted no later than January 5, 2007 to:

Sheila Kemmis, Commission Secretary
Kansas Dept. of Wildlife and Parks
512 SE 25th Ave.
Pratt, KS 67124

Southeast Kansas Quail Initiative (SEK QI)

Tom Glick and Justin Harbit

Started in 2001, the SEK QI has delivered cost-share money to landowners in Bourbon, Allen, Crawford, and Neosho Counties. This money has allowed habitat improvements to be made at the landscape level. The QI has not just stood alone, but has been partnered with federal WHIP, and Continuous CRP, to make the money go even further.

In addition to the improvements that were made to the habitat, research was conducted utilizing radio telemetry. It is our hope that the lessons learned from this research will be another valuable tool that we can use when managing for quail in the future.

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

Background

The first modern fall turkey season in 1979 was open only to archery hunters and lasted just 16 days. During that first fall season, an estimated 37 birds were harvested. Since that time, the turkey population has continued to increase and has provided hunters with more opportunities through the addition of a firearms season and more liberalized season structure and bag limits. In 2001, the archery and firearms fall turkey seasons were combined into one season where either weapon was legal. Three of the four turkey units now have a fall season. Only Unit 4 (southwest Kansas) was closed to fall hunting in 2005-2006. Hunters are currently permitted to harvest 1 bird of either sex in Units 1, 2, and 3 and up to 3 more birds of either sex in Unit 2 (eastern Kansas) with the purchase of additional game tags. The fall 2005-2006 season consisted of 3 segments spanning 103 days from October 1 – January 31. For the first time, the fall turkey season consisted of a late winter segment from 9-31 January, 2006. This extended season provided Kansas turkey hunters with an additional 23 days of hunting opportunity over the previous year, making the 2005-2006 season the longest season in history. During the 2005-2006 fall turkey season, the number of permits and game tags issued was 16,010 (includes 4,607 game tags) and for the tenth consecutive year exceeded the record number sold from the previous year. There were an estimated 10,119 active hunters this past fall and they harvested more than 5,700 birds (67.4 percent males).

Discussion

Currently, the fall turkey season does not run continuously from October 1 – January 31 to prevent overlapping the regular deer firearms season and the January whitetail antlerless firearm season. The department is considering changing the season structure to allow fall turkey hunting during the deer firearm seasons. There are many positive and negative ramifications associated with such a change and some of them are listed in the below table.

Positives	Negatives
Would provide an additional 19 days of fall turkey hunting opportunity.	Might compromise safety of turkey hunters because they would be fully camouflaged and in the woods at the same time as firearm deer hunters.
Simplifies fall turkey regulations by eliminating segments.	Fall turkey hunters might have to wear hunter orange which has been shown to substantially decrease turkey hunter success.
	Might increase the temptation for firearms deer hunters to illegally shoot a turkey with a rifle.
	Will likely increase hunter interference during firearm deer seasons due to a greater number of hunters in the woods.

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

Background

The regulation contains the following items:

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

Discussion

Annual adjustments will be made in the season and application dates. Population indices will be examined and public input will be considered in the development of a list of units where extended firearms seasons and antlerless white-tailed deer game tags will be authorized. The number of game tags that may be used in each unit will also be evaluated after additional data becomes available. Game tags have not been authorized in DMU 1, 2, 17 or 18 since the 2003 seasons. Deer populations, especially a localized population on and around Cedar Bluff Reservoir have increased in recent years. Discussions are being held with field personnel in western Kansas on the potential to expand the use of game tags in some western units.

Input from department personnel indicates that consideration should be made to restrict game tags to people that possess a deer permit.

Recommendation

Season dates for the 2007-08 deer hunting are recommended as follows:

Early Muzzleloader	September 15, 2007 – September 28, 2007
Youth and Disability	September 29, 2007 – September 30, 2007
Archery	October 1, 2007 – December 31, 2007
Early Firearms (DMU 19)	October 13, 2007 – October 21, 2007
Regular Firearms	November 28, 2007 – December 9, 2007
Extended WAO	January 1, 2008 – January 6, 2008
Extended Archery (DMU 19)	January 7, 2008 – January 31, 2008

The recommendation for the deadline for applications is:

Nonresident	May 31, 2007
Resident Drawing	July 14, 2007
Unlimited Availability	December 30, 2007

Consideration will be made on issues of extended firearms seasons and deer game tags after additional data become available.

Additional public input is desired on the issue of requiring a hunter to purchase a deer permit before they may purchase a deer game tag.

RECREATIONAL TRAILS FUND PROJECTS

The Kansas Department of Wildlife and Parks held a public meeting at 12:30 p.m., Tuesday, October 3, 2006 at the Great Plains Nature Center, 6232 E. 29th St. N, Wichita, to discuss projects submitted for funding under the Recreational Trails Fund Act. Funding for the act is derived from taxes paid to the Federal Highway Administration for off-highway vehicle use and is part of the Transportation Enhancement Act.

The Recreational Trails Program provides for an 80/20 reimbursable match, with the local entity supplying 20 percent. Projects must meet accessibility and environmental criteria. Sponsoring entities are also evaluated for their ability to administer the projects and their past performance in handling similar grants.

This year, the Department has received \$5.8 million in requests for grant monies, with only about \$1 million available to be distributed. The Recreational Trails Act is authorized by Congress and funding has been approved for the next five years. The total amount available for Kansas depends on the amount of off highway vehicle use and the distribution of grant funds in the past. Thirty percent of the total obligation must be for non-motorized trail projects, 30 percent must be for motorized trail projects, and the remaining 40 percent is comprised of a combination of trails uses.

A summarized list of all project applications by appropriate category is attached. A list of project applications recommended for funding will be presented at the Commission meeting. After Secretary's approval, these projects must be approved by the Federal Highway Administration before work can proceed.

A Review of Paddlefish in Kansas

Tom Mosher, Emporia Research Office and Sean Lynott, Elk City District Office

Paddlefish snagging fisheries are open in three areas in Kansas: Chetopa Dam on the Neosho River, Osawatomie Dam on the Marais des Cygnes River, and Browning Oxbow adjacent to the Missouri River. Chetopa Dam supports the best and most consistent fishery. The Osawatomie Dam fishery is very limited. Both fisheries are highly dependent on flow within the rivers and paddlefish populations maintained by adjacent states; the fisheries are usually better during wet springs when river flow is higher than usual. We have no records of paddlefish from Browning Oxbow, and this fishery is open because we share management of the area with Missouri, and they allow snagging on their side. Paddlefish caught at Chetopa and Osawatomie must be 34 inches from the eye to fork of tail, while those on the Missouri River must be 24 inches.

KDWP has sponsored paddlefish stocking efforts at John Redmond and Tuttle Creek reservoirs with limited success. Many of the fish stocked at Tuttle Creek have been recovered at Gavins Point Dam on the Missouri River. As yet, no spawning fish have been observed on the Blue River above Tuttle Creek.

KDWP has been involved with a cooperative study of paddlefish with the Mississippi Interstate Cooperative Resources Association (MICRA) since 1994. Results of that study will be presented.

Marais des Cygnes Wildlife Area

Marais des Cygnes Wildlife Area (MDCWA) consists of over 7,600 acres located in east-central Kansas, 45 miles south of the Kansas City metro area. MDCWA is the second oldest wildlife area in the state and is owned fee-title by the Department of Wildlife and Parks. MDCWA is unique among Kansas wildlife areas because of the large quantity of mature bottomland hardwood forest and intensively managed wetlands. Primary management objectives are wetland and waterfowl management, providing quality waterfowl hunting, and bottomland hardwood protection and afforestation. Typically hunters make over 4,000 waterfowl hunting trips to MDCWA, annually, and harvest an average of 5,000 ducks.

MDCWA shares a boundary with Marais des Cygnes National Wildlife Refuge and the two areas compliment each other. Managers of the two areas consistently communicate and coordinate management activities. Further, these two areas are part of a larger wetland complex within the Marais des Cygnes/Osage River Basin that includes Four Rivers, Schell-Osage, Settles Ford, and Montrose conservation areas managed by Missouri Department of Conservation. Combined, these areas create a significant wetland complex for migrating waterfowl and other wetland-dependant species.

MDCWA is facing significant challenges, as well as opportunities, as Kansas Department of Transportation upgrades US Highway 69, which bisects the wildlife area, to a four-lane limited-access highway. Coordination between KDOT and KDWP has been on-going since early 1997. The two agencies are currently cooperating on eight different projects that encompass such issues as habitat mitigation, infrastructure enhancement, hunter access, and information and education opportunities.

Marais des Cygnes National Wildlife Refuge

Marais des Cygnes National Wildlife Refuge (Refuge) was established in 1992 for “the protection of bottomland hardwood habitat along the Marais des Cygnes River...” The Refuge currently owns approximately 7,500 acres. The Refuge is comprised of bottomland and upland hardwoods, tall fescue pastures, native prairie, flood plain wetlands and croplands. The Refuge shares a boundary with the Marais des Cygnes Wildlife Area (Wildlife Area). Combined, these two areas protect approximately 15,000 acres of valuable wildlife habitat in Eastern Kansas. Coordination between the two areas is ongoing in an attempt to compliment goals and objectives.

Hunting, fishing, and wildlife observation are allowed on the Refuge. Spring turkey, archery deer, and late season deer hunting are allowed by access permit only. These hunts remain the most popular of all the hunts conducted on the Refuge.

One of the significant opportunities for the Refuge is the proposal of an expansion of approximately 9,500 acres into the state of Missouri, directly adjacent to the existing Refuge. The majority of this area is comprised of bottomland hardwood forests, cropland and floodplain wetlands.

Workshop Session

Big Game Permanent Regulations

All permanent regulations dealing with big game will be discussed together. The regulations are brought forward in the General Discussion portion of the Commission Meeting to allow public comments on these regulations.

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

Background

The regulation contains the following items:

- ▶ Information that must be included on the carcass tag
- ▶ 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

The Deer Task Force is currently reviewing all aspects of the deer management program. Depending on the outcome of that review process and subsequent legislative actions there may be a need to modify various permanent regulations. Those recommendations and actions will not be completed for the 2007 season.

Recommendation

No recommendations are proposed at this time for this permanent regulation. This regulation is currently not proposed for further review this year.

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

Background

The 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 prohibiting shooting at turkeys while they are in a tree
- ▶ Special restrictions on the use of horses or mules to herd or drive elk.

Discussion

Lighted arrow nocks have been proposed as an addition to the equipment authorized for archery hunting of wild turkey. That piece of equipment does not aid a bowhunter in shooting. The light from these nocks is activated after the arrow is shot. The primary effect of the lighted hock is to allow the bowhunter to follow the path of the arrow after it is shot.

Recommendation

Staff is not opposed to changing this regulation to authorize the use of lighted arrow nocks.

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

Background

The regulation contains the following items:

- ▶ Specific equipment differences for hunting wild turkey.
- ▶ Accessory equipment such as calls, decoys, and blinds.
- ▶ Shooting hours
- ▶ Special restrictions prohibiting shooting at turkeys while they are in a tree
- ▶ The use of dogs while hunting turkey during the fall turkey season.

Discussion

Lighted arrow nocks have been proposed as an addition to the equipment authorized for archery big game hunting. That piece of equipment does not aid a bowhunter in shooting. The light from these nocks is activated after the arrow is shot. The primary effect of the lighted hock is to allow the bowhunter to follow the path of the arrow after it is shot.

Recommendation

Staff is not opposed to changing this regulation to authorize the use of lighted arrow nocks.

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

Background

This regulation established the boundaries for the 19 Deer Management units in Kansas. This regulation was recently changed to exclude Landowner Deer Management Program properties from each deer management unit. The boundary between DMU 10 and DMU 19 was changed to include areas of the city of Leavenworth in the DMU 19. Fort Leavenworth, unit 10A, was changed to an urban deer management unit.

Discussion

The Deer Task Force is currently reviewing all aspects of the deer management program. Depending on the outcome of that review process and subsequent legislative actions there may be a need to modify various permanent regulations. Those recommendations and actions will not be completed for the 2007 season.

Recommendation

No recommendations are proposed at this time for this permanent regulation. This regulation is currently not proposed for further review this year.

K.A.R. 115-4-6a. Deer; archery management units

Background

Ten archery deer management units were established using the existing boundary lines of firearm management units. The units were created by combining some adjacent firearms management units and by using the same boundaries as firearms units. Archers are allowed to hunt in unit 19 and to designate two units when they obtain their archery permit.

Discussion

The Deer Task Force is currently reviewing all aspects of the deer management program. Depending on the outcome of that review process and subsequent legislative actions there may be a need to modify various permanent regulations. Those recommendations and actions will not be completed for the 2007 season.

Recommendation

No recommendations are proposed at this time for this permanent regulation. This regulation is currently not proposed for further review this year.

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

Background

The regulation contains the following items:

- ▶ Creates permit types that includes:
 - ▶ a white-tailed deer, either sex permit valid during muzzleloader and firearms seasons
 - ▶ a white-tailed deer antlerless only permit valid during any season with the appropriate equipment
 - ▶ an antlerless white-tailed deer game tag
 - ▶ Firearm Any-Deer permit

- ▶ Archery Any-Deer permit
- ▶ Muzzleloader Any-Deer permit
- ▶ Hunt-on-your-own-land permits, including resident HOYOL, nonresident HOYOL, and special HOYOL transferable permits.
- ▶ Nonresident deer permits shall be valid for the same season and same management unit as those for which the equivalent resident permits are valid.
- ▶ Each deer permit or game tag shall be valid only for the species and antler category specified on the permit or game tag.
- ▶ Antlerless deer are defined as a deer without a visible antler plainly protruding from the skull.

Discussion

The Deer Task Force is currently reviewing all aspects of the deer management program. Depending on the outcome of that review process and subsequent legislative actions there may be a need to modify various permanent regulations. Those recommendations and actions will not be completed for the 2007 season.

Recommendation

No recommendations are proposed at this time for this permanent regulation. This regulation is currently not proposed for further review this year.

White Perch Recommendation

Common and Scientific Name: White Perch *Morone americana*
Recommended Action: Add white perch to KAR-115-18-10

Background:

White perch are native to the Atlantic coast region of North America but since have invaded many waters west of their native range. Since arriving and becoming established, white perch have been associated with declines in both walleye *Sander vitreus* and white bass *Morone chrysops* populations due to predation on the eggs of both species. White perch also feed heavily on baitfish utilized by other game species. They are known to hybridize with white bass, resulting in the dilution of the gene pools of both species (Madenjian et al. 2000). White perch have established populations in Wilson and Cheney reservoirs and Kingman State Fishing Lake.

White perch are easily caught by anglers and due to their relatively small size (<10 inches TL), white perch are often used as baitfish for game species. The spread of white perch may be assisted by the inadvertent or intentional transport via live bait harvest from infested waters.

Recommendation:

Current regulations restrict the importation, possession, or release of several animal species that could be detrimental to Kansas ecosystems. The white perch *Morone americana*, an invasive species that has proven to significantly alter the aquatic ecosystem in Kansas, is currently not on the prohibited species list in KAR 115-18-10. Authority is currently lacking for the Department to restrict the importation, possession or release of white perch. The Department is proposing to add white perch to the prohibited species list in KAR 115-18-10 to enhance regulatory authority for controlling its spread into and within the State.

Currently, anglers at white perch infested waters use white perch as baitfish. The proposed regulation change would allow the utilization of white perch as baitfish on infested waters, but only as dead bait. Anyone who chooses to possess white perch must render the fish dead prior to possession. Special emphasis on the education of anglers must accompany this regulation change.

Reference:

Madenjian, C. P., R. Knight, L. Bur, T. Michael, and J. L. Forney. 2000. Reduction in recruitment of white bass in Lake Erie after invasion of white perch. Transactions of the American Fisheries Society 129:1340–1353.

Bighead Carp Recommendation

Common and Scientific Name: Bighead Carp *Hypophthalmichthys nobilis*
Recommended Action: edit bighead carp scientific name in KAR-115-18-10

Recommendation:

Current regulations restrict the importation, possession, or release of several animal species that could be detrimental to Kansas ecosystems. The bighead carp *Aristichthys nobilis*, is an invasive species that has long been prohibited in Kansas. Recent taxonomic research has determined that the genus *Aristichthys* no longer correctly describes the bighead carp. The genus *Hypophthalmichthys* is now the accepted name for the bighead carp. The Department is proposing to change the scientific name of the bighead carp from *Aristichthys nobilis* to *Hypophthalmichthys nobilis* in KAR 115-18-10 to enhance regulatory authority for controlling its spread into and within the State.

Public Hearing

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife and Parks

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

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - August 17, 2006

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

I hereby certify that I have reviewed the attached documents, and that they conform to all applicable Kansas Register publication guidelines and to the requirements of K.S.A. 75-431, as amended. I further certify that submission of these items for publication is a proper and lawful action of this agency, that funds are available to pay the publication fees and that such fees will be paid by this agency on receipt of billing.

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife and Parks Commission

Notice of Hearing of Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7:00 p.m., Thursday, October 26, 2006 at the Neosho County Community College, 800 W. 14th St, Chanute, Kansas, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m., October 26 at the location listed above. The meeting will recess at 5:30 p.m. then resume at 7:00 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9:00 a.m. October 27 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, Commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission of Deaf and Hard Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheilak@wp.state.ks.us if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-2-1. This permanent regulation sets general fee requirements for various issuances of the department. The proposed amendments include creating a fee for two new permits, the tournament bass pass and the paddlefish permit.

Economic Impact Summary: The increase of various fees for permit types could result in an increase of \$8000 annually, all of which would accrue to the wildlife fee fund. Otherwise, the proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies or the public.

K.A.R. 115-2-2. This permanent regulation provides for motor vehicle entrance fees for the state park system. The proposed amendments include decreasing the cost of all motor vehicle permits by one-half.

Economic Impact Summary: The proposed amendments could decrease the park fee fund receipts by \$1,600,000 for the calendar year 2007 but are offset by an appropriation of state general funds in the same amount specifically set aside to reduce park motor vehicle entrance fees. Otherwise, the proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-2-3a. This permanent regulation sets the fees for cabin use on state property. The proposed amendments include adding several new locations where cabins will be placed in the next calendar year.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-25-6. This exempt regulation sets the spring turkey season bag limits, dates and permit allocations. The proposed amendments would open the spring season on April 1 for an archery equipment only season leading up to the traditional opening of the firearms season and would expand the boundaries of unit 3.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-20-5. This new permanent regulation sets the primary caging requirements and transportation caging standards for six species of large felines, all bears and nonnative venomous snakes. The regulation was drafted as a requirement of legislation that passed in the most recent legislative session.

Economic Impact Summary: The proposed regulation may have an impact on individuals desiring to possess or possessing a dangerous regulated animal but any amount would be purely speculative. Otherwise, the proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-20-6. This new permanent regulation sets the requirements to become a registered designated handler for a dangerous regulated animal. The regulation was drafted as a requirement of legislation that passed in the most recent legislative session.

Economic Impact Summary: The proposed regulation may have an impact on individuals desiring to become a registered designated handler but any amount would be purely speculative. Otherwise, the proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-16-5. This permanent regulation sets the operational requirements for wildlife control permits. The proposed amendment would allow the use of a person to assist the permittee as long as the individual assisting is under the constant and direct supervision and in the constant presence of the permittee.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-7-4. This permanent regulation pertains to fish processing and possession. The proposed amendments would require that any person who takes fish from a body of water must leave the head, body and tail fin attached to the fish while on the water.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-12. This permanent regulation sets the purposes for which the trout permit is required, other restrictions on the permit and the permit duration. The proposed amendments would require an individual to have a trout permit in order to fish on certain trout fisheries and to have a trout permit only to fish for and possess trout on other trout fisheries.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-18. This new permanent regulation creates a permit for hand fishing, sets restrictions on the permit and sets the permit duration. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-19. This new permanent regulation creates a permit for paddlefish snagging, sets restrictions on the permit and sets the permit duration. The proposed regulation is part of a larger regulatory package for fisheries and replaces the mandatory checkstation process currently in place.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-18-20. This new permanent regulation creates a tournament bass pass, sets restrictions on the pass and sets the pass duration. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings. The tournament bass pass would allow participants to keep up to bass meeting the statewide length limit but not a specific length limit for a particular body of water where a bass fishing tournament is being conducted.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-7-1. This permanent regulation set legal equipment, methods of taking and other provisions for fishing. The proposed changes include adding hand fishing to the authorized methods of taking and deleting provisions related to mandatory paddlefish tagging stations. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-25-14. This exempt regulation sets the creel limit, size limit, possession limit and open seasons for fishing. The proposed changes to the regulation include having two types of trout waters, opening certain waters to hand fishing, and adopting special size limits, creel limits and bait restriction tables by reference document in lieu of the use of secretary's orders and posted notice. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

K.A.R. 115-7-8. This new regulation creates provisions for regulating and permitting certain bass tournaments. The proposed regulation contains provisions for applications, obligations of tournament organizers, obligations for tournament participants, and provisions for release of fish taken. The proposed regulation is a result of requests from members of the public and statewide fisheries meetings.

Economic Impact Summary: The proposed regulation is not anticipated to have any appreciable economic impact on the department, other agencies, or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.kdwp.state.ks.us, or by calling (785) 296-2281.

James Harrington, Chairman

115-2-2. Motor vehicle permit fees. (a) The following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

January 1, ~~2005~~ 2007 through March 31, ~~2005~~ 2007:

One-day temporary motor vehicle permit.....	\$4.50 <u>\$2.25</u>
Annual motor vehicle permit	34.50 <u>17.75</u>
Additional annual motor vehicle permit	19.50 <u>9.75</u>

April 1 through September 30:

One-day temporary motor vehicle permit.....	\$5.50 <u>\$2.75</u>
Annual motor vehicle permit	44.50 <u>22.25</u>
Additional annual motor vehicle permit	24.50 <u>12.25</u>

October 1 through March 31, effective beginning October 1, ~~2005~~ 2007:

One-day temporary motor vehicle permit.....	\$4.50 <u>\$2.25</u>
Annual motor vehicle permit	34.50 <u>17.25</u>
Additional annual motor vehicle permit	19.50 <u>9.75</u>

(b) Each one-day temporary motor vehicle permit shall expire at noon on the day following its effective date. However, each one-day temporary motor vehicle permit shall expire at 2:00 p.m. on Sundays and on Memorial Day, Independence Day, and Labor Day when the Sunday or the listed holiday is the day following the effective date of the one-day temporary motor vehicle permit.

(c) Annual motor vehicle permits shall not be valid during designated special events.

(d) This regulation shall be effective on and after January 1, ~~2005~~ 2007. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-901; effective Jan. 22, 1990; amended Oct. 12,

1992; amended Aug. 21, 1995; amended Jan. 1, 2001; amended Jan. 1, 2003; amended Jan. 1,
2005; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-2-2. Motor vehicle permit fees.

DESCRIPTION: This regulation establishes daily and annual permit prices for vehicles entering and using state parks and other areas requiring a motor vehicle permit. This is a user fee for entering and using state parks. The proposed amendments would reduce all annual and daily motor vehicle permits to one-half of the current value for a period of one calendar year.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments may decrease revenue to the Park Fee Fund in the estimated amount of \$800,000 in FY 2007 and \$800,000 in FY 2008. The proposed amendments are the result of an increase appropriation of State General Fund earmarked specifically to replace lost revenue from a corresponding reduction in the price of motor vehicle permits. The amendments are not anticipated to have any appreciable economic impact on other agencies. .

ALTERNATIVES CONSIDERED: None

K.A.R. 115-2-2.
Motor vehicle permit fees.
POSSIBLE AMENDMENT

As a result of internal accounting concerns and a minor drafting error in the proposed K.A.R. 115-2-2, the department suggests that the following amendment be made to the version of the regulation submitted for public comment.

K.A.R. 115-2-2. Amount of fees.

1. Change proposed subsection (a) as follows:

(a) The following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

January 1, ~~2005~~ 2007 through March 31, ~~2005~~ 2007:

One-day temporary motor vehicle permit.....	\$4.50 <u>\$2.20</u>
Annual motor vehicle permit	34.50 <u>17.20</u>
Additional annual motor vehicle permit	19.50 <u>9.70</u>

April 1 through September 30:

One-day temporary motor vehicle permit.....	\$5.50 <u>\$2.70</u>
Annual motor vehicle permit	44.50 <u>22.20</u>
Additional annual motor vehicle permit	24.50 <u>12.20</u>

October 1 through March 31, effective beginning October 1, ~~2005~~ 2007:

One-day temporary motor vehicle permit.....	\$4.50 <u>\$2.20</u>
Annual motor vehicle permit	34.50 <u>17.20</u>
Additional annual motor vehicle permit	19.50 <u>9.70</u>

115-2-3a. Cabin camping permit fees. (a) The following cabin camping permit fees shall be in effect for the following state parks ~~requiring a cabin camping permit:~~

(1) Cedar Bluff:

Cabins 1 and 2:

Year-round, per night.....\$35.00

Cabins 3 and 4:

Year-round, per night.....\$80.00

Cabin 5:

Year-round, per night.....\$60.00

Cabins 6 and 7:

Year-round, per night.....\$70.00

(2) Cheney:

Cabins 1 through 7 & 8:

Sunday through Thursday, year-round, per night.....\$45.00

Friday and Saturday, April 1 through September 30, per night.....\$65.00

Friday and Saturday, October 1 through March 31, per night.....\$45.00

Year-round, per week.....\$300.00

(3) Clinton:

Cabins 1 and 2:

Sunday through Thursday, April 1 through September 30, per night.....\$65.00

Sunday through Thursday, October 1 through March 31, per night.....\$55.00

<u>Friday and Saturday, April 1 through September 30, per night.....</u>	<u>\$85.00</u>
<u>Friday and Saturday, October 1 through March 31, per night.....</u>	<u>\$75.00</u>
<u>April 1 through September 30, per week.....</u>	<u>\$450.00</u>
<u>October 1 through March 31, per week.....</u>	<u>\$375.00</u>

(4) Crawford:

~~Cabins 1 through 3~~ and 2:

Sunday through Thursday, April 1 through September 30, per night.....	\$65.00
Sunday through Thursday, October 1 through March 31, per night.....	\$55.00
Friday and Saturday, April 1 through September 30, per night.....	\$85.00
Friday and Saturday, October 1 through March 31, per night.....	\$75.00
April 1 through September 30, per week.....	\$450.00
October 1 through March 31, per week.....	\$375.00

(~~4~~) (5) Cross Timbers:

~~Cabin~~ Cabins 1 through 4:

Sunday through Thursday, April 1 through September 30, per night.....	\$65.00
Sunday through Thursday, October 1 through March 31, per night.....	\$55.00
Friday and Saturday, April 1 through September 30, per night.....	\$85.00
Friday and Saturday, October 1 through March 31, per night.....	\$75.00
April 1 through September 30, per week.....	\$450.00
October 1 through March 31, per week.....	\$375.00

↵ (6) Eisenhower:

Cabin 1:

Year-round, per night.....\$36.00

Cabins 2 and 3:

Sunday through Thursday, April 1 through September 30, per night.....\$65.00

Sunday through Thursday, October 1 through March 31, per night.....\$55.00

Friday and Saturday, April 1 through September 30, per night.....\$85.00

Friday and Saturday, October 1 through March 31, per night.....\$75.00

April 1 through September 30, per week.....\$450.00

October 1 through March 31, per week.....\$375.00

↵ (7) El Dorado:

Cabins 1 through 5:

Sunday through Thursday, year-round, per night.....\$30.00

Friday and Saturday, year-round, per night.....\$35.00

Year-round, per week.....\$175.00

Year-round, per month.....\$600.00

~~Cabins Cabin 6, 8, and 9:~~

~~Year-round, per night.....\$100.00~~

~~Year-round, per week.....\$560.00~~

~~Year-round, per month.....\$1,800.00~~

Cabin 7:

Year-round, per night.....\$110.00

Year-round, per week.....\$560.00

Year-round, per month.....\$1,800.00

Cabins 8 and 9:

Year-round, per night.....\$85.00

Year-round, per week.....\$525.00

Year-round, per month.....\$1,650.00

Cabin 10:

Year-round, per night.....\$75.00

Year-round, per week.....\$455.00

Year-round, per month.....\$1,350.00

~~(7)~~ (8) Fall River:

~~Cabin~~ Cabins 1 and 2:

Sunday through Thursday, April 1 through September 30, per night.....\$65.00

Sunday through Thursday, October 1 through March 31, per night.....\$55.00

Friday and Saturday, April 1 through September 30, per night.....\$85.00

Friday and Saturday, October 1 through March 31, per night.....\$75.00

April 1 through September 30, per week.....\$450.00

October 1 through March 31, per week.....\$375.00

~~(8)~~ (9) Glen Elder:

~~Cabin~~ Cabins 1 and 2:

Sunday through Thursday, April 1 through September 30, per night.....\$65.00
 Sunday through Thursday, October 1 through March 31, per night.....\$55.00
 Friday and Saturday, April 1 through September 30, per night.....\$85.00
 Friday and Saturday, October 1 through March 31, per night.....\$75.00
 April 1 through September 30, per week.....\$450.00
 October 1 through March 31, per week.....\$375.00

Cabin Cabins 2 3 and 4:

Year round, per night.....\$100.00
 Year round, per week.....\$560.00
 Year round, per month.....\$1,800.00
Sunday through Thursday, April 1 through September 30, per night.....\$70.00
Sunday through Thursday, October 1 through March 31, per night.....\$60.00
Friday and Saturday, April 1 through September 30, per night.....\$90.00
Friday and Saturday, October 1 through March 31, per night.....\$80.00
April 1 through September 30, per week.....\$485.00
October 1 through March 31, per week.....\$405.00

(10) Hillsdale:

Cabins 1 and 2:

Sunday through Thursday, April 1 through September 30, per night.....\$65.00
Sunday through Thursday, October 1 through March 31, per night.....\$55.00
Friday and Saturday, April 1 through September 30, per night.....\$85.00

<u>Friday and Saturday, October 1 through March 31, per night</u>	<u>\$75.00</u>
<u>April 1 through September 30, per week</u>	<u>\$450.00</u>
<u>October 1 through March 31, per week</u>	<u>\$375.00</u>

(11) Kanopolis:

Cabins 1 through 5:

<u>Sunday through Thursday, year-round, per night</u>	<u>\$45.00</u>
<u>Friday and Saturday, April 1 through September 30, per night.....</u>	<u>\$60.00</u>
<u>Friday and Saturday, October 1 through March 31, per night</u>	<u>\$45.00</u>
<u>April 1 through September 30, per week</u>	<u>\$300.00</u>
<u>October 1 through March 31, per week</u>	<u>\$275.00</u>

~~(9)~~ (12) Lovewell:

Cabins 1 through 6 8 (fee covers two adults; add \$5.00 for each additional adult):

<u>Year-round, per night.....</u>	<u>\$45.00</u>
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~~(10)~~ (13) Milford:

Cabins 1 through 3 6:

<u>Sunday through Thursday, year-round, per night</u>	<u>\$45.00</u>
<u>Friday and Saturday, April 1 through September 30, per night.....</u>	\$60.00 <u>\$65.00</u>
<u>Friday and Saturday, October 1 through March 31, per night</u>	<u>\$45.00</u>
<u>April 1 through September 30, per week</u>	<u>\$300.00</u>
<u>October 1 through March 31, per week</u>	<u>\$275.00</u>

(14) Perry:

Cabins 1 through 4:

Sunday through Thursday, April 1 through September 30, per night.....\$55.00

Sunday through Thursday, October 1 through March 31, per night.....\$45.00

Friday and Saturday, April 1 through September 30, per night.....\$65.00

Friday and Saturday, October 1 through March 31, per night\$55.00

Year-round, per week.....\$300.00

(15) Pomona:

Cabins 1 and 2:

Sunday through Thursday, April 1 through September 30, per night.....\$65.00

Sunday through Thursday, October 1 through March 31, per night.....\$55.00

Friday and Saturday, April 1 through September 30, per night.....\$85.00

Friday and Saturday, October 1 through March 31, per night.....\$75.00

April 1 through September 30, per week.....\$450.00

October 1 through March 31, per week.....\$375.00

~~(11)~~ (16) Prairie Dog:

~~Cabin~~ Cabins 1 and 2 (fee covers two adults; add \$5.00 for each additional adult):

Year-round, per night.....\$45.00

(17) Scott:

Cabin 1:

Year-round, per night.....\$70.00

~~(12)~~ (18) Tuttle Creek:

Cabins 1 through ~~4~~ 7:

Sunday through Thursday, April 1 through September 30, per night.....\$65.00

Sunday through Thursday, October 1 through March 31, per night.....\$55.00

Friday and Saturday, April 1 through September 30, per night.....\$85.00

Friday and Saturday, October 1 through March 31, per night.....\$75.00

April 1 through September 30, per week.....\$450.00

October 1 through March 31, per week.....\$375.00

~~(13)~~ (19) Webster:

Cabin 1:

Sunday through Thursday, year-round, per night	\$65.00
Friday and Saturday, year-round, per night	\$80.00
Year-round, per week.....	\$450.00

(14) (20) Wilson:

Cabins 1 through ~~5~~ 6:

Sunday through Thursday, April 1 through September 30, per night.....	\$60.00
Sunday through Thursday, October 1 through March 31, per night.....	\$50.00
Friday and Saturday, April 1 through September 30, per night.....	\$70.00
Friday and Saturday, October 1 through March 31, per night	\$60.00 <u>\$50.00</u>
April 1 through September 30, per week	\$380.00
October 1 through March 31, per week	\$325.00

~~Cabin 6:~~

Sunday through Thursday, April 1 through September 30, per night.....	\$80.00
Sunday through Thursday, October 1 through March 31, per night.....	\$70.00
Friday and Saturday, April 1 through September 30, per night.....	\$85.00
Friday and Saturday, October 1 through March 31, per night	\$80.00
April 1 through September 30, per week	\$500.00
October 1 through March 31, per week	\$375.00

(b) The following cabin camping permit fees shall be in effect for the following state fishing lake:

Woodson:

Cabin 1:

<u>Sunday through Thursday, April 1 through September 30, per night.....</u>	<u>\$65.00</u>
<u>Sunday through Thursday, October 1 through March 31, per night.....</u>	<u>\$55.00</u>
<u>Friday and Saturday, April 1 through September 30, per night.....</u>	<u>\$85.00</u>
<u>Friday and Saturday, October 1 through March 31, per night.....</u>	<u>\$75.00</u>
<u>April 1 through September 30, per week.....</u>	<u>\$450.00</u>
<u>October 1 through March 31, per week.....</u>	<u>\$375.00</u>

(c) This regulation shall be effective on and after January 1, ~~2005~~ 2007. (Authorized by and implementing K.S.A. 32-807 and K.S.A. ~~2003~~ 2005 Supp. 32-988, as amended by L. 2004, Ch. 99, Sec. 8; effective Jan. 1, 2005; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-2-3a. Cabin camping permit fees.

DESCRIPTION: This regulation establishes fees for cabin camping within the state parks and now, a state fishing lake. Previously, cabin use at state parks was limited to primitive cabins that were converted from picnic shelters by local managers. Since then, cabin demand by the public within the state parks has increased considerably. As such, the Department and local citizen support groups have responded and implemented cabin projects throughout the state parks and the cabin program has proved highly successful. Prices are based on location, size and accommodations within the actual cabins. The proposed changes take into account new cabin locations throughout department lands that will come on line within calendar year 2007.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed regulation is simply adding new locations for cabins that are in the process of being installed within the next calendar year. Therefore, the amendments are not anticipated to have any appreciable economic impact on the department, the public or other agencies. However, as the cabins continue to rise in popularity and the department recoups the initial investment in all cabins, the implementation of the regulation will have a cumulative effect of increasing park fee fund revenue but any amount would be purely speculative at this time.

ALTERNATIVES CONSIDERED: None.

115-16-5. Wildlife control permit; operational requirements. (a) Each person holding a valid wildlife control permit issued according to K.A.R. 115-16-6, and each person assisting the permittee while under the constant and direct supervision and in the constant presence of the permittee, shall be authorized to take, transport, release, and euthanize wildlife subject to the restrictions described in this regulation and on the permit.

(b) Wildlife may be taken under the authorization of a wildlife control permit only when one or more of the following circumstances exist:

- (1) The wildlife is found in or near buildings.
- (2) The wildlife is destroying or about to destroy property.
- (3) The wildlife is creating a public health or safety hazard or other nuisance.

(c) Subject to the restrictions described in this regulation and on the permit, a wildlife control permit shall allow the taking of the following species, notwithstanding other season, open unit, or limit restrictions that may be established by the department:

- (1) Furbearers;
- (2) small game;
- (3) reptiles;
- (4) amphibians;
- (5) coyotes;
- (6) nongame mammals, except house mice and Norway rats;

(7) pigeons, English sparrows, and starlings; and

(8) migratory birds and waterfowl, subject to K.S.A. 32-1008, and amendments thereto.

(d) Subject to applicable federal, state, and local laws and regulations, the wildlife listed in subsection (c) may be taken with the following equipment or methods:

(1) Trapping equipment, if each trapping device is equipped with a metal tag with the permittee's name and address and is checked at least once each calendar day, and if snares are not attached to a drag.

Trapping equipment shall consist of the following:

(A) Foothold traps;

(B) body-gripping traps;

(C) box traps;

(D) live traps; and

(E) snares;

(2) firearms, except that BB guns and pellet guns also shall be authorized;

(3) archery equipment;

(4) dogs;

(5) falconry;

(6) toxicants registered by the Kansas department of agriculture, except that such use may be subject to K.A.R. 115-16-1, K.A.R. 115-16-2, or K.A.R. 115-16-3;

(7) habitat modification;

(8) net or seine;

(9) glue board;

(10) hand; and

(11) any other methods to exclude or frighten wildlife, including repellents.

(e) No person shall possess a live species of wildlife taken under the authority of a wildlife control permit beyond the close of the calendar day following capture, unless specifically authorized by the department. Live wildlife shall not be used for display purposes, programs, training dogs, or otherwise kept in captivity, except that pigeons may be used for training dogs.

(f) Subject to applicable federal, state, and local laws and regulations, wildlife taken pursuant to a wildlife control permit shall be disposed of using one or more of the following methods:

(1) Wildlife taken alive may be controlled using lethal methods including those listed in paragraphs (d)(2), (d)(3), and (d)(6).

(2) Wildlife taken alive may be relocated and released, subject to the following requirements:

(A) Wildlife may be released only in suitable habitat located at least 10 miles from the original capture site and only with the prior written permission of the person in legal possession of the release site.

(B) Wildlife shall not be released in a location so close to human dwellings that the release is likely to result in recurrence of the reason the wildlife was taken.

(C) Wildlife shall not be released within the limits of any municipality without prior written permission from the appropriate municipal authority.

(D) Wildlife may be released on department lands or waters only with the prior written approval of the department.

(E) Wildlife shall not be released if injured or if displaying common symptoms of disease, including any of the following:

- (i) Lack of coordination;
- (ii) unusual lack of aggressiveness;
- (iii) unusual secretions from the eyes, nose, or mouth;
- (iv) rapid or uneven respiration;
- (v) malnourishment;
- (vi) loss of muscle control; or
- (vii) loss of large patches of hair.

(F) Wildlife shall not be transported from the state except as authorized by the department.

(3) Wildlife species listed in K.A.R. 115-15-1 or K.A.R.115-15-2, or other wildlife species designated by the department, shall be released according to paragraph (f)(2) if unharmed. If harmed or injured, these species shall be submitted to either the department or a person holding a valid wildlife rehabilitation permit issued according to K.A.R. 115-18-1.

(4) Wildlife controlled by poison shall be removed immediately, and all dead wildlife shall be disposed of using one of the following methods:

(A) The wildlife may be submitted to a licensed landfill, renderer, or incinerator.

(B) The wildlife may be disposed of on private property with the prior written permission of the person in legal possession of the property, except that the wildlife shall not be disposed of within the limits of any municipality without prior written permission from the appropriate municipal authority.

(C) Any part of the wildlife, excluding the flesh, may be sold, given, purchased, possessed, and used for any purpose, with the following restrictions and exceptions:

- (i) The raw fur, pelt, or skin of furbearers may be sold only to a licensed fur dealer.

(ii) The carcass and meat of a furbearer may be sold, given, purchased, possessed, and used for any purpose.

(iii) No part of any migratory bird or waterfowl shall be sold, given, purchased, possessed, ~~and~~ or used for any purpose.

(iv) Each person purchasing unprocessed parts of the wildlife shall maintain a bill of sale for at least one calendar year.

(D) Dead wildlife controlled by poison or showing symptoms of disease shall be either buried below ground or disposed of as authorized by paragraph (f)(4)(A).

(g) Each bobcat or swift fox taken under authority of a wildlife control permit shall be subject to the tagging requirements established by K.A.R. 115-5-2. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-911, K.S.A. 32-919, K.S.A. 2005 Supp. 32-1002, and K.S.A. 2005 Supp. 32-1003; effective July 19, 2002; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-16-5. Wildlife control permit; operational requirements.

DESCRIPTION: This permanent regulation establishes requirements for wildlife control permits, and what actions are authorized through a wildlife control permit. These permits authorize the persons or businesses to take nuisance animals outside normal harvest seasons. The proposed amendment would allow the permit holder to have an assistant present to conduct operations, so long as the assistant is directly supervised and in the presence of the permit holder.

FEDERAL MANDATE: None, except that federal law does not allow state authorization to take certain animals without additional federal permits.

ECONOMIC IMPACT: No economic impact to the department, other agencies, or the general public is anticipated.

ALTERNATIVES CONSIDERED: none

115-25-6. Turkey; spring season, bag limit, permits, and game tags. (a) The open season for the taking of turkey by archery equipment only shall begin on the first day of April and shall continue through the second Tuesday in April.

(b) The open season for the taking of turkey by use of firearms or archery equipment shall begin on the second Wednesday in April and shall continue through the last day in May.

(c)(1) The season for designated persons for the taking of turkey shall be the Friday, Saturday, and Sunday immediately before the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season.

(2) The following persons may hunt during the season for designated persons:

(A) Any person having a valid turkey permit or second turkey game tag who is 16 years of age or younger, while under the immediate supervision of an adult who is 18 years of age or older;

(B) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4; and

(C) any person with a disability assistance permit issued according to K.A.R. 115-18-15.

(d) The legal limit shall be one bearded turkey per turkey permit and one bearded turkey per second turkey game tag where game tags are authorized.

(e) The units and the number of permits authorized for the taking of turkey during the established season shall be as follows:

(1) Unit 1. Unit 1 shall consist of that area bounded by Colorado on the west and Nebraska on the north and a line from the Nebraska-Kansas border south on federal highway US-183 to its junction

with interstate highway I-70, and then west on interstate highway I-70 to the Colorado-Kansas border, except federal and state sanctuaries. An unlimited number of permits shall be authorized for unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by Nebraska on the north, Missouri on the east, and Oklahoma on the south, and a line from the Nebraska-Kansas border south on federal highway US-81 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-2, then south on state highway K-2 to its junction with state highway K-179, and then south on state highway K-179 to its junction with the Oklahoma border, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by Oklahoma on the south and a line from the Oklahoma-Kansas border northeast on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas border, then east along the Nebraska-Kansas border to its junction with federal highway US-81, then south on federal highway US-81 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-2, then south on state highway K-2 to its junction with state highway K-179, and then south on state highway K-179 to its junction with the Oklahoma border, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by Oklahoma on the south and Colorado on the west, and a line from the Kansas-Colorado border east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with its junction with federal highway US-54, and then southwest on federal highway US-54 to the Oklahoma border, except federal and state sanctuaries. A total of 200 permits shall be authorized for unit 4, of which 125 permits shall be designated for the regular draw, and 75 permits shall be designated for a drawing among applicants 16 years of age or younger. Those youth permits not issued

during the youth draw shall be available to general applicants during the regular draw in addition to the 125 permits designated for the regular draw.

(f) Turkey permits and second turkey game tags shall be valid only for the unit or units designated on the turkey permit or second turkey game tag.

(g) Only those individuals who have purchased a turkey permit shall be eligible to purchase a second turkey game tag.

(h) Applications for turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until 5:00 p.m. on the third Friday of February. Applications with a postmark date of not later than the third Friday of February shall also be accepted. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the next to the last day of the turkey season or until all turkey permits are issued.

(i) Applications for turkey permits in unit 1, unit 2, and unit 3 and for second turkey game tags in unit 2 and unit 3 shall be accepted at designated locations from the earliest date that applications are available until 5:00 p.m. on the Friday before the closing date for the season.

(j) Each turkey permit and each second turkey game tag purchased during the open season shall be valid on the calendar day after the date of purchase.

(k) This regulation shall be effective on and after February 1, 2007. (Authorized by K.S.A. 32-807 and K.S.A. 2005 Supp. 32-969; implementing K.S.A. 32-807, K.S.A. 2005 Supp. 32-969, and K.S.A. 2005 Supp. 32-1002.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-25-6. Turkey; spring season, bag limit, permits and game tags.

DESCRIPTION: This proposed exempt regulation establishes hunting unit boundaries, bag limits, application periods and season dates for the spring turkey hunting season. The proposal would amend the current unit boundaries to expand current turkey management unit 3 and opening an archery-equipment only season annually on April 1.

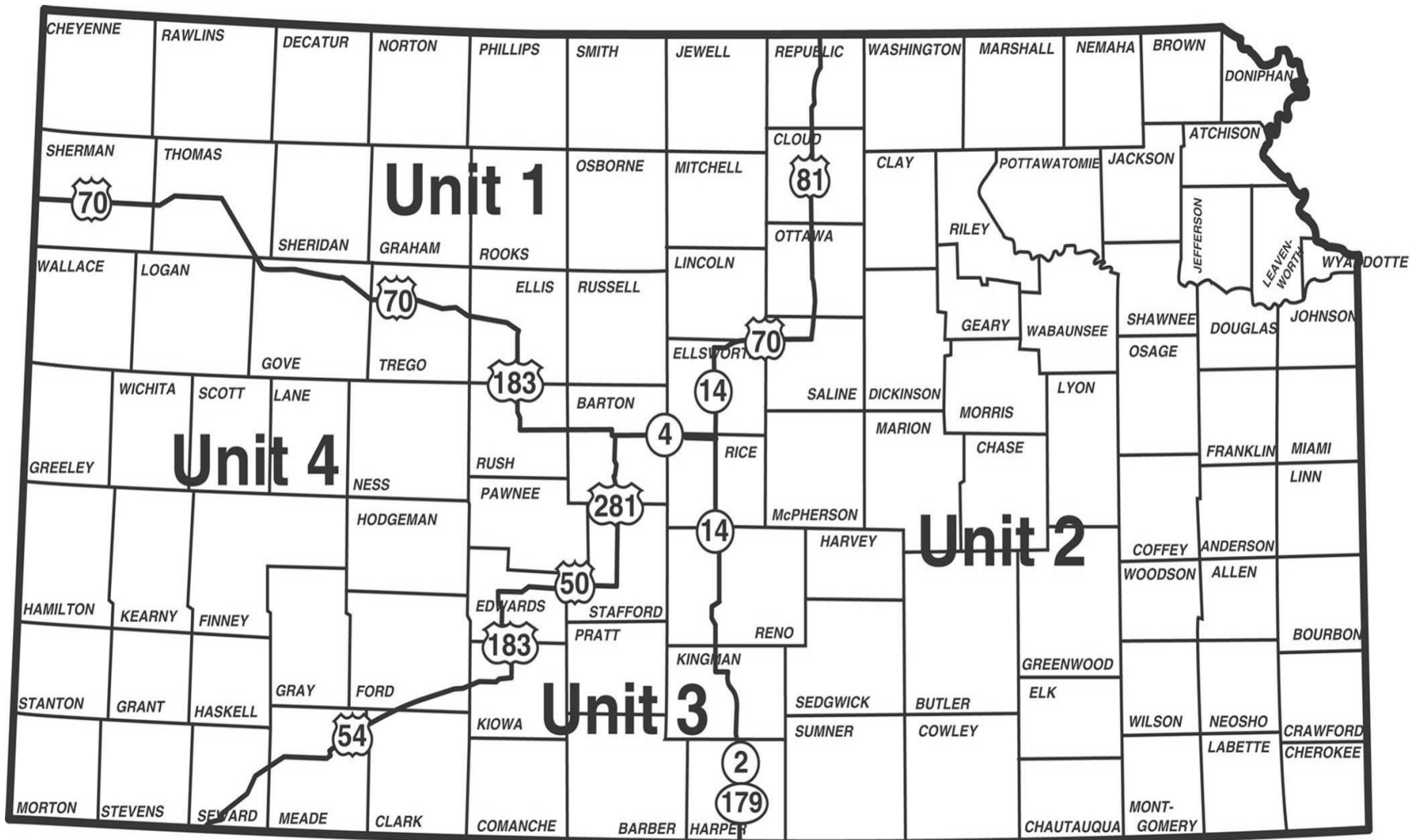
FEDERAL MANDATE: None

ECONOMIC IMPACT: It is anticipated that approximately 42,000 permits and 14,600 turkey game tags will be issued in 2007, based on 2006 permit allocation data. The estimated 42,000 permits include 24,500 regular resident permits, 9,300 landowner-tenant permits, 8,300 non-resident permits, and 75 youth permits. The estimated 14,600 turkey game tags includes 10,100 resident game tags and 4,500 nonresident game tags. Estimated revenue if the above number of permits and tags are issued would be \$1,024,500. That amount represents an equal expenditure for those individuals desiring to participate in the spring turkey season. Administrative costs associated with the season are borne by the department.

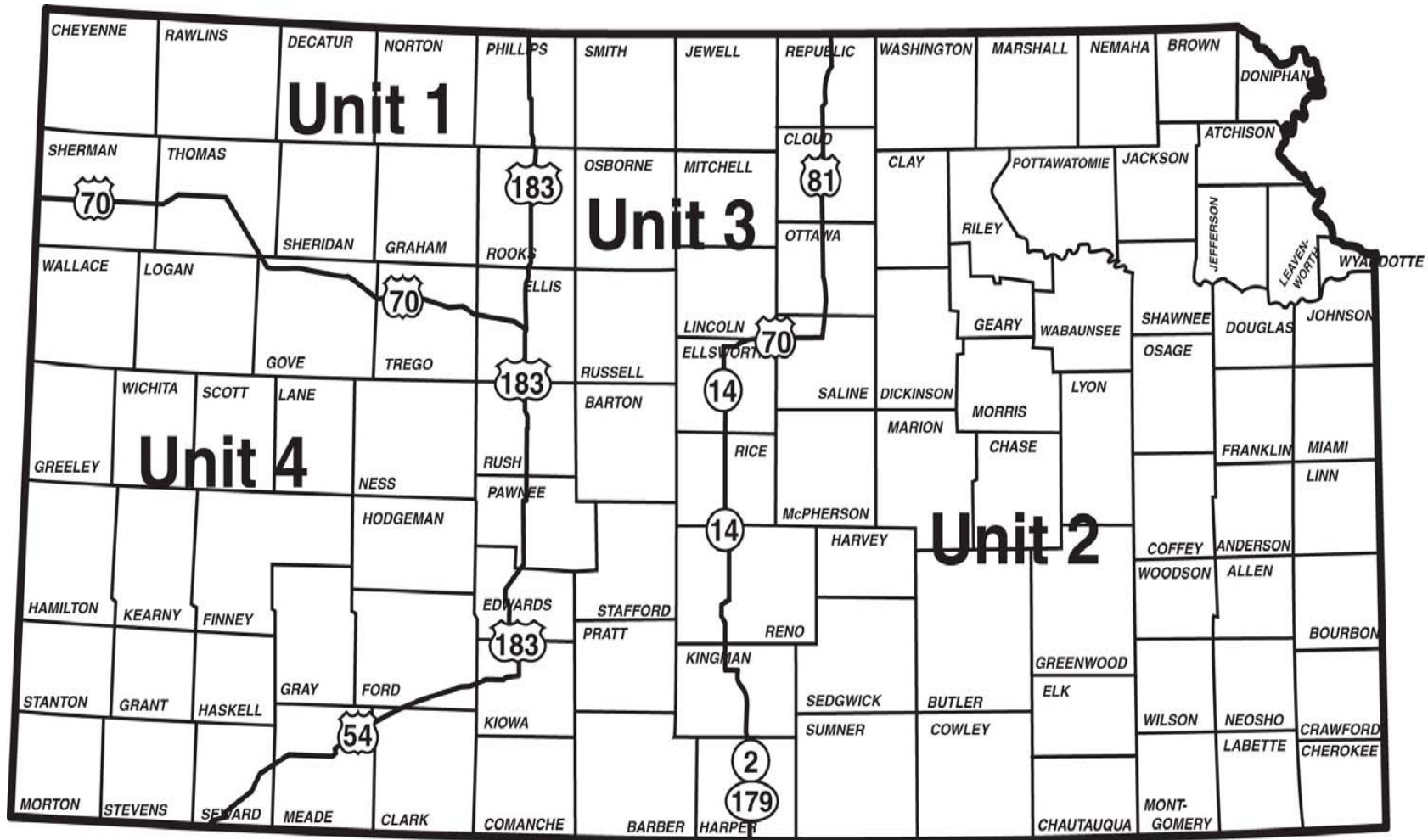
Approximately 283,000 recreational days of hunting could occur, thus providing economic benefit to businesses providing goods and services. No other economic impact on the general public or on other state agencies is anticipated.

ALTERNATIVES CONSIDERED: None.

Existing Spring Turkey Units



Proposed Spring Turkey Units



K.A.R. 115-20-5. Dangerous regulated animals; primary caging requirements. Each person possessing a dangerous regulated animal, as defined in L. 2006, ch. 131, sec. 1 and amendments thereto, shall confine, house, maintain, and transport the animal as follows:

(a) Mammals.

(1) Each primary holding cage shall meet the following requirements:

(A) Be constructed in a manner that prohibits physical contact with the animal by any person other than the owner, designated handler, or veterinarian providing medical attention or treatment; and

(B) be enclosed inside a perimeter fence, rail, or other physical structure that prohibits physical contact with the animal.

(2) Each gate allowing access through a perimeter fence, rail, or other physical structure surrounding any primary holding cage shall be locked at all times with a key or combination lock to prevent unauthorized entry into the area immediately surrounding the primary holding cage, except when authorized persons are present in the area.

(3) Each primary holding cage shall include a shift cage to isolate the animal from the primary holding cage to permit the feeding, cleaning, repair, or other activities that necessitate the separation or isolation of the animal. Each shift cage shall be constructed so that the animal to be isolated is able to stand, lie naturally, and turn around without touching the sides of the shift cage. If multiple animals are held within a primary holding cage, the shift cage shall be constructed so that multiple animals to be isolated are able to stand, lie naturally, and turn around without touching the sides of the shift cage.

(4) Each primary holding cage shall be accessed through a double-gated entry consisting of a completely enclosed structure, constructed of material of strength or specification equal to or greater than that of the primary holding cage, and equipped with one primary access gate or door and a secondary access safety gate or door. Each door shall be equipped with a latch of sufficient strength and design to prevent the gate from opening accidentally, shall open only inward, and shall be equipped with stops or blocks of sufficient strength to prevent an animal from escaping by charging or striking the door. The primary access door shall be locked with a key or combination lock, separate from the latch, to prevent unauthorized entry. Additionally, the secondary door shall be equipped with either an additional latch or safety chain of sufficient strength and design to secure the door temporarily. Each person entering the primary holding cage shall enter through the primary access door and securely close the door before passing through the secondary access door. The primary access door and secondary access door shall not be open simultaneously when an animal is present in the primary holding cage.

(5) Any primary holding cage may be equipped with a maintenance gate to allow large items, including claw logs and maintenance equipment, to enter the primary holding cage. Each maintenance gate shall be securely double-latched and locked when not in operation. In addition, no maintenance gate shall be open when an animal is present in the primary holding cage.

(6) Each primary holding cage utilizing electrical power on any perimeter fence, secondary barrier, or enclosure shall have a functional, backup electrical system in place that is powered by a gas generator, solar-charged batteries, or the functional equivalent, to be used if the electrical power fails or the primary electrical source malfunctions.

(7) Each primary holding cage for any lions, leopards, jaguars, cheetahs, or mountain lions, or any hybrids of these animals, shall be constructed of materials meeting the following minimum requirements:

(A) The fencing for lions and tigers shall have the strength of a nine-gauge chain-link fence.

(B) The fencing for leopards, cheetahs, jaguars, and mountain lions shall have the strength of an eleven-gauge chain-link fence.

(C) Break-resistant glass or plastic viewing panels may be used if the material is of sufficient strength to prevent breakage by the animals confined.

(D) Each wall shall be at least eight feet in height. Except for any primary cage holding cheetahs, each primary holding cage with walls at least eight feet but not more than 13 feet in height shall be topped with the same fencing material required for the walls for the species of animal held. Each wall greater than 13 feet in height shall be equipped with either a supported, inward-facing overhang of at least 36 inches or two electrified wires encompassing the entire perimeter of the walls, unless topped with fencing materials. Each primary holding cage for cheetahs, unless topped with fencing materials, shall be equipped with either a supported, inward-facing overhang of at least 18 inches or two electrified wires encompassing the entire perimeter of the walls.

(E) Each primary holding cage for any feline species shall have either a concrete footing extending a minimum of one foot into the ground or chain-link or welded wire fencing buried horizontally, of the equivalent strength as that of the primary cage wall, extending a minimum of three

feet around the inside of the primary holding cage. All fencing material shall be securely fastened to the primary holding cage framework or to adjacent fencing or footings, in order to prevent separation from the framework or adjacent fencing materials. All fencing that is buried shall consist of nonrusting material.

(F) The vertical and horizontal fencing framework shall be constructed to effectively support the fencing materials and prevent bending or breakage of the fencing materials by the animals held in the primary holding cage.

(G) The floor space of each primary holding cage shall be at least 288 square feet for any feline species if only one animal is confined in the primary holding cage. Each additional animal confined in the same primary holding cage shall require an additional 144 square feet for that animal.

(8) Each primary holding cage for all bear species or any bear hybrids shall be constructed of materials meeting the following minimum requirements:

(A) The fencing for black bears, sloth bears, sun bears, and spectacled or Andean bears shall have the strength of a nine-gauge chain-link fence and shall be eight feet in height.

(B) The fencing for grizzly bears, brown bears, and polar bears shall have the strength of a five-gauge chain-link fence and shall be 10 feet in height.

(C) Any wall may be constructed of vertical steel bars or rods measuring $\frac{5}{8}$ inch in diameter, spaced on four-inch centers, and welded at the end to angle iron measuring $1\frac{1}{4}$ inch by $\frac{1}{4}$ inch. The horizontal angle iron shall be welded to vertical posts. The bottom horizontal supports shall be not more

than three inches above the concrete floor or footing and shall not be spaced more than four feet apart between the floor and the top of the cage.

(D) Break-resistant glass or plastic viewing panels may be used if the material is of sufficient strength to prevent breakage by the animals confined.

(E) Each primary holding cage with walls at least eight feet but not more than 13 feet in height shall be covered with the same fencing material as that required for the walls for the species of animal held. Each wall greater than 13 feet in height, unless topped with fencing material, shall be equipped with either a supported, inward-facing overhang of at least 36 inches or two electrified wires encompassing the entire perimeter of the walls.

(F) Each primary holding cage for all bear species shall have a reinforced concrete floor at least four inches thick or a concrete footing extending at least five feet in the ground.

(G) The vertical and horizontal fencing framework shall be constructed to effectively support the fencing materials and prevent bending or breakage of the fencing materials by the animals held in the cage.

(H) The floor space of each primary holding cage shall be at least 288 square feet for black bears, sloth bears, sun bears, and spectacled or Andean bears if only one animal is confined in the cage. Each additional animal confined in the same cage shall require an additional 144 square feet for that animal.

(I) The floor space of each primary holding cage shall be at least 432 square feet for grizzly bears, brown bears, and polar bears if only one animal is confined in the cage. Each additional animal confined in the same cage shall require an additional 288 square feet for that animal.

(9) Any animal held for sale by a person with a valid license from the United States department of agriculture and any animal held for veterinary care or quarantine may be temporarily held or caged for not more than 60 days in a cage or enclosure that does not meet the primary cage space requirements.

(A) Upon written request to the local animal control authority, this temporary holding or caging period may be extended if conditions certified by a licensed veterinarian necessitate a longer holding period for the health, safety, or welfare of the animal or the public.

(B) The medical records for any animal for which an extension is requested shall be maintained at the facility and available for review upon request.

(C) A cage for temporary care shall not be used if the animal being held is not able to stand, lie naturally, and turn around without touching the sides of the cage. In addition, each animal or cage shall be permanently marked to correlate with records indicating the date on which the animal was placed in confinement.

(10) Any newborn animal may be temporarily confined in incubation and rearing facilities that do not conform to primary cage standards.

(11) Any nursing animal may be temporarily maintained with the animal's parents without regard to primary cage standards that require increases in the square footage of the cage until the nursing

animal is weaned. This period may be extended to a date certain, on the recommendation of a licensed veterinarian for the health, safety, or welfare of the animal.

(12) Any juvenile animal may be confined in an enclosure or cage smaller than a primary holding cage, if the cage is large enough for the animal to stand, lie naturally, and turn around without touching the sides of the cage.

(13) Each juvenile animal that is confined in any cage other than a primary holding cage shall be marked or clearly identifiable to prove the date on which the animal was placed in confinement and the age of the animal and shall be provided space for exercise on a daily basis.

(14) Each juvenile animal shall be transferred permanently to a primary holding cage upon reaching six months of age or twenty-five pounds in weight, whichever occurs first.

(15) Each animal that must be transported to a location other than the primary holding cage shall be transported in a fully enclosed cage that is constructed of materials meeting a standard equivalent to the minimum standard for the primary cage for the species, is not injurious to the animal, and does not allow physical contact between the animal and any person.

(b) Nonnative venomous snakes.

(1) Each primary holding container for snakes shall have an access door or opening that is securely latched and locked, have joined surfaces that meet tightly, and be structurally sound to prevent separation of the surfaces and the escape of the confined snake or snakes.

(2) Each primary holding container for snakes shall be locked within a building or other structure that is inaccessible to unauthorized persons and that is constructed and maintained to prevent the escape of each confined snake.

(3) Each primary holding container for snakes shall be constructed from material meeting one of the following minimum requirements:

(A) Laminated safety glass, plate glass, or tempered glass at least 3/16 inch thick;

(B) break-resistant plastic with strength equivalent to the strength of laminated safety glass that is at least 3/16 inch thick;

(C) wire-reinforced concrete;

(D) sheet metal;

(E) molded fiberglass; or

(F) plywood or interlocking lumber that has been treated to be impervious to moisture and is at least 1/2 inch thick.

(4) Each primary holding container shall have adequate ventilation. Each ventilation opening shall be securely covered with double walls made of wire or fiberglass mesh measuring at least 1/16 inch.

(5) The perimeter of each primary holding container for snakes less than six feet in length shall be at least 1 1/2 times the length of the snake. The perimeter of each container for snakes more than six feet in length shall be at least twice the length of the snake.

(6) Each primary holding container shall be labeled with the common and scientific names of the species and subspecies of snakes held and the number of snakes held. The label shall be legibly marked with the warning “poisonous” or “venomous” and the name of the appropriate antivenin for the snake species.

(7) Each primary holding container used for public exhibit or display shall have double-pane glass panels.

(8) Written emergency procedures to be followed if a snake escapes shall be posted in a prominent location in the building or structure housing the snakes, along with a written plan from a hospital stating the way that a venomous bite should be treated and a notice of the location of the nearest, most readily available source of appropriate antivenin.

(9) Each snake removed from the primary holding container for feeding or for cleaning the container shall be held in a fully enclosed and ventilated container with a secure and locked lid.

(10) Each snake that must be transported from its primary holding container to another location shall be transported in a cloth sack placed inside a break-resistant, ventilated, and locked box that is made of wood, fiberglass, or plastic and that is clearly marked with the contents of the box. In addition, the box used shall not be injurious to the snake, shall not be subject to breaking from impact or dropping, and shall prohibit physical contact between the snake and any person. (Authorized by and implementing L. 2006, ch. 131, sec. 6; effective P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-20-5. Dangerous regulated animals; primary caging requirements.

DESCRIPTION: This new regulation establishes the primary caging requirements for dangerous regulated animals and is a result of statutory requirements passed during the past Legislative session. The proposed regulation sets the caging requirements and minimum standards for persons possessing lions, tigers, mountain lions, jaguars, cheetahs, leopards, all species of bears and non-native venomous snakes. The regulation was drafted in consultation with individuals knowledgeable in the containment and care of dangerous regulated animals, as statutorily defined.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed regulation will have an economic impact on individuals who possess dangerous regulated animals if their containment facility does not meet the minimum standard of confinement in the proposed regulation. However, any economic impact cannot be quantified at this time. It is anticipated that no other substantive economic impact will occur for the department, other state agencies, or the public.

ALTERNATIVES CONSIDERED: None.

K.A.R. 115-20-6. Dangerous regulated animals; registered designated handler. Each person applying to be a registered designated handler, as defined in L. 2006, ch. 131, sec. 1 and amendments thereto, shall meet the following minimum requirements:

(a) Be 18 years of age or older;

(b) have obtained at least 200 hours of training and experience in the care, feeding, handling, and husbandry of the species for which the registration is sought or another species within the same biological order that is substantially similar in size, characteristics, care, and nutritional requirements to the species for which the registration is sought; and

(c) submit documentation of the training and experience specified in subsection (b), including a description of the training and experience acquired, the dates on which the training and experience were acquired, the location where the training and experience were acquired, and at least two references from individuals having personal knowledge of the documented training and experience. (Authorized by and implementing L. 2006, ch. 131, sec. 10; effective P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-20-6. Dangerous regulated animals; registered designated handler.

DESCRIPTION: This new regulation establishes the training requirements for being registered as a designated handler for a specific dangerous regulated animal and is a result of statutory requirements passed during the past Legislative session. The proposed regulation would require a minimum age of eighteen and two hundred hours of experience in the care of similar dangerous regulated animals. The regulation was drafted in consultation with individuals knowledgeable in the containment and care of dangerous regulated animals.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed regulation will have an impact on individuals who desire to become registered designated handlers for dangerous regulated animals. However, any impact cannot be quantified at this time. It is anticipated that no other substantive economic impact will occur for the department, other state agencies, or the public.

ALTERNATIVES CONSIDERED: None.

Kansas Department of Wildlife and Parks

Kansas Special Size Limits, Creel Limits, and Bait Restriction Tables

Dated: 26 October 2006

Blue Catfish Length Limits:

35 inch minimum

El Dorado Reservoir

Channel Catfish Creel Limits:

2 fish daily creel limit

Andover - Lake George, Arma City Lake, Blue Mound City Lake, Bonner Springs - North Park Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Bronson City Lake, Butler State Fishing Lake, Carbondale East Lake, Chanute City Lake, Cheney Reservoir, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Douglas State Fishing Lake (Closed for , Emporia - Camp Alexander Ponds, Emporia - Jones Park Ponds, Emporia - Peter Pan Park, Fall River Toe Drain, FISH Waters Statewide, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Gardner City Lake, Garnett City Lake North, Garnett City Lake South, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Haysville - Riggs Lake, Impounded F.I.S.H. Waters - Region 1, Impounded F.I.S.H. Waters - Region 2, Impounded F.I.S.H. Waters - Region 3, Impounded F.I.S.H. Waters - Region 4, Impounded F.I.S.H. Waters - Region 5, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park Lake, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South Ponds, Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, Lansing City Lake, Lawrence - Mary's Lake, Lawrence Pat Dawson Billings N & S, Leavenworth - Jerry's Lake, Leavenworth State Fishing Lake, Leawood - Tomahawk Parkway Middle , Leawood - Tomahawk Parkway North Pond, Leawood - Tomahawk Parkway South Pond, Lebo City Lake, Lenexa - Rose's Pond, Linn Co. Strip Pits, McPherson State Fishing Lake, Melvern River Pond, Miami State Fishing Lake, Milford Hatchery Water Supply Pond, Mound City Lake, New Strawn City Lake, Olathe - Black Bob Park Pond, Olathe - Cedar Lake, Olathe - Frisco Lake, Olathe - Mahaffie Farmstead Pond, Olathe - North Waterworks Park Lake, Olathe - Prairie Center Pond, Olathe - Waterworks Lake, Olpe - Jones Park Pond, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Overland Park - Amesbury Lake, Overland Park

- Kingston Lake, Overland Park - Regency Lake, Overland Park - South Lake, Overland Park - Summercrest Lake, Overland Park - Wilderness Lake, Parker City Lake, Pleasanton City Lake - East, Pleasanton City Lake - West, Pratt County Lake, Richmond City Lake, Shawnee Co. - Karl's Lake, Shawnee Co. Shawnee Jr., Spring Hill Woodland Ridge Pond, Topeka - Cedar Crest Pond, Topeka - Central Park Lake, Topeka - Clarion Lake, Topeka - Governor's Ponds East & West, Topeka - West Lake, Valley Center - McLaughlin Pond, Woodson State Fishing Lake, Wyandotte Co. Big 11, Wyandotte Co. Bonner Lake, Wyandotte Co. Pierson Park Lake, Yates Center - South, Yates Center Reservoir – New

5 fish daily creel limit

Altamont City Lake, Arkansas City - Knebbler #2, Arkansas City 6th Street Pond, Arkansas City, Knebbler #1, Atchison City Lakes 1-4, 6-9, 23, 24, Atchison County Lake, Atchison State Fishing Lake, Atwood Lake, Banner Creek Reservoir, Barber Lower, Barber Upper, Belleville City Lake (Rocky Pond), Benton - Poling Lake, Black Kettle State Fishing Lake, Bone Creek Reservoir, Brown State Fishing Lake, Centralia City Lake, Chase State Fishing Lake, Cherryvale City Lake (Tanko), Cimarron Grasslands Fishing Pits, Clark State Fishing Lake, Clearwater - Chisholm Ridge Lake, Colby - Villa High Lake, Coldwater City Lake, Concannon State Fishing Lake, Council Grove City Lake, Cowley State Fishing Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Dodge City - Mariah Hills Golf Course, Edna City Lake, Ellis City Lake, Eureka City Lake, Finney State Fishing Lake, Ford State Fishing Lake, Fort Scott - Rock Creek Lake, Garnett - Cedear Valley Reservoir, Geary State Fishing Lake, Goodman State Fishing Lake, Graham County - Antelope Lake, Gread Bend Veteran's Park, Great Bend Stone Lake, Hain State Fishing Lake, Hamilton State Fishing Lake, Harvey County East Lake, Harvey County West Lake, Haysville - South Hampton, Hiawatha City Lake, Hodgeman State Fishing Lake, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Horton Little Lake, Horton Mission Lake, Howard - Polk Daniels Lake, Jeffrey Energy Center, Jetmore City Lake, Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Kiowa State Fishing Lake, LaCrosse Warren Stone Memorial Lake, Logan City Lake, Logan State Fishing Lake, Louisburg - Middle Creek, Lyon State Fishing Lake, Madison City Lake, Marion County Lake, Meade State Fishing Lake, Milford State Park Pond, Mined Land Wildlife Area, Moline New City Lake, Moline Old City Lake, Montgomery State Fishing Lake, Mulvane Sports Complex, Nebo State Fishing Lake, Neosho State Fishing Lake, Neosho Wildlife Area, Olpe City Lake, Osawatomie - Beaver Lake, Osawatomie City Lake, Ottawa State Fishing Lake, Park City - Chisholm Pointe, Parsons City Lake, Plainville Township Lake, Pottawatomie 1, Pottawatomie 2, Pottawatomie Co. Cross Creek Lake, Rooks State Fishing Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Salina - Lakewood Lake, Saline State Fishing Lake, Sandsage Bison Range & Wildlife Area, Scott State Fishing Lake, Sedan New City Lake, Sedan Old City Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Severy City Lake, Shawnee State Fishing Lake, Sheridan State Fishing Lake, Sherman County - Smoky Gardens, Sherman State Fishing Lake, St. Francis - Keller Lake, St. Francis Sand Pits, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Washington State Fishing Lake, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita -

Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Wilson State Fishing Lake, Wyandotte Co. Lake

Channel Cat Length Limits:

15 inch minimum

Altamont City Lake, Arma City Lake, Atchison City Lakes 1-4, 6-9, 23, 24, Atchison County Lake, Atchison State Fishing Lake, Atwood Lake, Banner Creek Reservoir, Belleville City Lake (Rocky Pond), Black Kettle State Fishing Lake, Blue Mound City Lake, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Bronson City Lake, Brown State Fishing Lake, Butler State Fishing Lake, Carbondale East Lake, Centralia City Lake, Chanute City Lake, Chase State Fishing Lake, Cherryvale City Lake (Tanko), Cowley State Fishing Lake, Crawford State Fishing Lake, Douglas County - Lonestar Lake, Douglas State Fishing Lake (Closed for , Edgerton - Bridgewater Lake, Edna City Lake, Emporia - Camp Alexander Ponds, Emporia - Jones Park Ponds, Emporia - Peter Pan Park, Eureka City Lake, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Gardner City Lake, Garnett City Lake North, Garnett City Lake South, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Harvey County West Lake, Hiawatha City Lake, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Horton Little Lake, Horton Mission Lake, Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park Lake, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South Ponds, Kingman State Fishing Lake, Leavenworth State Fishing Lake, Lebo City Lake, Lenexa - Mize Blvd. Lake, Linn Co. Strip Pits, Logan City Lake, Louisburg - Middle Creek, McPherson State Fishing Lake, Melvern River Pond, Miami State Fishing Lake, Mined Land Wildlife Area, Montgomery State Fishing Lake, Mound City Lake, Nebo State Fishing Lake, Neosho State Fishing Lake, Neosho Wildlife Area, New Strawn City Lake, Olathe - Stagecoach Park Pond, Osage City Lake, Osage State Fishing Lake, Osawatomie - Beaver Lake, Osawatomie City Lake, Overbrook City Lake, Overland Park - Amesbury Lake, Overland Park - Summercrest Lake, Overland Park - Wilderness Lake, Parker City Lake, Parsons City Lake, Pleasanton City Lake - East, Pleasanton City Lake - West, Pottawatomie 1, Pratt County Lake, Richmond City Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Shawnee Co. Lake Shawnee, Sherman County - Smoky Gardens, Spring Hill Woodland Ridge Pond, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Wellington - Hargis Creek Lake, Wellington City Lake, Wilson State Fishing Lake, Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir - New

Crappie Creel Limits:

10 fish daily creel

Blue Mound City Lake, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Carbondale East Lake, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Holton - Elkhorn Lake, Lebo City Lake, Linn Co. Strip Pits, Melvern River Pond, Milford Hatchery Water Supply Pond, Mound City Lake, New Strawn City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Parker City Lake, Richmond City Lake, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - South Lake, Wichita - Watson Park Lake, Wichita - West KDOT, Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir – New

20 fish daily creel

Atchison State Fishing Lake, Banner Creek Reservoir, Brown State Fishing Lake, Clinton Reservoir, Council Grove City Lake, Council Grove Reservoir, Hillsdale Reservoir, Melvern Reservoir, Perry Reservoir, Sabetha - Pony Creek Lake, Wellington City Lake, Winfield City Lake

Crappie Length Limits:

10 inch minimum

Blue Mound City Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Carbondale East Lake, Cheney Reservoir, Clinton Reservoir, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Hillsdale Reservoir, LaCygne Reservoir, Lebo City Lake, Melvern Reservoir, Melvern River Pond, Overbrook City Lake, Parker City Lake, Perry Reservoir, Richmond City Lake, Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir – New

Largemouth Bass Creel Limits:

2 fish daily creel limit

Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Banner Creek Reservoir, Benton - Poling Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bronson City Lake, Brown State Fishing Lake, Carbondale East Lake, Chanute City Lake, Clearwater - Chisholm Ridge Lake, Concannon State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Douglas County - Lonestar Lake, Douglas State Fishing Lake (Closed for , FISH Waters Statewide, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake

West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Gardner City Lake, Garnett City Lake North, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Harvey County West Lake, Haysville - South Hampton, Hiawatha City Lake, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Horton Little Lake, Horton Mission Lake, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park Lake, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South Ponds, Kanopolis State Park Pond, Kechi Lake, Lansing City Lake, Lebo City Lake, Linn Co. Strip Pits, Louisburg - Middle Creek, Melvern River Pond, Miami State Fishing Lake, Milford Hatchery Water Supply Pond, Mulvane Sports Complex, Nebo State Fishing Lake, New Strawn City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Overland Park - Kingston Lake, Overland Park - Regency Lake, Overland Park - South Lake, Paola - Lake Miola, Park City - Chisholm Pointe, Parker City Lake, Pleasanton City Lake - East, Pleasanton City Lake - West, Pratt County Lake, Richmond City Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Sandsage Bison Range & Wildlife Area, Sedgwick Co. Park Lakes, Shawnee Co. Lake Shawnee, Sherman County - Smoky Gardens, Troy - 4-H Lake, Valley Center - McLaughlin Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Woodson State Fishing Lake, Wyandotte Co. Bonner Lake

Largemouth Bass Length Limits:

13 -18 inch slot limit

Altamont City Lake, Bone Creek Reservoir, Chase State Fishing Lake, Council Grove City Lake, Crawford State Fishing Lake, Garnett City Lake North, Garnett City Lake South, Goodman State Fishing Lake, Graham County - Antelope Lake, Gridley City Lake, Harvey County East Lake, Jetmore City Lake, Leavenworth State Fishing Lake, Lebo City Lake, Linn Co. Strip Pits, Lyon State Fishing Lake, Meade State Fishing Lake, Melvern River Pond, Mined Land Wildlife Area, Moline New City Lake, Montgomery State Fishing Lake, Mound City Lake, Osawatomie - Beaver Lake, Osawatomie City Lake, Parker City Lake, Pottawatomie Co. Cross Creek Lake, Richmond City Lake, Sedan New City Lake, Sedan Old City Lake, Thayer City Lake (New), Thayer City Lake (Old), Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir – New

18 inch minimum

Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Banner Creek Reservoir, Benton - Poling Lake, Black Kettle State Fishing Lake, Brown State Fishing Lake, Carbondale East Lake, Centralia City Lake, Cherryvale City Lake (Tanko), Clearwater - Chisholm

Ridge Lake, Clinton Reservoir, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Coffey County - Coffey County Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Douglas County - Lonestar Lake, Douglas State Fishing Lake (Closed for , Edna City Lake, Eskridge - Lake Wabunsee, Eureka City Lake, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Garnett - Cedar Valley Reservoir, Glen Elder Reservoir, Greenbush Community Lake, Harvey County West Lake, Harveyville City Lake, Haysville - South Hampton, Herington City Lake - New, Herington City Lake - Old, Hiawatha City Lake, Hillsdale Reservoir, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Horton Little Lake, Impounded F.I.S.H. Waters - Region 1, Impounded F.I.S.H. Waters - Region 3, Jewell City Lake (Emerson Lake), Johnson Co. - Kill Creek North Pond, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Kill Creek South Pond, Johnson Co. - Shawnee Mission Park Lake, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South Ponds, Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, LaCygne Reservoir, Logan City Lake, Louisburg - Middle Creek, Marion County Lake, Marion Reservoir, McPherson State Fishing Lake, Melvern Reservoir, Miami State Fishing Lake, Mulvane Sports Complex, Nebo State Fishing Lake, Neosho State Fishing Lake, Olathe - Cedar Lake, Olathe - Lake Olathe, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Paola - Lake Miola, Park City - Chisholm Pointe, Perry Reservoir, Pratt County Lake, Rooks State Fishing Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Salina - Lakewood Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Shawnee Co. Lake Shawnee, Sherman County - Smoky Gardens, Troy - 4-H Lake, Tuttle Creek Reservoir, Valley Center - McLaughlin Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT

21 inch minimum

Big Hill Reservoir, Big Hill Wildlife Area, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Harvey Co. Camp Hawk, Jewell State Fishing Lake, New Strawn City Lake, Pleasanton City Lake - East, Pleasanton City Lake – West

Sauger Creel Limit:

2 fish daily creel limit

Banner Creek Reservoir, Carbondale East Lake, Leavenworth State Fishing Lake, Milford Hatchery Water Supply Pond, Osage State Fishing Lake

Sauger Length Limits:

18 inch minimum

Banner Creek Reservoir

Saugeye Creel Limits:

2 fish daily creel limit

Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Carbondale East Lake, Chanute City Lake, Crawford State Fishing Lake, Douglas State Fishing Lake (Closed for , Gardner City Lake, Harvey County East Lake, Harvey County West Lake, Leavenworth State Fishing Lake, Louisburg - Middle Creek, Milford Hatchery Water Supply Pond, Paola - Lake Miola, Pleasanton City Lake - East, Sedgwick Co. Lake Afton, Sherman County - Smoky Gardens, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Watson Park Lake

Saugeye Length Limits:

18 inch minimum

Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Centralia City Lake, Chanute City Lake, Chase State Fishing Lake, Crawford State Fishing Lake, Eskridge - Lake Wabunsee, Eureka City Lake, Gardner City Lake, Geary State Fishing Lake, Harvey County East Lake, Harvey County West Lake, Harveyville City Lake, Keith Sebelius (Norton), Louisburg - Middle Creek, Marion County Lake, McPherson State Fishing Lake, Ottawa State Fishing Lake, Parsons City Lake, Pleasanton City Lake - East, Sedgwick Co. Lake Afton, Sherman County - Smoky Gardens, Washington State Fishing Lake, Wellington -Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Watson Park Lake

Smallmouth Bass Creel Limits:

2 fish daily creel limits

Atchison State Fishing Lake, Banner Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Carbondale East Lake, Douglas County - Lonestar Lake, Fort Scott - Lake Fort Scott, Garnett City Lake North, Johnson Co. - Kill Creek Park Lake, Leavenworth State Fishing Lake, Lebo City Lake, Milford Hatchery Water Supply Pond, New Strawn City Lake, Osage State Fishing Lake, Overbrook City Lake, Pleasanton City Lake - East, Pleasanton City Lake - West, Sabetha - Pony Creek Lake, Shawnee Co. Lake Shawnee, Wellington - Hargis Creek Lake, Woodson State Fishing Lake

Smallmouth Bass Length Limit:

18 inch minimum

Atchison State Fishing Lake, Banner Creek Reservoir, Big Hill Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Carbondale East Lake, Coffey County - Coffey County Lake, Douglas County - Lonestar Lake, Eskridge - Lake Wabunsee, Fort Scott - Lake Fort Scott, Garnett City Lake North, Glen Elder Reservoir, Johnson Co. - Kill Creek Park Lake, LaCygne Reservoir, Leavenworth State Fishing Lake, Lebo City Lake, Marion County Lake, Marion Reservoir, Melvern Reservoir, New Strawn City Lake, Osage State Fishing Lake, Overbrook City Lake, Sabetha - Pony Creek Lake, Sedgwick Co. Lake Afton, Shawnee Co. Lake Shawnee, Wellington - Hargis Creek Lake, Woodson State Fishing Lake, Wyandotte Co. Lake

Spotted Bass Creel Limit:

2 fish daily creel limit

Carbondale East Lake, Chanute City Lake, Fort Scott - Lake Fort Scott, Melvern River Pond, Milford Hatchery Water Supply Pond, Osage State Fishing Lake, Wellington - Hargis Creek Lake

Striped Bass Length Limits:

18 inch minimum length limit

LaCygne Reservoir, Melvern Reservoir, Pleasanton City Lake – East

Walleye Creel Limits:**2 fish daily creel limit**

Atchison State Fishing Lake, Banner Creek Reservoir, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Carbondale East Lake, Cheney Reservoir, Fort Scott - Lake Fort Scott, Garnett - Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Harvey County East Lake, Johnson Co. - Kill Creek Park Lake, Leavenworth State Fishing Lake, Lebo City Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, Mound City Lake, New Strawn City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Paola - Lake Miola, Pleasanton City Lake - East, Pratt County Lake, Richmond City Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Sedgwick Co. Lake Afton, Shawnee Co. Lake Shawnee, Wellington City Lake, Wichita - Chisholm North Lake, Woodson State Fishing Lake, Wyandotte Co. Lake, Yates Center - South, Yates Center Reservoir – New

Walleye Length Limits:**18 inch minimum length limit**

Atchison State Fishing Lake, Banner Creek Reservoir, Big Hill Reservoir, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Carbondale East Lake, Cedar Bluff Reservoir, Centralia City Lake, Chase State Fishing Lake, Coffey County - Coffey County Lake, Council Grove City Lake, Crawford State Fishing Lake, El Dorado Reservoir, Eskridge - Lake Wabunsee, Eureka City Lake, Fort Scott - Lake Fort Scott, Garnett - Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Harvey County East Lake, Harveyville City Lake, Herington City Lake - New, Hillsdale Reservoir, Jeffrey Energy Center, Johnson Co. - Kill Creek Park Lake, Keith Sebelius (Norton), Kingman State Fishing Lake, Lebo City Lake, Lovewell Reservoir, Marion County Lake, Marion Reservoir, Melvern Reservoir, Melvern River Pond, Milford Reservoir, Mined Land Wildlife Area, Mound City Lake, New Strawn City Lake, Osage City Lake, Overbrook City Lake, Pleasanton City Lake - East, Pomona Reservoir, Pratt County Lake, Richmond City Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Sedgwick Co. Lake Afton, Wellington City Lake, Wichita - Chisholm North Lake, Wilson State Fishing Lake, Winfield City Lake, Wyandotte Co. Lake

21 inch minimum length limit

Cheney Reservoir

Wiper Length Limits:

18 inch minimum length limit

Carbondale East Lake, Chanute City Lake, Clinton Reservoir, Coldwater City Lake, Douglas County - Lonestar Lake, El Dorado Reservoir, Garnett - Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Great Bend Stone Lake, Gridley City Lake, Horton Little Lake, Jetmore City Lake, Kiowa State Fishing Lake, LaCygne Reservoir, Leavenworth State Fishing Lake, Lebo City Lake, Louisburg - Middle Creek, Marion County Lake, Melvern River Pond, Mined Land Wildlife Area, New Strawn City Lake, Olathe - Cedar Lake, Olathe - Lake Olathe, Osage City Lake, Osage State Fishing Lake, Ottawa State Fishing Lake, Overbrook City Lake, Plainville Township Lake, Pleasanton City Lake - East, Pomona Reservoir, Pratt County Lake, Sabetha - Pony Creek Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Shawnee Co. Lake Shawnee, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - East KDOT, Wichita - Watson Park Lake, Wichita - West KDOT, Winfield City Lake, Woodson State Fishing Lake, Wyandotte Co. Lake, Yates Center - South, Yates Center Reservoir – New

21 inch minimum length limit

Cheney Reservoir

Length and Creel Limits for the Missouri River (Kansas-Missouri Boundary Waters):

Length limits on that portion of the Missouri River which bound the Kansas-Missouri state boundary (Kansas-Missouri Boundary Waters): Black bass (largemouth, spotted and small- mouth bass) of a length less than twelve (12) inches, and only paddlefish of a length less than twenty-four (24) inches are protected and must be returned to the water immediately.

Daily creel limits on that portion of the Missouri River which bound the Kansas-Missouri state boundaries (Kansas-Missouri Boundary Waters): Crappie (white and black; single species or in combination) daily creel limit of 30 fish; walleye, sauger and their hybrids (single species or in combination) daily creel limit of four (4) fish; *Morone sps.* (yellow bass, white perch, striped bass, white bass and their hybrids; single species or in combination) daily creel limit of 30 fish; all other species (excluding T&E and SINC species) daily creel limit of 50 fish.

All fish caught from the Missouri River Boundary Waters that are a size or number that is illegal to possess, shall be released unrestricted to the water immediately.

Pratt Backwaters, Pratt Centennial Pond & Pratt Kids' Fishing Pond:

Pratt Centennial Pond: Fishing hours shall be from 6 a.m. to 10 p.m. All fishing shall be with artificial flies and lures only and shall be the only tackle allowed on such person while fishing this water. All species of fish caught shall be immediately returned to the waters of Centennial Pond, except there shall be a daily creel limit of two (2) rainbow trout.

Pratt Kids' Fishing Pond: Fishing Hours shall be from 6 a.m. to 10 p.m. Children ten (10) years of age or less shall be accompanied by a person sixteen (16) years of age or older. The following creel limits on the Pratt Kids' Fishing Pond: Two fish of a single species or a combination of species per day.

Pratt Backwaters: Fishing Hours shall be from 6 a.m. to 10 p.m.

Length and Creel Limits for Coffey County Lake:

Length limits on Coffey County Lake: White bass of a length less than twelve (12) inches, wipers of a length less than twenty-one (21) inches, largemouth bass of a length less than twenty-one (21) inches, smallmouth bass of a length greater than sixteen (16) inches and less than twenty (20) inches, walleye of a length greater than eighteen (18) inches and less than twenty-six (26) inches, and crappie (black and white species) of a length less than fourteen (14) inches are protected and must be returned to the water immediately.

Daily creel limits on Coffey County Lake: Wiper creel limit of one (1), largemouth bass creel limit of one (1), smallmouth bass creel limit of two (2), crappie, black and white species (single species or in combination) creel limit of two (2), walleye creel limit of two (2), and channel catfish and blue catfish (single species or in combination) creel limit of ten (10) per day.

Paddlefish Snagging Locations:

Locations open to paddlefish snagging during the paddlefish season (March 15-May 15): Neosho River below the Chetopa dam, Marais des Cygnes River below Osawatomie dam, the Browning Oxbow Lake of the Missouri River, and Neosho River below the Burlington City dam.

115-2-1. Amount of fees. The following fees shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

(1) Resident hunting license	18.00
(2) Nonresident hunting license	70.00
(3) Nonresident junior hunting license (under 16 years of age)	35.00
(4) Resident big game hunting permit:	
General resident: either-sex elk permit	250.00
General resident: antlerless-only elk permit	100.00
Landowner/tenant: either-sex elk permit	125.00
Landowner/tenant: antlerless-only elk permit	50.00
Hunt-on-your-own-land: elk permit	50.00
General resident: deer permit	30.00
Landowner/tenant: deer permit	15.00
Hunt-on-your-own-land: deer permit	15.00
Special hunt-on-your-own-land: deer permit	15.00
General resident: antelope permit	40.00
Landowner/tenant: antelope permit	20.00
Hunt-on-your-own-land: antelope permit	20.00
Antelope preference point service charge	5.00
Any-deer preference point service charge	5.00

Application fee for elk permit.....5.00

(5) Resident game tag:

Deer game tag 10.00

Turkey game tag10.00

(6) Wild turkey permit:

General resident: turkey permit (1-bird limit)20.00

Landowner/tenant: turkey permit (1-bird limit)10.00

Nonresident: turkey permit (1-bird limit)30.00

Resident: turkey preference point service charge5.00

(7) Nonresident big game hunting permit:

Nonresident hunt-on-your-own-land: deer permit75.00

Nonresident: deer permit (antlered deer)300.00

Nonresident: deer permit (antlerless only)75.00

Nonresident: antelope permit (archery only)200.00

Nonresident: deer permit application fee20.00

(8) Nonresident game tag:

Deer game tag 20.00

Turkey game tag20.00

(9) 48-hour waterfowl hunting permit25.00

(10) Field trial permit: game birds	20.00
(11) Lifetime hunting license	440.00
or eight quarterly installment payments of	60.00
(12) Migratory waterfowl habitat stamp	5.00
(13) Special dark goose hunting permit	5.00
(14) Sandhill crane hunting permit: validation fee	5.00
(15) Disabled person hunt-from-a-vehicle permit	0

(b) Fishing licenses and permits.

Resident fishing license	18.00
Nonresident fishing license	40.00
24-hour fishing license	5.00
Three-pole permit.....	4.00
<u>Tournament bass pass</u>	<u>10.00</u>
<u>Paddlefish permit (six carcass tags).....</u>	<u>10.00</u>
Lifetime fishing license	440.00
or eight quarterly installment payments of	60.00
Five-day nonresident fishing license	20.00
Institutional group fishing license	100.00
Special nonprofit group fishing license	50.00
Trout permit	10.00

(c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license	36.00
Resident lifetime combination hunting and fishing license	880.00
or eight quarterly installment payments of	120.00
Nonresident combination hunting and fishing license	110.00

(d) Furharvester licenses.

Resident furharvester license	18.00
Resident junior furharvester license	10.00

Lifetime furharvester license440.00
 or eight quarterly installment payments of60.00
Nonresident furharvester license250.00
Nonresident bobcat permit (1-bobcat limit per permit)100.00
Resident fur dealer license100.00
Nonresident fur dealer license400.00
Field trial permit: furbearing animals20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license15.00
Resident mussel fishing license75.00
Nonresident mussel fishing license1,000.00
Mussel dealer permit200.00
Missouri river fishing permit25.00
Game breeder permit10.00
Controlled shooting area operator license200.00
Commercial dog training permit20.00
Commercial fish bait permit20.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license)20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or
 exempt from this license requirement)5.00

Commercial prairie rattlesnake dealer permit.....50.00

Prairie rattlesnake round-up event permit25.00

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit10.00

Raptor propagation permit0

Rehabilitation permit0

Wildlife damage-control permit0

Wildlife importation permit10.00

Threatened or endangered species: special permits0

(g) Falconry.

Apprentice permit75.00

General permit75.00

Master permit75.00

Testing fee50.00

(h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department10.00

Special departmental services, materials, or supplies At cost

Vendor bond

For bond amounts of \$5,000.00 and less50.00

For bond amounts of more than \$5,000.00.....50.00

plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.

This regulation shall be effective on and after ~~May 1, 2006~~ January 1, 2007. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2005 Supp. 32-988; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-2-1. Amount of fees.

DESCRIPTION: This permanent regulation establishes fish and wildlife-related license and permit fees. The proposed amendments would set a price for a paddlefish permit and a tournament bass pass, as part of a larger package of fishing regulation changes.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments establish a price of \$10 for a paddlefish permit that includes six carcass tags and \$10 for a tournament bass pass. It is estimated that 300 paddlefish permits will be sold, generating \$3000 in FY07 and \$3000 in FY08, which will accrue to the wildlife fee fund. It is also estimated that 500 tournament bass passes will be sold, generating \$5000 in FY07 and \$5000 in FY08, which will accrue to the wildlife fee fund. Otherwise, no other appreciable economic impact is anticipated for the Department, other agencies or the public.

ALTERNATIVES CONSIDERED: None.

115-7-1. Fishing; legal equipment, methods of taking, and other provisions. (a) Legal equipment and methods for taking sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line;

(2) trotlines;

(3) setlines;

(4) tip-ups; ~~and~~

(5) using a person's hand or hands for flathead catfish in waters designated as open to hand fishing, subject to the following requirements:

(A) An individual hand fishing shall not use hooks, snorkeling or scuba gear, or other man-made devices while engaged in hand fishing;

(B) an individual hand fishing shall not possess fishing equipment, other than a stringer, while engaged in hand fishing and while on designated waters or adjacent banks;

(C) stringers shall not be used as an aid for hand fishing and shall not be used until the fish is in possession at or above the surface of the water;

(D) each individual hand fishing shall take fish only from natural objects or natural cavities;

(E) an individual hand fishing shall not take fish from any man-made object, unless the object is a bridge, dock, boat ramp, or riprap, or other similar structure or feature; and

(F) no part of any object shall be disturbed or altered to facilitate the harvest of fish for hand fishing; and

(6) snagging for paddlefish in waters posted or designated by the department as open to the snagging of paddlefish, subject to the following requirements:

(A) Each paddlefish caught and landed shall be included in the creel and possession limit, unless a minimum length limit has been established and posted for that area, in which case each paddlefish not meeting the minimum length limit shall be released immediately into the waters from which it came;

(B) each individual fishing for paddlefish shall place all paddlefish legally caught on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, which shall be marked with the individual's name and address;

(C) each individual with a filled creel limit shall cease all snagging activity in the paddlefish snagging area until the next calendar day;

(D) each individual taking paddlefish to be included in the creel and possession limit during the snagging season shall ~~transport each paddlefish taken to a check station established by the department, and each paddlefish shall be taken to the check station immediately upon the filling of the daily creel limit or upon cessation of the day's fishing activity.~~ sign the carcass tag, record the county, the date, and the time of harvest on the carcass tag, and attach the carcass tag to the lower jaw of the carcass immediately following the harvest and before moving the carcass from the site of the harvest; and

(E) ~~Each paddlefish checked shall have a numbered tag attached to its lower jaw at the check station.~~

(F) ~~Each individual shall provide that person's name, address, and fishing license number to the check station attendant.~~

(G) each individual fishing for paddlefish shall use barbless hooks while fishing on the Neosho river. "Barbless hook" shall mean a hook without barbs or upon which the barbs have been bent

completely closed.

- (b) Legal equipment and methods for taking non-sport fish shall be the following:
 - (1) Fishing lines with not more than two baited hooks or artificial lures per line;

- (2) trotlines;
 - (3) setlines;
 - (4) tip-ups;
 - (5) bow and arrow with a barbed head and a line attached from bow to arrow;
 - (6) crossbow and arrow with a barbed head and a line attached from arrow to crossbow;
 - (7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line; and
 - (8) snagging and gigging in waters posted by the department as open to snagging or gigging.
- (c) Dip nets and gaffs may be used to land any legally caught or hooked fish.
- (d) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.
- (e) Fish may be taken with the aid of boats, depth finders, artificial lights, sound attracters, and scents.
- (f) Fish may be taken by legal means from vehicles.
- (g) The following additional requirements shall apply in the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes:
- (1) Each individual shall place all legally caught fish on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, separate from those fish caught by any other individual.
 - (2) The equipment and methods specified in paragraphs (b)(5) and (b)(6) shall be legal only from sunrise to midnight.
 - (3) The equipment and methods specified in paragraph (b)(8) shall be legal only from sunrise to sunset. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2005 Supp. 32-1002; effective Dec. 26, 1989; amended Feb. 10, 1992; amended Oct. 1, 1999; amended Dec. 8, 2000; amended Sept. 27, 2002; amended Nov. 29, 2004; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-7-1. Fishing; legal equipment, methods of take and other provisions.

DESCRIPTION: This regulation establishes legal fishing equipment and methods for sportfish and for nonsportfish. The proposed amendments would allow for limited hand fishing as well as require the use of carcass tags for the paddlefish snagging season in lieu of the mandatory checkstation. These amendments are the result of statewide public meetings for fisheries regulation and are part of a larger regulatory package involving fisheries.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments will simplify the regulations with regard to the paddlefish seasons and offer a new opportunity, hand fishing. Consequently there may be some positive economic impact but it would be purely speculative at this point. Otherwise, we would anticipate no substantive economic impact to the department, other state agencies, or the public.

ALTERNATIVES CONSIDERED: None.

115-7-4. Fish; processing and possession. (a) Each person who takes any fish taken from a body of water ~~for which a species creel limit or species length limit has been established~~ shall ~~have~~ leave the head, body, and tail fin ~~left attached while in the person has possession of the fish on the water, or is~~ processed and consumed on the water.

(b) Each person who has taken any fish taken shall ~~be retained~~ retain the fish in that person's possession until any of the following occurs:

(1) The fish is consumed or processed for consumption;

(2) The fish is transported to a the person's domicile; or given to another person.

(3) The fish is transported to a place of commercial preservation or place of commercial processing for consumption;

(4) ~~given to another person;~~

~~(5) consumed;~~

~~(6) The fish is returned unrestrained to the waters from which the fish was taken; or,~~

~~(7) (5) The fish is disposed of at a location designated for fish disposal or at a designated fish cleaning station. (Authorized by L. 1989, Ch. 118, Sec. 9 K.S.A. 32-807; implementing L. 1989, Ch. 118, Sec. 9 and 114 K.S.A. 32-807 and K.S.A. 2005 Supp. 32-1002; effective Dec. 26, 1989; amended P-_____.)~~

ECONOMIC IMPACT STATEMENT

K.A.R. 115-7-4. Fish; processing and possession.

DESCRIPTION: This regulation establishes general provisions applicable to fish processing and possession in Kansas. The proposed amendments would clarify a confusing issue regarding possession of fish fillets while on the water and are part of a larger regulatory package regarding fishing that is being proposed.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are intended to simplify possession conditions for the public and law enforcement. It is anticipated that no substantive economic impact will occur for the department, other state agencies, or the public.

ALTERNATIVES CONSIDERED: None.

115-7-8. Bass fishing tournaments. (a) Each individual or organization desiring to conduct a registered and permitted bass fishing tournament that allows the use of the tournament bass pass shall apply to the secretary on a form provided by the department. These tournaments may be held only within the period beginning September 1 and extending through June 15.

(b) Each application shall contain the following information:

(1) The name, address, and phone number of the individual or the contact member of the organization desiring to conduct the tournament;

(2) the location of the proposed tournament and a copy of the written permission of the facility manager authorizing the tournament location and the date or dates;

(3) the date or dates and the times that the tournament is to be conducted;

(4) a description of the equipment used to conduct weigh-in and release procedures;

(5) a map containing the proposed location of the weigh-in and release sites; and

(6) other relevant information as required by the secretary or the secretary's designee.

(c) Upon approval of the application by the secretary and before the start of the tournament, the individual or organization conducting the tournament shall provide the following items to each registered tournament participant:

(1) A department-provided, waterproof tournament participant card;

(2) a department-provided catch-reporting form;

(3) department-provided tournament guidelines; and

(4) one or more vessel decals or signs that clearly state that each individual in the vessel is participating in a registered and permitted tournament.

(d) Each individual or organization conducting the tournament shall ensure that all of the following minimum requirements are met when conducting weigh-in procedures:

(1) One individual shall provide work crew support for each 10 registered anglers.

(2) One weigh-in tank filled with an electrolyte chemical-water solution and fitted with recirculation and aeration accessories shall be maintained for each 25 registered anglers.

(3) If the water temperature at the tournament location is 75 degrees Fahrenheit or cooler, the water contained in the weigh-in tank shall be maintained at the same temperature as that of the tournament location water.

(4) If the water temperature at the tournament location is warmer than 75 degrees Fahrenheit, the water in the weigh-in tank shall be maintained at a temperature that is between five and 10 degrees Fahrenheit cooler than the tournament location water but shall not exceed 85 degrees Fahrenheit at any time.

(5) Not more than four anglers shall be in the weigh-in line at any one time.

(6) Each weigh-in bag containing water from the well of the vessel shall be reinforced, reusable, and capable of holding up to 15 pounds of live fish and two gallons of water.

(7) The weigh-in site shall meet the following requirements:

(A) Be located near the vessel mooring site and the release site, vehicle, or vessel; and

(B) be located at all times under a portable awning, in an event tent, or in the shade.

(e) Each individual or organization conducting the tournament shall ensure that the following minimum requirements are met when conducting the release procedures:

(1) The direct release of fish into the tournament location water after the weigh-in shall not be permitted.

(2) If the tournament is conducted with release tubes, vehicles, or vessels, the holding tanks shall contain a one-half percent noniodized salt solution.

(3) If the tournament is conducted without release tubes, vehicles, or vessels, the fish shall be dipped, for a period of time ranging from 10 seconds to 15 seconds before release, in a three percent noniodized salt solution having the same temperature as that of the water in the weigh-in tank.

(4) The release site shall meet the following conditions:

(A) Be located in water reaching at least three feet in depth with good circulation and a hard bottom; and

(B) be located away from vessel traffic and public-use vessel ramps.

(f) Each registered and permitted tournament participant shall meet the following requirements:

(1) Provide all data related to the participant's tournament catch to the tournament organizer, on a form provided by the department;

(2) place at least one tournament-authorized decal or sign on the participant's vessel used in the tournament;

(3) possess a tournament identification card and tournament bass pass at all times while participating in the tournament;

(4) ensure that each well in the participant's vessel used in the tournament is properly working and contains an electrolyte chemical-water solution;

(5) be able to cull fish after reaching the daily creel limit; and

(6) ensure that the participant's vessel used in the tournament is cleaned before and after the tournament in compliance with department guidelines regarding the prevention of aquatic nuisance species.

(g) Each individual or organization conducting a bass fishing tournament shall provide all catch and mortality data for the tournament to the department within 30 days following the conclusion of the tournament, on a department-provided form.

(h) In addition to any other penalty prescribed by law, an individual or organization that fails to comply with the provisions of this regulation shall not be eligible to apply to conduct a registered and permitted bass fishing tournament for at least one year from the date of noncompliance.

Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2005 Supp. 32-1002;
effective P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-7-8. Fishing; tournaments.

DESCRIPTION: This new permanent regulation sets for procedures for having a registered and permitted bass fishing tournament. The procedures are designed to reduce fish mortality as well as gather critical catch data to better improve fisheries management. The proposed regulation contains application provisions, requirements on the organization and individuals participating, provision for release of the fish after weigh-in, and requirements for release sites. By holding the registered and permitted tournaments, the anglers are allowed to cull fish when they reach the daily creel limit as well as keep up to two bass that meet the statewide length limit but not the length limit for the specific body of water where the tournament is located.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The use of the tournament bass pass and culling will most likely encourage individuals and organizations to hold tournaments on waters previously avoided because of the length limit restrictions. Therefore, there may be some collateral positive economic impact to businesses in the areas where tournaments will be held but any amount would be purely speculative. Otherwise, we would anticipate no substantive economic impact to the department, other state agencies, or the public.

ALTERNATIVES CONSIDERED: None.

115-18-12. Trout permit; requirements, restrictions, and permit duration. (a) ~~A trout permit shall be required~~ Each individual who wants to fish or to fish for and possess trout during those periods of time on those bodies of water as established by K.A.R. 115-25-14 shall be required to have a trout permit.

(b) Each trout permit shall be valid statewide ~~and shall expire on~~ through December 31 of the year in which the permit is issued.

(c) Each trout permit shall be validated by the signature of the permit holder written across the face of the permit. A trout permit shall not be transferable. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2005 Supp. 32-1001, and K.S.A. 2005 Supp. 32-1002; effective Nov. 15, 1993; amended Jan. 30, 1995; amended July 24, 1998; amended P-_____.)

ECONOMIC IMPACT STATEMENT**K.A.R. 115-18-12. Trout permit; requirements, restrictions, and permit duration.**

DESCRIPTION: This permanent regulation establishes the trout permit and for what types of fishing the trout permit is needed. As part of a larger regulatory package involving trout fishing, a trout permit would be required on certain bodies of water when fishing for any species and only required when fishing for and possessing trout on other bodies of water as designated in K.A.R. 115-25-14.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: These proposed amendments are intended to increase fairness in angler participation in the trout program. Currently, only individuals who are fishing for and possessing trout are required to have a trout permit. Other anglers who are fishing for trout but are releasing the fish are taking advantage of the anglers who pay for the program through the purchase of a trout permit for the fish to be stocked in certain waters. The waters where a permit would be mandatory to fish are waters in which the primary fishery is trout. The permit is permissive in waters that contain other significant fishery opportunities. It is anticipated that trout permit sales would increase but any amount that would accrue to the wildlife fee fund is purely speculative at this time. Otherwise, no substantial economic impact to the department, other state agencies or members of the public is anticipated.

ALTERNATIVES CONSIDERED: None.

115-18-18. Hand fishing permit; requirements, restrictions, and permit duration. (a) Each individual who wants to hand fish for flathead catfish during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a hand fishing permit.

(b) Each hand fishing permit shall be valid statewide through December 31 of the year in which the permit is issued.

(c) Each hand fishing permit shall be validated by the signature of the permit holder written across the face of the permit. A hand fishing permit shall not be transferable.

(d) A questionnaire shall be provided to each holder of a hand fishing permit. Each permit holder shall complete and submit the hand fishing questionnaire no later than 30 days after the close of the open hand fishing season. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2005 Supp. 32-1001, and K.S.A. 2005 Supp. 32-1002; effective P-_____.)

ECONOMIC IMPACT STATEMENT**K.A.R. 115-18-18. Hand fishing permit; requirements, restrictions, and permit duration.**

DESCRIPTION: This new permanent regulation establishes the hand fishing permit. As part of a larger regulatory package involving hand fishing, a hand fishing permit would be required to hand fish for flathead catfish during open seasons and in waters designated in K.A.R. 115-25-14.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed regulation regarding the hand fishing permit is a result of a petition by anglers interested in the opportunity to hand fish. It is part of a larger regulatory package for fishing being proposed. As this is an entirely new opportunity, any amount generated that would accrue to the wildlife fee fund would be purely speculative at this time. However, the proposed permit would be established at a price of \$25. Otherwise, no substantial economic impact to the department, other state agencies or members of the public is anticipated.

ALTERNATIVES CONSIDERED: None.

115-18-19. Paddlefish permit; requirements, restrictions, and permit duration. (a) Each individual who wants to snag for paddlefish during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a paddlefish permit.

(b) Each paddlefish permit shall be valid statewide through December 31 of the year in which the permit is issued.

(c) Each paddlefish permit shall be validated by the signature of the permit holder written across the face of the permit. A paddlefish permit shall not be transferable.

(d) A questionnaire shall be provided to each holder of a paddlefish permit. Each permit holder shall complete and submit the paddlefish snagging questionnaire no later than 30 days after the close of the open snagging season. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2005 Supp. 32-1001, and K.S.A. 2005 Supp. 32-1002; effective P-_____.)

ECONOMIC IMPACT STATEMENT**K.A.R. 115-18-19. Paddlefish permit; requirements, restrictions, and permit duration.**

DESCRIPTION: This new permanent regulation establishes the paddlefish permit. As part of a larger regulatory package involving paddlefishing, a paddlefish permit would be required to fish for paddlefish during open snagging seasons and in waters designated in K.A.R. 115-25-14. In addition, a mandatory reporting process would be required for permit holders and the department would discontinue use of tagging and registration stations.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed regulation regarding the paddlefish permit with accompanying carcass tags is a result of fisheries roundtables that occurred throughout the state this past summer and fall. The purpose of the permit and carcass tags is reduce individual angler pressure on mature fish paddlefish populations while at the same time increasing angler opportunity in harvest. It is part of a larger regulatory package for fishing being proposed. As this is an entirely new permit, it is estimated that 300 permits at a cost of \$10 per permit will be sold generating \$3000 in both FY 07 and FY08. Otherwise, no substantial economic impact to the department, other state agencies or members of the public is anticipated.

ALTERNATIVES CONSIDERED: None.

115-18-20. Tournament bass pass; requirements, restrictions, and pass duration. (a) A tournament bass pass shall be required for each individual who wants to keep up to two bass in a daily creel limit that meet the minimum statewide length limit but that do not meet the special length limit for the specific body of water, during a registered and permitted bass tournament as established in K.A.R. 115-7-8.

(b) Each tournament bass pass shall be valid statewide through December 31 of the year in which the bass pass is issued.

(c) Each tournament bass pass shall be validated by the signature of the pass holder written across the face of the pass. A tournament bass pass shall not be transferable. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2005 Supp. 32-1001, and K.S.A. 2005 Supp. 32-1002; effective P-_____.)

ECONOMIC IMPACT STATEMENT**K.A.R. 115-18-20. Tournament bass pass; requirements, restrictions, and pass duration.**

DESCRIPTION: This new permanent regulation establishes the tournament bass pass. As part of a larger regulatory package involving tournament fishing, a tournament bass pass would allow the holder to possess up to two bass that meet the statewide length limit but do not meet the length limit for the body of water where a permitted and registered tournament is being conducted. The regulation is being proposed at the request of tournament bass anglers.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed regulation is part of a larger regulatory package for fishing being proposed. As this is an entirely new permit, it is estimated that 500 permits at a cost of \$10 per permit will be sold generating \$5000 in both FY 07 and FY08. In addition, the establishment of the permit may have a collateral positive economic impact on the public as tournaments may be held on bodies of water where length limits previously deterred tournament anglers but any economic impact would be purely speculative. Otherwise, no substantial economic impact to the department, other state agencies or members of the public is anticipated.

ALTERNATIVES CONSIDERED: None.

115-25-14. Fishing; creel limit, size limit, possession limit, and open season. (a) The open season for the taking of fish in Kansas shall be January 1 through December 31, with the following exceptions:

(1) The flowing portions and backwaters of the Missouri river and any oxbow lake through which the Kansas-Missouri boundary passes, for which the open season for the taking of paddlefish shall be March 15 through May 15;

(2) the flowing portions of the Kansas river from its origin downstream to its confluence with the Missouri river and the flowing portions of the Arkansas river from the John Mack bridge on Broadway street in Wichita downstream to the Kansas-Oklahoma border, for which the open hand-fishing season for the taking of flathead catfish shall be from sunrise to sunset, June 15 through August 31; and

(3) those areas closed by posted notice.

(b) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish on the following waters during the specified time periods:

(1) October 15 through April 15:

(A) Cedar Bluff Stilling Basin;

(B) Cimarron Grasslands Pits;

(C) Dodge City Lake Charles;

(D) Fort Scott Gun Park Lake;

(E) Garnett Crystal Lake;

(F) Glen Elder State Park Pond;

(G) Kanopolis Seep Stream;

(H) KDOT East Lake, located in Wichita;

(I) Lake Henry, located in Clinton State Park;

(J) Pratt Centennial Pond;

(K) Sandsage Bison Range and Wildlife Area Sandpits;

(L) the following Sedgwick County Park waters:

(i) Vic's Lake; and

(ii) Slough Creek;

(M) Topeka Auburndale Park;

(N) Walnut River Area, located in El Dorado State Park; and

(O) Webster Stilling Basin.

(2) October 15 through October 14:

(A) Tuttle Creek State Park Willow Lake; and

(B) unit number 30, located in the Mined Land Wildlife Area.

(c) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish for and possess trout on the following waters from October 15 through April 15:

(1) Great Bend Veterans Memorial Park Lake;

(2) Hutchinson Dillon Nature Center Pond;

(3) Kanopolis State Park Pond;

(4) Moon Lake, located in Fort Riley;

(5) Salina Lakewood Lake;

(6) Scott State Fishing Lake;

(7) Scott State Park Pond;

(8) the following Sedgwick County Park waters:

(i) Moss Lake; and

(ii) Horseshoe Lake;

(9) Sherman County Smoky Gardens Lake; and

(10) Solomon River between Webster Reservoir and Rooks County #2 Road.

(d) The following daily creel limits and size limits shall apply to each pond, lake, impoundment, and other water of the state that is open to public fishing access, and to all perennial and intermittent watercourses of the state, unless special creel limits and size limits apply pursuant to subsection (e).

<u>Species</u>	<u>Creel Limit</u>	<u>Size Limit</u>
Black bass: largemouth, spotted, or smallmouth	5*	15"
Channel catfish or blue catfish	10*	--
Trout	5*	--
Flathead catfish	5	--
Walleye, sauger, saugeye	5*	15"
Pike family: northern pike, tiger, or muskellunge	2*	30"
Striped bass	2	--
Wiper: striped bass hybrid	2	--
Paddlefish fork	2**	34" measured eye to
Crappie: white or black	50*	--
All other species	No limit	--

* The daily creel limit shall be composed of a single listed species or a combination of the species in the listed species group.

** The total creel limit of paddlefish per calendar year shall be six paddlefish.

(d) The possession limit shall be three daily creel limits.

(e) Special size limits, creel limits, and bait restrictions for designated waters shall be those limits and restrictions specified in the department's "Kansas special size limits, creel limits, and bait restriction tables," dated August 2, 2006, which is hereby adopted by reference. All fish caught from these designated waters that are of a size or number that is illegal to possess shall be released unrestrained to the water immediately.

(f) This regulation shall be effective on and after January 1, 2007. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2005 Supp. 32-1002.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-25-14. Fishing; creel limit, size limit, possession limit, and open season.

DESCRIPTION: This exempt regulation establishes statewide limits and open seasons for fishing in Kansas. The proposed amendments relate to several items including areas open to hand fishing, two different types of trout waters, and the adoption of special creel limits, length limits and bait restrictions through a reference document. Special creel and length limits were previously enforced through an order of the secretary and posted notice.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed changes would likely have no substantive economic impact to the department, other state agencies, or the public.

ALTERNATIVES CONSIDERED: None.