

**KANSAS DEPARTMENT OF WILDLIFE AND PARKS**  
**COMMISSION MEETING MINUTES**  
**Thursday, March 15, 2007**  
**The Great Overland Station**  
**Topeka, Kansas**

Subject to  
Commission  
Approval

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

The March 15, 2007 meeting of the Kansas Department of Wildlife and Parks Commission was called to order by Chairman Kelly Johnston at 1:30 p.m. at The Great Overland Station, Topeka. Chairman Johnston and Commissioners Gerald Lauber, Frank Meyer, Doug Sebelius, Shari Wilson and Robert Wilson were present.

**II. INTRODUCTION OF COMMISSIONERS AND GUESTS**

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

Chairman Johnston – There is still a vacancy on the Commission by the leaving of Dr. Harrington, but we expect an appointment by the next Commission Meeting.

**III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**

*None*

**IV. APPROVAL OF THE January 11, 2007 MEETING MINUTES**

Commissioner Frank Meyer moved to accept the minutes, second by Commissioner Shari Wilson (Exhibit B)

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

Dr. Bob Robel – Hunting license sales are down across the country therefore funding is down for state agencies. I have what I believe to be two fruitful options. I have copies of my comments (Exhibit C). The first is on shooting ranges. In the 1990s the agency did a survey that showed a shortage of ranges and Fancy Creek was built at Tuttle Creek. The rifle and pistol range was built, but the multipurpose range was not. It is run by the Friends of Fancy Creek Range, a 501(c)(3) organization, that charges range fees. The shooters pay a park entrance fee to use the range and this is a way maximize or increase revenues coming into the state by building more ranges within parks. The second one is hunting preserves, of which there are about 100 in the state -- called controlled shooting areas. While sales of hunting licenses have gone down, shooting range licenses have increased. People who shoot on those ranges are required to buy a license and several of the facilities have trap or skeet ranges and we receive revenue from the PR fund from the sale of ammo and those types of items. Chairman Johnston – Mr. Secretary, could the department come back to us at a future meeting with ideas on this? Secretary Hayden – I will

talk about shooting ranges in the budget portion.

Roy Cook - On behalf of my stepson Keith Visocsky who could not be here today, I wanted to give you a proposal on youth hunting. I have copies of some figures that he put together (handout – Exhibit D). He would like to know if we could reduce the cost for deer hunting permits to half price for youth. It is difficult for parents to get their kids out there. Chris Tymeson – This was part of the proposal by the Deer Task Force, to reduce youth to half price. We hope we can get this passed this year or next. Cook – We would also like this to address turkey.

Bill Long, Tuttle Creek Lake Association – The ramps at Tuttle Creek are very slippery and several years ago steel mats were put on there and the Tuttle Creek Lake Association has been replacing those. We would like you to consider planning for the replacement of those on a maintenance basis. Chairman Johnston – Mr. Nygren will talk about that later in the Boating Task Force report.

Cris Coller, Great Bend Visitors Bureau – I would like to thank KDWP for your partnership and give you a registration form for the Wings N Wetlands Weekend (handout – Exhibit E).

Janet Crane, Barton County – I am the Financial Officer for Barton County, but I also work on the National Scenic Byway. As of September 2005 a 77-mile stretch was awarded this status. We are putting up posters in a kiosk being built on K-4 overlooking Cheyenne Bottoms. Also, I gave you a handout on the byway grant, applied for in 2006. We were awarded the grant and have gotten bids from three firms. We have entered into contract negotiations with Fermada. An interpretive plan, interpretive signs and trail markers, a CD audio tour, a website, and brochures and trail guides will be developed. I have given you a letter and a brochure (Exhibit F). Commissioner Meyer – My wife and I recently drove through Quivira Wildlife area, and it is beautiful.

## **VI. DEPARTMENT REPORT**

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

1. Proposed Legislation for FY 2007 Legislative Session – Chris Tymeson, legal counsel, gave this report to the Commission. Complete bills can be found on the agency website.

SB38 would rename State Park No. 24 as Kaw River State Park. The bill was passed favorably by the Senate Natural Resources committee and has been referred to the House Economic Development and Tourism Committee (HB 2046) but has received no hearing.

SB157 would allow the department to purchase liability insurance for all of its boats. This bill is a department initiative and was placed on the Consent Calendar.

SB188 would increase monetary values of certain wildlife when the court requires restitution for illegally commercialized wildlife and adds bobcats to the list. This bill is a department initiative and was referred to the Senate Natural Resources Committee. A hearing was held on February 8. The bill passed the Senate 40-0, and is on the Consent Calendar.

SB189 amends K.S.A. 32-920 to allow a person who is 16 or older to obtain a one-time deferral of completion of Hunter Education that is valid until the end of the current license year, who then may purchase an apprentice hunting license and hunt under the direct supervision of an adult 21 years old or older. In addition, the bill would remove mandatory provisions related to bowhunter

education. This bill is a department initiative and was referred to the Senate Natural Resources Committee. Possible action on March 16.

SB191 would correct a punctuation error (a missing comma) when it was amended two years ago. This bill is a department initiative and passed the Senate 40-0 and the House 120-2.

SB192 clarifies that local chapters of nonprofit organizations operating in Kansas are eligible for Commissioner permits. This bill is a department initiative and passed the Senate 40-0 and was placed on the Consent Calendar February 28. The bill was amended on the House floor to increase the fee for nonresident big game permits by \$10, with proceeds supporting a "feed the hungry" fund which would generate about \$150,000 a year. There is no oversight for this money and could create potential diversion issues with federal aid, but passed the House 117-7. Another amendment added on the House floor would establish "youth hunt of a lifetime" deer permits, allowing issuance of up to ten such permits per year, for use by "youth under the age of 21 who are handicapped or experiencing life threatening illnesses."

SB257 would amend K.S.A. 80-1201 to allow landowners to submit prairie dog management plans and maintain prairie dog colonies on their property rather than being forced to destroy them. This bill was referred to the Natural Resources Committee.

SB266 would amend and/or repeal statutes dealing with big game and turkey, and is proposed as a result of the Deer Task Force recommendations, which would then be implemented through the Kansas Wildlife and Parks Commission and the regulatory process. A substitute bill was offered by the committee that sets the sunset provision on nonresident transferable permits to 2009, and raises the cap for nonresident firearms permits to 50 percent of resident permits issued. The bill passed the Senate 40-0, and has been referred to the House Agriculture and Natural Resources committee.

SB267 would create the crime of failure to comply with a Wildlife and Parks citation and allow the court system to suspend or revoke wildlife and parks privileges for noncompliance with Wildlife and Parks citations, similar to what is currently done with traffic citations, particularly nonresidents. This bill is scheduled for final action on March 16.

SB330 would appropriate state general funds to KDWP so that the agency could provide Kansas disabled veterans with a 30 percent service-connected disability annual hunting and annual fishing licenses at no charge. This bill is similar to the National Guard bill.

Senate bills are up for hearing on March 16.

HB2002 requires that commissioners represent the five current administrative regions of the Department. The bill passed in the House, passed in the Senate, and has been signed into law by Governor Sebelius.

HB2027 would require a search warrant be issued prior to searching a building located on property posted as requiring hunting, fishing or furharvesting with written permission. The bill has been referred to House Judiciary Committee, but would affect all property and all law enforcement agencies. No action was taken.

HB2046 would rename State Park No. 24 as Kaw River State Park. This bill passed the House 124-0 and was referred to the Senate Natural Resources Committee (SB 38).

HB2052 The Water Projects Environmental Coordination Act requires a review of the environmental effects of water development projects prior to issuance of a permit to proceed with the projects. The bill would amend the act to exclude KDWP environmental review and permitting of projects that will impound less than five acre-feet of water. The bill was referred to Agriculture and Natural Resources Committee and the department opposes the provisions contained in the bill. No action.

HB2088 would provide for the new crime of criminal trespass against children when a sex

offender, as defined in the bill, would return to a location whose primary purpose is to provide for the education, care, or recreation of a child or children, including state parks, after being provided written notice of ejection. Should the sex offender fail to leave or return after being provided written notice of ejection, the individual could be charged with the crime of criminal trespass against children. The bill had hearing on January 22, 2007 but the committee took no action at that time.

HB2143 would amend a law that prevents the department from selling a person who is arrearages for child support a license or permit to include suspension of lifetime hunting, fishing and furharvesting licenses for such persons. The bill was withdrawn from House General Orders and has been referred to Federal and State Affairs.

HB2158 would establish the bluegill as the state fish. The bill has been referred to Agriculture and Natural Resources Budget. No action.

HB2234 would prevent any net loss of public lands open to hunting and is being pushed by NRA and would impact things past our control. No action.

HB2242 removing hunting license requirements on controlled shooting areas and was referred to the Agriculture and Natural Resources Committee. No hearing or movement.

HB2311 repealing the nongame and endangered species act was referred to the Agriculture and Natural Resources Committee. No action.

HB2386 would designate little bluestem as the state grass. No action.

HB2426 would require KDWP to issue anyone who had completed at least 15 years of service in the Kansas National Guard a lifetime combination hunting and fishing license at no charge. The bill was referred to Transportation. No action.

HB2431 imposition of transient guest tax on certain activities of the Department of Wildlife and Parks on state park property, which would include cabins on state park property anywhere transient guest taxes apply. The bill was referred to Economic Development and Tourism Committee. A hearing is scheduled for March 19.

HB2437 would extend the sunset provision on nonresident transferable deer permits from June 30, 2007, to June 30, 2011. The bill was referred to Agriculture and Natural Resources Budget. A hearing was conducted February 19. The bill was amended in committee to sunset June 30, 2008. A hearing is scheduled for March 20.

HB2462 transfers KDWP property to Miami County for highway purposes. This bill was referred to the Appropriations Committee but has not moved.

HB 2498 resident and nonresident deer permit fees to increase by \$1, with proceeds going to the feed the hungry fund and has the same diversion issues as SB192.

Appropriations are on the House floor today.

Commissioner Lauber – Why is the spotted skunk referred to as the Missouri skunk? Tymeson – It is the Eastern Spotted Skunk, which we have fringe populations of in Kansas. Commissioner Lauber – On SB266 what happened? Tymeson – We are frantically trying to put those recommendations into bill form instead. They had problems with the regulatory aspects, a lack of trust, so we are trying to pass a substitute bill. Commissioner Lauber – The agency spent in excess of a year and gathered information and came up with recommendations in the spirit of compromise and it seemed like the recommendations was something everyone could live with. But the Legislature felt they could be better trusted to handle agency business better than us. Some of our problems have been created by the legislature and it is frustrating. How can we salvage the spirit of recommendations, the time and effort put into it and the sportsman's dollars spent? Tymeson – Statutory issues have led us to inflexibility of where we are today, and we will

be restricted once again by statutory constraints, but we think we can get this passed.

Terrance Elliott (did not come to the microphone) – Are you allowing more tags for nonresidents for 2007? Tymeson – The amended Task Force recommendation does allow for an increase. Elliott – Three times you allowed as many nonresident applications and 750 permits were left in 2006. Tymeson – This is a complex issue and it is not true that there are three times as many nonresident applications. That is not true demand for nonresident participation because some applications are doubled because the landowner and hunter both are applying. Elliott – I was talking about the shortage of archery tags compared to firearms tags. You have to purchase archery tags from landowners because none are available. Tymeson – Once again, this is a complex issue and current statutory constraints don't allow for exceeding or meeting demand by nonresident participants. It is 25 percent based on resident participation and naturally there are more rifle hunters than bowhunters in the state, 17,000 bowhunters and about 50,000 rifle hunters. It is based on an arbitrary percentage imposed by the legislature. In some areas there is a severe shortage of nonresident archery permits; Unit 16 is a prime example. There are few resident bowhunters, but a high demand for nonresident tags. We are proposing hunter designate tags which means a nonresident, at time of application, chooses what type of equipment they want to use and there will be "X" amount of permits per unit and the nonresident chooses what equipment they want to hunt with.

Secretary Hayden – We have a special presentation to make at this time, a 30-year certificate for Bill Porter, East Region Parks Supervisor. Thanks for your years of service.

Chairman Johnston - Thank you to partners who made the buffalo luncheon possible. This is our way to thank people at the state house for all of the work they do and we hope we will be able to do it again next year.

2. FY 2008 Budgets – Mike Hayden, Secretary, gave this report to the Commission (Exhibit G). The 2007 Kansas Legislature is still in session. Dick is on the floor of the House today at the Appropriations Committee hearing and I am going to refer to the third page of his handout. SWM is the Senate Ways and Means recommendations and HAPP is the House Appropriations Committee. Dick has laid out what the recommendations are from the Governor and the House and Senate versions. Salary increases for all state employees was deleted from the bill. Open admission to State Parks, both voted for half price not free, SWM did not get 2<sup>nd</sup> half of FY 2008 passed, House did. We wanted to see if half price permits would increase visitation to State Parks. The issue will be ongoing. On Park 24, soon to be Kaw River State Park, we are going on tour there at 3:00 p.m. The Governor recommended a new position and operating money and both committees passed it but they had an issue with the rent money for office space to be shared with the regional office. Park 24's new road, electronic railroad crossing and boat ramp, was passed by the Senate but so far the House has not. Almena Irrigation lease for Sebelius Reservoir, Senate approved \$200,000, House did not approve. Both said to continue to negotiate with Irrigation District and they will reconsider the Governor's recommendation. We have made five offers, none that have been accepted, but are sending one more offer in the morning to keep the minimum pool. Enhancements include: Archery in Schools, Senate out, House in; Community Fisheries Assistance Program (CFAP), Senate out, House in; shooting range grants, Senate out, House in, Senate may reconsider, we have the money; web-based survey, Senate out, House in; boating access grants, Senate out, House in; radios both in, but House put into Park

Fee Fund (PFF) instead of State General Fund (SGF); vehicle replacement, Senate in, House out, this is a global issue and they are treating us like other state agencies; public land acquisition, Senate in, House held us to last year's figure and said that we needed to put \$50,000 in salt cedar control which is a decision that needs to be left to the division, not legislative mandate; WIHA expansion, passed both; and \$950,000 for Parks major maintenance, Senate in, House out. Provisos from the House: restricted provisions on river access and approval on navigable rivers; no money for Circle K; last three would allow legislation to replace provisos on a permanent basis as long as they continue to fund it. Commissioner Lauber – What is the approval of adjacent landowners about? Hayden – What this says is we have to have permission of two adjacent landowners. People who use these rivers are good stewards of the resources and we field very few complaints on this access problem. There are always rumors of problems and that is what this stems from.

## **B. General Discussion**

1. Boating Task Force Update – Doug Nygren, chief of Fisheries Section and Task Force Chairman, presented this report to the Commission (Exhibit H and I) The Task Force members are Troy Brown, Parks Division; Robert Barbee, Sport Fish Restoration Motorboat Access grant coordinator; Randy Just, Parks Division; Erika Nighswonger, Boating Education coordinator; Dan Heskett Boating Law administrator; Doug Nygren, Fisheries Section chief; and Trish Jarmer, documentation. The Task Force received charge from Keith Sexson and has been reviewing existing boating programs, but we realized need additional information. The Task Force's charge was to look at and consider these issues: boating law enforcement program, access facilities, Information and Education (I&E) programs, customer service, partnerships, budgets and personnel. Then the Task Force was to prioritize needs and develop an action plan. The boating program consists of boat registration – KOALS, boating education (I&E Section) (12-18 year olds need this education), boating law (LE Division), Coast Guard money (LE Division), DJ motorboat access (F&W Division and Engineering), State Park boat access facilities, CFAP development grants to build river access and boat ramps, and Big River access that Roger will discuss later. We have come up with a partial list of issues such as boating safety, customer desires poorly understood, improved loading/unloading facilities, no title law in Kansas (no title, unlike a car, leads to theft), capturing federal boating funds (went to over \$1 million), taxes on boat gas (department doesn't get money from gas sold at the pump, can maybe use for matching funds), non-motorized boats (canoes, kayaks, etc.), dealing with drought, inventory of boating access sites, navigation aids (responsible for putting out on waters and looking at policies on where they should be located), and paved access on upper reaches of reservoirs (usually not paved road or paved boat ramp). Long way to go on recommendations, but do have two action items: improve safety signage at motorboat access sites and conduct a survey of registered boaters. Signs will be more pictures or images than words. Signs will be 8-foot-by-8-foot with a center 4-foot-by-4-foot section and four corner 2-foot-by-2-foot sections for images and can also hang banners from the bottom of the signs. A tremendous amount of different images are available that can be posted on the signs. The boater survey will give more information as needed before the Task Force can move ahead. The survey design is completed with internet and paper options for invitees with two separate sets of invitations because of 70 questions. Part would focus on boating education and Law Enforcement registration and the other set on access, boat use and demographics. This will minimize the number of questions for individual respondents. Major issues outstanding include understanding boaters' desires, funding of boating program, guidelines for MBA development, boating registration in Kansas, statute and regulation

concerns, Best Management Practices for I&E, building stronger partnerships, and above all safety. Boating safety issues are contributing factors to problems at the boat ramp, impaired by alcohol, inexperienced boat operators, bad decisions boarding a vessel, weather emergencies, and crowded ramps.

Ray Cook – I live near Lecompton and there is a landing at the north end of bridge. Was there any consideration to putting additional access on the south side? Roger Wolfe – No. We looked for a long time to put access on the south side but there are railroad issues there. That bridge closure will cause some problems.

2. Kaw River Fishing Access – Roger Wolfe, Region 2 Fish and Wildlife Division Supervisor, presented this report to the Commission (Exhibit J and K). This is an update from a presentation I gave about a year ago and in addition to a presentation Tom Swan did on the Arkansas River. Efforts are made to get local government partnerships for development and maintenance and helps with feelings of ownership and participation. A renewed interest and emphasis was placed on river access in the 1990s. Since 2002, almost \$500,000 has been committed to river access on Kansas, Missouri and Arkansas rivers. Kansas River Access - Eleven access sites currently in place, and two additional projects are under design. Other sites that are top priority for development are Topeka Park 24, Ogden K-18, and Maple Hill area – between here and Wamego. Current Kansas River Sites - Kaw Point (Kansas City), Lewis and Clark project, and confluence of Missouri and Kansas Rivers. Primary funding is by local efforts (about \$2 million). Sites completed in 2004 include, Edwardsville, completed in 2006, Friends of the Kaw, \$10,000 grant from KDWP and local donations; De Soto, completed in 2006, Friends of the Kaw, local donations, funds and about \$10,000 from KDWP; and Eudora Site, constructed in 1970s, located on the Wakarusa River. There are two at Lawrence, maintained by the city of Lawrence, which were developed in the 1970s and provides access above and below the Bowersock Dam. Lecompton Rising Sun was completed in 2005 and is owned by KDWP, and we have been asked by construction people to park some of their equipment there. The Topeka site is located at the east edge of Topeka on Seward Avenue. Currently, no other developed access is available upstream until St. George (60 miles), and this ramp is maintained by the City of Topeka and is a 1970s ramp. St. George was completed in 2003 and Friends of the Kaw was the primary force in getting this site constructed with assistance from the Green Team, local efforts and KDWP (\$5,000). There are two sites in Manhattan, one at the mouth of the Blue River is maintained by the City of Manhattan and the new Manhattan Ramp under the -177 bridge and that is the farthest west we have. We are working on two projects, one in Wamego, \$20,000 committed for an under-the-bridge and the other is the City of Junction City (Grant Ave.) at the mouth of the Republican River, \$20,000 available from KDWP. It would be desirable to have access every 10-15 miles. Areas of need: no access currently available between Topeka and Wamego (51 river miles), Topeka (Park #24) would solve part of the gap. We need access sites in the Willard/Maple Hill vicinity. Topeka Information: City of Topeka has established fishing access on the north bank at the water intake weir. The City is exploring options for placing an additional boat ramp and canoe portage to meet permit requirements. Other Fishing locations: Water One Weir in Kansas City is in the process of constructing a portage, and Bowersock Dam in Lawrence. Currently KDWP has F.I.S.H. properties in Wabaunsee and Jefferson counties that provide limited access (nothing developed). Commissioner Lauber – Does the city own property on both sides of the Weir? Wolfe – Yes, they do, two different arms of the city own each side and they agreed to allow access. Commissioner Meyer – Could we get more bridge access? Wolfe – Some are not KDOT roads,

but are county roads, so we would be negotiating with different groups. Commissioner Meyer – I have canoed a lot of places, and it is a matter of educating. We just need access, and it would be good for Kansas recreation opportunities. Wolfe – As we get more access sites, advertising or brochures will need to be done. Commissioner Shari Wilson – I hear a lot of complaints on Water One Weir and they are building portage now as a requirement by law, not just an option. Correct, you can't totally block access? Hayden – In the permitting process you have to get a permit from the Corps of Engineers because these are navigable rivers and they ask for comments from people like Wildlife and Parks and they make a condition of your permit the fact that they have to construct a portage. I have met with Water One people and also with the Friends of Kaw and they are developing a portage around the Water One Weir. Commissioner Shari Wilson – They have been working on that for a long time. It has been destroyed by high water a couple of times in the last ten or 15 years, so I know it is a constant maintenance and rebuilding process there, but somehow it always seems like the portage comes last. Commissioner Lauber – Where is the Water One Weir? Wolfe – In the city near the west loop of 435 on the east.

**VII. RECESS AT 3:13 p.m. to visit Region 2 Office and Kaw River State Park**

**VIII. RECONVENE AT 7:00 p.m.**

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

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

*None*

**B. General Discussion (continued)**

3. Chronic wasting disease and avian influenza update – Ruby Mosher, Wildlife Disease Coordinator, presented this report to the Commission (Exhibit L and M). My position is funded by USDA grants. I coordinate avian influenza (AI) and chronic wasting disease (CWD) surveillance, sample collections, train personnel to take proper testing, do database management, summarize results, do grant management, and as time is available assist with wildlife health issues. Marvin Kraft and Helen Hands worked on the monitoring for avian influenza in Kansas in wild birds. Waterbirds such as ducks, shorebirds, and gulls are natural reservoirs for the disease. In Kansas, it is low pathogenic, a mild disease of the respiratory and/or GI tract and is transmitted by fecal droppings, saliva, and/or nasal discharge. The avian influenza cycle or “Asian Bird Flu” (HPAI H5N1) in Asia, Africa and the United Kingdom was a reminder that wild birds aren't the only way that H5N1 could come to North America. Legal and illegal trade of birds, global travel, and terrorist activity are other ways. Marvin and Helen tested 760 birds: 350 ducks --10 species, 104 shorebirds -- 9 species, 234 geese -- 3 species, and 72 sandhill cranes. There were 1,818 birds tested in Kansas (760 by KDWP and the rest by federal agencies); 110,573 birds were tested in the U.S. The high path was not detected, but low path was, which was expected in wild waterfowl populations. The high path H5N1 “Asian Strain” has not been detected in North America. HPAI H5N1 has not mutated to be spread through human to human contact and many strains of low path AI occurs naturally. Continued surveillance is planned. Surveillance of CWD is occurring in Kansas and other states. CWD is endemic in



several states and a few Canadian provinces. History of CWD testing in Kansas was that there was very little testing in 1996 to almost 3,000 in 2006, with a target of 3,150. Kansas was divided into seven regions with 450 samples to come from each region. There is a national roadblock to CWD testing --- a national rendering company announced it would not accept carcasses from CWD tested deer. We worked around this by using taxidermists, road kill, and meat processors who used landfill or composting methods of waste disposal. Results on two-thirds of the 2,945 samples in Kansas are negative. There are 895 results pending and we are expecting complete KSU results any day. Most of the samples came from random hunters, then taxidermists, vehicle accidents, CWD suspect deer and other sources. There is very minimal risk to hunters in Kansas concerning CWD and AI. We do encourage all hunters to take reasonable precautions when handling game. Kansas will continue to monitor CWD and AI in the foreseeable future. Chairman Johnston – On AI, no cases of high path H5N1 in North American, what about South America? Mosher – Not that I know of. Helen Hands – I don't think there has been testing in South America. Commissioner Lauber – Is there any way to get around National Byproducts chain not wanting them in their lockers? Mosher – Unfortunately they made that announcement right before hunting season and we had a number of lockers already signed up in the northeast corner of Kansas and we had to do some scrabbling. The locker plants are between a rock and a hard place because they want to work with us but they don't have anything else to do with the deer refuse. I'm not saying I agree with National Rendering's policy but the regulations are that they cannot pick up CWD positive animals and so the way they get around it is not to pick up any CWD tested animals. It is burying their heads in the sand but as far as getting around that there is not any way for us to do it. We have been able to affectively work around it and taxidermists are a very good source and we are working with the highway department to get road kill animals so we get the job done regardless. Commissioner Lauber – You wanted about 3,000 heads a year or something like that? Mosher - Lloyd says for me to get as many as I can. As far as the number that was chosen for this, Lloyd gave us the target numbers and the reason why he picked the number is the confidence number for statistics.

4. Farm Bill Coordination – Cherrie Nolden, Ag Liaison, presented this report to the Commission (Exhibit N and O). The Farm Bill is the law governing farm and food policies and expires every five years. It is a comprehensive bill covering commodity programs, trade, conservation, farm credit, agricultural research, food stamps, kids school lunches, WIC, and commodity marketing. The 2002 Farm Bill was \$782 billion with the biggest share in nutrition programs. Conservation was about 17 percent. The 2007 Farm Bill timeline is: January – State of the Union which gave guidance; February – Administration Farm Bill outline; March – baseline budget released today which asked people to give input by March 15; April – hearings and committee bill drafting; May-July – Senate and House markup; September-October – Conference Committee; and November – bill to President. The USDA farm bill impacts wildlife significantly, drives farming practices, is the commodity title, provides wildlife habitat, is the conservation title, and possibly the energy title. Most of Kansas is in private ownership and in agricultural production and it is difficult to impact due to increased cropping intensity and narrow profit margin. The decline due to habitat changes over time is due to farm management. Conservation programs provide the most opportunity for wildlife habitat, retirement programs like Conservation Reserve Program (CRP) and Wetland Reserve Program (WRP); and working lands programs like Environmental Quality Incentives Program (EQIP), Wildlife Habitat Incentives Program (WHIP), Conservation Security Program (CSP), Grassland Reserve Program (GRP), Farm and Ranch Lands Protection Program (FRPP), and Continuous CRP (CCRP). CRP

has the greatest wildlife impact and Kansas has 3 million acres, which is 10 percent of all cropland and is mostly warm-season native grass. There are 85,000 acres in Continuous CRP Buffers (CCRP) which is great upland bird habitat with good edge and diversity. Funding is available and sign-up is ongoing. It is profitable for landowners to retire small critical parts of fields to provide good benefit per dollar spent. Continuous CRP practices are: filter strips and riparian forest buffers; contour grass strips on or in place of terraces; crosswind trap strips; waterways; windbreaks; farmable wetlands; and habitat buffers for upland birds (field borders). EQIP has wildlife possibilities for rangeland improvement, tree removal, grazing management, patch burning, and converting brome and fescue to native grass. WHIP is the only program specifically for wildlife, but full funding was not realized. New dynamics in 2007 include a unique moment in the history of agricultural policy with diverse proposals now coming from traditional commodity groups, mainstream farm organizations, faith groups, sustainable agriculture groups, hunger and nutrition groups, international organizations, energy groups, fruit and vegetable growers, and livestock interests. The committee process will be in public view this time because of new players and young inexperienced staffers. About 70 percent of these did not participate in 2002 farm bill process. Challenges include the budget deficit, energy emphasis, high commodity prices, competition for funding for Farm Bill titles (conservation, commodity, etc.), competitions among commodities and regions of the country (corn, cotton, vegetables), and world trade issues. The administration proposal has a potential for WHIP to merge into EQIP and would be great if wildlife was considered an equal partner, but we need to push for wildlife benefits, easement programs combined, focus CRP on most sensitive lands, sodsaver to discourage conversion, market-based conservation, CRP used for biomass, increase CIG funding, Regional Water Enhancement Program, and Conservation Reserve Program. The good news is both the Senate and House Ag Committee Chairmen have said CRP will remain, but the bad news is that USDA is discussing reducing CRP acres for corn or using CRP for biomass production for fuel with early outs without penalties, specifically for producing corn for ethanol. Recent USDA talks about not allowing CRP enrollment in 2007 and 2008. Preferred outcomes include continued CRP/WRP programs while expanding CRP to 45 million acres and enrolling 300,000 acres of WRP per year. Sodsaver is a program that prevents conversion of native grass to crops. Support WHIP (for wildlife as a resource concern in EQIP) and support open fields legislation and link commodity payments to conservation. The Kansas delegation includes: the House Ag Committee, Representative Jerry Moran, Representative Nancy Boyda, the Senate Ag Committee, and Senator Pat Roberts. We will be working with other partners on this. The Farm Bill has huge potential for wildlife and we encourage you to provide your perspective to ensure we have wildlife as a focus. Chairman Johnston – The federal allocation for one of the programs went up seven times, but the full funding was never realized. Can you explain what happened there? Nolden – I don't know all of the details of that, but we didn't receive the full funding for the program. Steve Sorensen – They increased the authorization, but they never came through with the money. Commissioner Shari Wilson – Recently I heard of a new group, the Kansas Conservation Coalition, are you involved in that? Sorensen – We are about ready to announce that (handout – Exhibit P).

5. Additional deer regulatory considerations – Lloyd Fox, big Game biologist, presented this report to the Commission (Exhibit Q). There are two items under this one heading. Consideration is being given to the creation of a new regulation dealing with deer management on public properties. Officials at Fort Riley have requested that the commission enact a regulation dealing with season dates on Fort Riley at a Commission meeting later in the year than

when we traditionally establish the deer seasons in the rest of the state. Deer populations on some of the wildlife management areas owned or licensed to Wildlife and Parks have reached levels where traditional management and white-tailed deer permits are inadequate to control the deer population growth. To accomplish these changes we would need to amend KAR 115-4-13 and establish a new regulation. In (a)(4) “This permit shall not be valid on department lands and waters”. It is the staff recommendation that this regulation be amended to allow the department to designate wildlife management areas where white-tailed deer game tags could be used. We recommend that KAR 115-4-13 be amended to allow the department to establish a list of wildlife management areas where deer game tags could be used, however, the actual listing of the areas would be done in an exempt regulation reviewed annually which would be KAR 115-25-9a. This new regulation would deal with deer seasons and permits on public areas and contain the following items: dates of deer seasons when equipment such as archery, firearms, and muzzleloaders may be used; provisions for season dates on military subunits within management units; and limitations on the use of multiple permits and deer game tags on public areas. The majority of the harvest on the fort occurs during the firearms season and dates when the fort may be open to hunters are contingent upon military training dates. Selecting the season dates later in the year will allow fort personnel to adjust for changes in the military training dates. Also, deer abundance at Cedar Bluff Wildlife Management Area (CDBR) has increased dramatically in recent years. Density estimates using distance sampling procedures have estimated that the deer herd has increased. In recent years the manager has attempted to encourage more hunters to come to the area and to take more antlerless deer, however, the deer population continues to grow. Landowners on adjacent private lands have complained about high deer numbers and damage to their property. Deer hunters at CDBR have not been allowed to use deer game tags on the area. The staff recommends this new regulation to improve scheduling of hunting dates on Fort Riley, however, even with this procedure the actual entry to the fort cannot be ensured. Military exercises will always take priority over deer hunting seasons. Regular firearms season dates proposed by officials at the Fort Riley subunit are as follows: November 23-25, 2007; December 19-23, 2007; and December 27-30, 2007, but could be amended at a later date if needed. The staff also recommends that deer hunters be allowed to use their first deer game tag on Cedar Bluff Wildlife Management Area. Staff has been discussing procedures to include other wildlife areas in the future, but not this year.

Mike Pearce – Just one game tag in that unit? Lloyd – Yes. Pearce – In that the entire unit? Lloyd – Yes, and we will be opening up DMU 2 to one game tag and that will come forward when I cover 115-25-9 later. That is where we designate the units where game tags are authorized. This regulation deals with areas normally precluded from using game tags.

Steve Sorenson, Valley Center – Whitetail or mule deer? Lloyd – Predominantly whitetail. Chairman Johnston – You have a consensus to go forward.

6. KAR 115-2-3a. Cabin camping permit fees – Jerry Hover, Parks Division Director, presented this report to the Commission. This is the preliminary discussion on possibly opening the cabin fee regulation, KAR 115-2-3a. What we would like to do is amend the current camping regulation to increase the price by \$10 in three new cabins at Tuttle Creek State Park later this year and add camping yurts that we have purchased and placed at Eisenhower State Park and to add two other cabins on public lands, one at Mined Land Wildlife Area and one at Ottawa State Fishing Lake. Those will be opening in June or July. We are working with Corrections Facility at

Hutchinson to produce these cabins, so we have to be a little flexible to when we will get the cabins. We currently have 36 cabins fully online and have been since last summer. The total number of cabin nights is 4,195 and in recent months we have added two cabins, one today at Kanopolis and one next week at Kanopolis; one at Perry; one at Cross Timbers; and the two yurts at Eisenhower so far. Cabin use has increased dramatically and that is what we expected. Commissioner Meyer – Is transient guest tax issue resolved? Tymeson – HB2431 has a hearing scheduled Monday at 3:30 in the House Economic Development and Tourism Committee. We are testifying as neutral on the bill as we have in the past. Essentially the bill would add us to the list of entities because currently governmental entities are not included in the statute, so the issue is not resolved on whether we would collect it or not. We are not sure what locations we have where there is a county-wide guest tax, but it is fairly minimal. Chairman Johnston – Jerry, you indicated you wanted to raise the cost by \$10 a day on three Tuttle Creek cabins and then talked about other cabins and yurts. Are you proposing that the increase apply to all of the new cabins or just at Tuttle Creek? Hover – Just the ones at Tuttle Creek. The way we propose to set the prices is first we take a survey of the surrounding area on similar type facilities and also motels. In our cabins we don't provide linen service, housekeeping, TV, internet, telephone or those kinds of things. We look at all of those prices and take the highest price and go approximately 10 percent higher than what that is simply because we do not want to directly compete with anything on the area or in the surrounding area, something that is reasonable, but not exorbitant. We have four cabins at Tuttle Creek now that are smaller and the three new ones are larger and will offer more amenities and feel we should charge a little more for those. We may be coming back a year from now and asking to adjust prices on other cabins as well. Commissioner Sebelius – This idea of going into SFLs, is that something you see evolving into a trend? Who takes care of that or who is your host? Hover – That is taken care of by another division, but I was presenting it all in one package. All of it is public land and the public is asking for more facilities nearby to where they want to hunt, fish or camp so we are responding to that demand. These are two we are trying and if they are successful we may be adding more. Tymeson – In relation to your question about an increase, it is not really an increase because they are not installed yet, just to clarify that. Chairman Johnston – You have consensus to proceed forward.

7. Early Migratory Bird Seasons – Helen Hands, Wildlife Biologist, presented this report to the Commission (Exhibit R). Setting regulations for migratory game birds is totally different than setting seasons for deer and other wildlife. The U.S. Fish and Wildlife Service annually develops frameworks for migratory bird seasons. These frameworks establish the most liberal seasons that will be allowed on a particular species or group of species. States may always adopt more restrictive regulations than those allowed in the frameworks, but they may not adopt seasons more liberal than stated in the frameworks. At this time we expect the proposed early season frameworks to be published sometime during mid-July. The following season dates are recommended for approval by the Commission, with authorization for the Secretary to make any adjustments required as a result of unforeseen framework changes. Dove regulations are now set by KAR 115-25-19, rather than annual Commission approval. For rails, the recommendation is for a season running September 1 through November 9, 2007 with a bag and possession limit of 25 and 25, respectively. There is no open season on king rail, common moorhen, and purple gallinule. The recommendation is for a snipe season running September 1 through December 16, 2007 with bag and possession limit of 8 and 16, respectively. The recommendation for woodcock is a season running October 13 through November 26, 2007 with a bag and possession limit of 3 and 6, respectively. The season framework is different for teal: We get 16 days if the blue-

winged teal breeding population is above 4.7 million, or 9 days if the breeding population is between 3.3 - 4.6 million, with a daily bag and possession limit of 4 and 8 teal, respectively. The recommendation for teal is: High Plains Zone - A bag and possession limit of 4 and 8, respectively, with the following season date possibilities: A 9-day season running September 15 through September 23, 2007, or a 16-day season running September 8 through September 23, 2007, or an 8-day season running September 15 through September 22, 2007; Low Plains Zones - A bag and possession limit of 4 and 8, respectively, with the following season date possibilities: a 9-day season running September 15 through September 23, 2007, or a 16-day season running September 8 through September 23, 2007. For the September Canada goose season Kansas is allowed a maximum of 15 days of Canada goose hunting during early September to assist with the control of nuisance Canada geese. The bag limit may not exceed five Canada geese, and there is no possession limit. KDWP staff expects regular dark goose season frameworks will allow a 107-day season on Canada geese. If Kansas opts to have a September goose season, these days would be subtracted from the regular goose season because the treaty does not permit hunting seasons longer than 107 days. If the federal framework allows a 97-day goose season, the 107 days of Canada goose hunting allowed by treaty could be allocated as follows: 10 days in September, 2 days for a youth waterfowl season, and 95 days during the regular goose season. The recommendation is to adopt a 10-day Canada goose season, running September 1 through September 10, 2007, around the cities of Wichita, Topeka, Lawrence and Kansas City, with a bag and possession of 3 and 6 respectively if the federal frameworks allow for a 97-day Canada goose season, or no September Canada goose season if the federal frameworks allow for a 107-day Canada goose season. The recommended bag and possession limits are consistent with those established for the regular dark goose season to simplify regulations and reduce confusion. We recommend that we adopt the maximum shooting hours allowed in the frameworks.

Commissioner Meyer – Is there any chance to put geese on a feeding the hungry program like deer? Hands – That is a good idea, possibly we could look into that. Tymeson – That is complex because they are federally regulated birds and would have to go to a federally regulated processor in Minnesota. Hands – It is more complicated than it is worth. Commissioner Lauber – If we are authorized the 97 day season, we can always have an extra 10 days, but in no case can we have a season longer than the 107 days. If we are given the extra days we want them in the winter when there will be more utilization? Hands – That is correct, if you prorate harvest over a 10 day period during the regular season and compare that number of geese to what we see taken in the September season it averages two to three times more geese shot in the regular season. Only about four percent of hunters use the September season compared to about 70 percent in the regular season. Commissioner Shari Wilson – For clarification, I thought the September season was to try and control the nuisance resident geese, especially the ones in the urban areas. If we move all the days to the regular season do the numbers show that the number of geese taken in urban areas and surrounding areas is greatly increased during that time over the September season? Hands – It is hard for our state waterfowl survey to look at harvest geographically, we don't have enough data points. The harvest survey is designed for estimating the harvest of pheasants. In terms of trying to control resident Canada geese around the cities, it is difficult because you can't hunt in town. Commissioner Lauber – The Service is going to allow 107 days one way or the other, but we would prefer cold weather months? We want to have as many days as we can to harvest Canada geese, but want to hunt in colder months to get more activity in the harvest. Hands – That is correct and we still have the potential to shoot some of those resident geese during that time period. Commissioner Shari Wilson – I know in some areas right now the Canada goose problem is becoming a public health issue, and there are places in Kansas City

where they have built playgrounds and the geese have moved in and you can't have kids playing in those problem areas. Are there other strategies we could be using to help these cities rid themselves of some of these geese? Hands – We have been trying some things. We have a federal permit that allows our district biologists to regulate that in the big cities and they can give that permit out to people who want to oil the eggs or otherwise destroy the eggs of Canada geese. In June when the geese complete their wing feather molt and are easy to round up, you can round up the adult and immature geese and take them somewhere else. The immatures we can take somewhere and let them go and they don't come back, the adults we take to Cedar Bluff and hold them over the summer. We put leg bands and neck collars on them so we can track them and the result to date is two-thirds or three quarters of those geese are shot out in northwest Kansas where populations are a lot lower, but some end up back in the cities. It is hard to compare those to say what percentage of the geese go back to the cities. Your ability to shoot and recover a bird is different than your ability to just see a bird and the number of people available to see a bird in a big city is a lot more than to see a bird in northwest Kansas where there isn't as many people, so that is one option. The Service has also provided some new options recently. One is called the public health control order and that allows us to provide permits to take Canada geese in the summer if they are shown to be a valid concern for public health in a certain area. They are also allowing us an ag depredation control order to take problem Canada geese in the summer to alleviate crop depredation problems. We have tried to control our Canada goose problems and have documented all that we have done. They have a managed-take order that would allow us to have an additional season during the month of August, like the light goose conservation order where you could shoot a half hour after sunset, use electronic calls and wouldn't have to have a plug in your shotgun, but that would have to be a pretty extreme situation where they would allow that. So there are new options that we have gotten in the last few months.

### **C. Workshop Session**

1. KAR 115-25-7. Antelope; open season, bag limit and permits. - Mike Mitchener, Wildlife Section Chief, presented this report to the Commission (Exhibit S). This is a follow up from the last meeting and there are no changes from that time. Winter aerial surveys are completed and we are recommending a 15 percent decrease in permits in Unit 2 and a ten percent decrease in Unit 17 because of the extreme long-lasting heavy snow we had out there. The Unit 18 survey showed an excellent population, and the area experienced milder winter weather. We saw adequate numbers of antelope, but we decided to err on the side of caution. We recommend Unit 18 permits not be reduced. Commissioner Lauber – Do you have a population estimate on our antelope? Mitchener – We estimate somewhere around 2,000 head in the state. Commissioner Sebelius – Did you get a lot of reports of antelope populations on the move because of the ice where they are getting on the highway looking for food? Mitchener – We got anecdotal information and actually saw some instances where the pronghorn had herded up, but that is typical after bad weather they will group up and will move long ways to get out of the bad weather areas to find food. We heard some reports of them congregating around I-70 for example.

2. KAR 115-25-8. Elk; open season, bag limit and permits. - Mike Mitchener, Wildlife Section Chief, presented this report to the Commission (Exhibit T). This is a change from previous years is having a muzzleloader and archery season on Fort Riley because peak of rut in

Kansas is in September, and we thought it might be appropriate to offer them some opportunity at that time. If the archery season occurred during the muzzleloader season they would have to wear blaze orange. This occurred several years ago on Cimarron National Grasslands when there was an overlap. The fort conducted some aerial surveys in late January and there has been a known increase in poaching mortality on the fort this year, so we are recommending authorizing seven any elk permits and 12 antlerless-only elk permits for 2007. Commissioner Lauber – Do you think that roughly eight bull elk were poached? Mitchener – We know of four bulls and two cows -- that is the information I have. Chairman Johnston – What was the length of the firearms season last year outside of Fort Riley? Does this represent any change? Mitchener – No, there is no change from last year other than the sliding calendar. Chairman Johnston – I had a question about the statement on the recommendation that says, “we recommend authorizing seven any elk permits and 12 antlerless-only elk permits for 2007”, is that just for hunting on Fort Riley? Mitchener – No, that would be for the entire state with the exception of Morton County.

3. KAR 115-25-9. Deer; open season, bag limit and permits. – Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit U). Each year we have some annual adjustments based on the calendar and we have some standards that we have been using for many years now. The number of units where game tags have not been used in recent years are Units 1, 2, 17 and 18, since 2003. We will be looking at a change in that this year to include 1 and 2 as units where game tags will be authorized. You have a map associated with your briefing book and in that map there is an error in that segment because it indicates Units 1 and 2 as areas where no game tags will be authorized. We have looked at expansion of the extended antlerless only firearms season because of requests from Smoky Hill, on their military area, and from individuals in Units 3, 4, 5 and 17. We have also received input from citizens from those same units requesting that we not have an extended season in those areas. The staff recommendation for the 2007/2008 deer hunting season are as follows: early muzzleloader - September 15, 2007 – September 28, 2007; youth and people with disabilities - September 29, 2007 through September 30, 2007; archery - October 1, 2007 through December 31, 2007; early firearms (DMU 19) - October 13, 2007 through October 21, 2007; regular firearms - November 28, 2007 through December 9, 2007; extended whitetail antlerless-only (WAO) - January 1, 2008 through January 6, 2008; and extended archery (DMU 19) - January 7, 2008 through January 31, 2008. The recommendation for the deadline for applications is: nonresident May 31, 2007; resident drawing July 13, 2007; unlimited availability of antlered deer permits would end on December 30, 2007 and antlerless deer January 30, 2008. Staff recommends that the first whitetail antlerless deer tag that a hunter obtains will be valid on private property throughout the state except for DMU 17 and 18. Up to three additional antlerless whitetail game tags will be valid for Units 10a, 7, 8, 12, 13, 15, 16 and 19. Staff recommends that the firearms extended antlerless whitetail season be allowed in Units 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 19. That is the same as last year. Mike Pearce – When is the closing of the statewide archery season? Fox - December 31, the same closing as always. Pearce – These will be voted on in April? Fox – Yes.

4. KAR 115-9-9. Electronic licenses, permits, stamps, tags, and other issues of the department; other requirements – Kevin Jones, Law Enforcement Division Director, presented this report to the Commission (Exhibit V). This would add a new subsection to this regulation. This situation is something we recently discovered as a result of the implementation of our KOALS system. We allow hunters to donate or transfer game that they have legally harvested to another individual. As a part of the process the hunter needs to provide written notice stating that

they had harvested the game, the date of the harvest, their name and signature and the license or permit number issued to the hunter who harvested the game. With the KOALS system, however we have run into the situation where there is not an actual license or permit number issued. It is called a transaction number. This is a unique identifiable number to that transaction to indicate they had purchased the proper permit or license but it does not reflect that language that is in the regulation.

#### **D. Public Hearing**

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

1. KAR 115-4-4a. Wild turkey; legal equipment and taking methods. - Jim Pitman, wildlife research biologist, presented this report to the Commission (Exhibit X). The department is recommending that we add lighted arrow nocks to this regulation. It has been requested by several folks and we are not opposed to that addition because the lighted arrow nocks do not project any sort of light onto the target and they do not aid the archer in accuracy in any way. They allow the bowhunter to follow the path of the arrow after it is shot. We are offering this as a recommendation to this regulation.

**Commissioner Lauber moved to bring KAR 115-25-4a before the Commission.  
Commissioner Shari Wilson seconded.**

**The roll call vote to approve KAR 115-25-4a as recommended was as follows  
(Exhibit Y):**

<b>Commissioner Lauber</b>	<b>Yes</b>
<b>Commissioner Meyer</b>	<b>Yes</b>
<b>Commissioner Sebelius</b>	<b>Yes</b>
<b>Commissioner R. Wilson</b>	<b>Yes</b>
<b>Commissioner S. Wilson</b>	<b>Yes</b>
<b>Commissioner Johnston</b>	<b>Yes</b>

**The motion to approve KAR 115-25-4a as presented passed 6-0.**

2. KAR 115-25-5. Turkey; fall season, bag limit and permits. - Jim Pitman, wildlife research biologist, presented this report to the Commission (Exhibit Z). The change to the boundaries of the fall regulations would allow fall turkey hunting in some of the eastern most regions that are currently in Unit 4. Those areas now are not open to fall turkey hunting. Includes Barton, Rush, Stafford and Pawnee counties.

**Commissioner Meyer moved to bring KAR 115-25-5 before the Commission.  
Commissioner Robert Wilson seconded.**

**The roll call vote to approve KAR 115-25-5 as recommended was as follows (Exhibit  
aa):**

<b>Commissioner Lauber</b>	<b>Yes</b>
<b>Commissioner Meyer</b>	<b>Yes</b>
<b>Commissioner Sebelius</b>	<b>Yes</b>



<b>Commissioner R. Wilson</b>	<b>Yes</b>
<b>Commissioner S. Wilson</b>	<b>Yes</b>
<b>Commissioner Johnston</b>	<b>Yes</b>

**The motion to approve KAR 115-25-5 as presented passed 6-0.**

3. KAR 115-4-4. Big game; legal equipment and taking methods. – Lloyd Fox, wildlife research biologist, presented this report to the Commission (Exhibit bb). Corresponding to the turkey regulation this contains information on specific equipment differences for hunting various big game species. The item for discussion is adding lighted arrow nocks to the list of equipment authorized for archery hunting of big game. 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 nock is to allow the bowhunter to follow the path of the arrow after the arrow is shot. Staff does not oppose the change in this regulation.

Mike Pearce – When does this go into effect? Fox – It would go into effect this year, for this coming season. Pearce – Will it include this turkey season? Tymeson – That will be close. It takes 15 days after publication in the Kansas Register. Pearce – How will people know?

Tymeson – It is effective the day it is posted in Kansas Register, and it will be online. Doug Phelps – Maybe you could put out flyers to vendors if it is in effect. Chairman Johnston – It will be on website won't it Chris? Tymeson - Yes. Chairman Johnston – Is there any other practical way to let the public know? Tymeson – Probably not. Pearce – Can I say people can check the KDWP website? Tymeson - Yes

**Commissioner Shari Wilson moved to bring KAR 115-25-4 before the Commission. Commissioner Doug Sebelius seconded.**

**The roll call vote to approve KAR 115-25-4 as recommended was as follows (Exhibit cc):**

<b>Commissioner Lauber</b>	<b>Yes</b>
<b>Commissioner Meyer</b>	<b>Yes</b>
<b>Commissioner Sebelius</b>	<b>Yes</b>
<b>Commissioner R. Wilson</b>	<b>Yes</b>
<b>Commissioner S. Wilson</b>	<b>Yes</b>
<b>Commissioner Johnston</b>	<b>Yes</b>

**The motion to approve KAR 115-25-4 as presented passed 6-0.**

### **XIII. OTHER BUSINESS**

Dick Koerth – Secretary Hayden went through the budget handout, they did not change anything on that handout but what they have done is add one more item. The handout refers to Park 24 operating expenses. There is an amount there of \$207,500 and one position. Today on the floor they pulled that. There is \$700,000 now in the budget for us to operate Park 24 in FY 2008 in the House version of the bill. They are requiring us to say that no expenditures will be made for state parks for Park 24 until we have an environmental impact statement done, all costs involved with possible hazardous materials, ADA compliant and cultural compliance issues have been identified and rectified or resolved. It is stalling tactics. Capital improvement projects have also

been delayed, operating is just maintaining the park. What we are trying to do is to have funds for our State Parks Division to mow the grass and start doing trail work. The legislature gave us the park to work with, but we need funds to do it with.

Secretary Hayden – The good news is that even though this motion passed it only passed by two votes, 59-57 and it was carried by the Chairman of the Appropriations Committee and when the Chairman can only win by two votes, that indicates there is a lot of opposition to the motion. It clearly is a further attempt by those who are against the park and against the parks system to throw another wrench in the works. The Senate approved the operating money, so it will go to conference and will be in one version and not the other. So hopefully we will be able to get the version that allows it. It gives you an example of these people who are against the park system and who constantly do everything they can to throw up road blocks to keep us from having an adequate park system. Commissioner Lauber – Who is chair of Appropriations Committee?  
Hayden – The Chairman is Sharon Swartz from Washington County. She is the one who made the motion. Nine or ten people didn't even vote because they weren't there at the time of the motion. Hopefully we can get the Senate version. Koerth – That is all they did to our budget.

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

April 19, 2007, Dodge City at the Silver Spur Convention Center, 1510 W Wyatt Earp Blvd.  
June 21, 2007, Salina, Kansas Wesleyan University, Peters Hall Room 201 (Cloud Ave)

Tymeson – We need to set the August meeting. August 16 or 23? Chairman Johnston – August 16. Locations? Commissioner Lauber – How about the Leavenworth or Kansas City area.

Hayden – We could check out the Great Wolf Lodge in Kansas City possibly.

#### **XIV. ADJOURNMENT**

**Commissioner Shari Wilson moved to adjourn.**

The meeting adjourned at 8:44 p.m.

(Exhibits and/or Transcript available upon request)

Exhibit dd – Parks Division Annual Report for 2006