

**Kansas Department of Wildlife and Parks  
Commission Meeting Minutes  
Herington Community Building  
810 S. Broadway, Herington, Kansas**

Subject to  
Commission  
Approval

**Tour Herington Airport Businesses, meet at Community Building at 9:00 AM**

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

The June 24, 2010 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Kelly Johnston at 1:30 p.m. at the Herington Community Building, Herington, Kansas. Chairman Johnston and Commissioners Debra Bolton, Gerald Lauber, Frank Meyer, Doug Sebelius, Robert Wilson and Shari Wilson were present.

**II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS**

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

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

Under General Discussion, Item 1, Mike Miller and Jami Vonderschmidt will present instead of Ross Robins.

**IV. APPROVAL OF THE April 22, 2010 MEETING MINUTES**

Changes, page 6, five lines before break change “outlying” to “outlawing” and on page 12, line 9 after Tymeson, change sentence to read “if proposed amendment passes, what ramifications do you expect?” *Commissioner Johnston moved to approve the minutes, Commissioner Meyer second. Commissioner Shari Wilson moved to approve as amended, Commissioner Sebelius second. Approved.* (Minutes – Exhibit B).

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

*None*

**VI. DEPARTMENT REPORT**

**A. Secretary’s Remarks**

1. Agency and State Fiscal Status – Dick Koerth, assistant secretary of administration, gave this report to the Commission (Exhibit C). The 2010 Session of the Kansas Legislature has completed actions on the FY 2011 appropriation bill for the fiscal year beginning on July 1,

2010. As discussed at the March Commission meeting, KDWP had asked the Legislature to offset any State General Fund (SGF) reductions by increasing expenditures from the Park Fee Fund (PFF) in a like amount. The Omnibus Appropriation bill provides for a decrease in SGF expenditures of \$527,244 and an increase in PFF expenditure limitation of the same amount. In effect, the FY 2011 expenditures for the state park system have not been reduced as long as the revenue to the PFF is adequate to support the increased expenditure limitation. The expenditure amounts for the FY 2011 fiscal year have not been finalized. The Omnibus Appropriation bill includes provisions to reduce SGF funding for state employee longevity payments, but still requires the department to finance the payments in the full amount. In addition, the amounts budgeted by the department for death and disability insurance through KPERS will be reduced. The Division of Budget has not yet provided the reduction amounts. The bill includes \$8.5 million to continue market pay adjustments for state employees. The Governor did veto the five percent pay reduction for certain state officers including Commission members. The FY 2011 budget will be similar to the Governor's recommendations, providing for expenditures of approximately \$59.1 million, of which approximately \$5 million will be from SGF. The FY 2011 appropriations provide for capital improvement expenditures of \$6.6 million and do not provide any funds for major park maintenance. The appropriations do provide for land acquisition, motor boat access projects, and a maintenance building for the Kaw River State Park. It should be noted that the amount provided for road maintenance was reduced by \$1 million to \$637,472. The funding for the operations of the state parks includes \$1,012,347 from the Road Fund and we are concerned that at some point they may cut that off. The Omnibus bill includes several items that have an impact to the department: the west gate at Tuttle Creek State park which has been closed for several years will be opened; and a requirement for the Secretary of Administration, Department of Administration, to develop a list of state real property which can be liquidated. The list shall be provided to the 2011 Legislature by January 31, 2011. The bill requires the Secretary to list the market value, current use, and value to the State through a cost/benefit ratio; and marketability of each piece of property owned by the State, including buildings. The state economic condition continues to impact the receipts to the SGF. For FY 2012, current projections are for a SGF deficit of \$216.8 million. The estimated ending balance in the SGF at the end of FY 2011 is \$1.4 million on a budget of \$5.6 billion. This is due to the phase out of the federal stimulus funds included in the FY 2010 and FY 2011 budgets. KDWP anticipates that the FY 2012 SGF allocation for the department will again allow for zero growth or require further reductions. Although the wildlife side of the agency has adequate funding, issues such as salary and increases to expand programs are impacted by reduced availability of SGF. As the FY 2012 budget is developed by the department, the Commission will be informed of major concerns. Chairman Johnston – Is it not necessary to increase fees? Koerth – Not for 2011 or 2012, but possibly for 2013. Nonresident hunters are using our state, so numbers are good right now.

2. 2010 Legislature – Chris Tymeson, chief legal counsel, gave this report to the Commission (Exhibit D). Changes came down to last day and one bill encompassed several topics: HB 2434 related to naming state parks and clothing requirements while hunting deer or elk at Fort Riley and west gate of Tuttle Creek opening. What passed is Prairie Spirit will become a state park on July 1, 2010 and clothing requirement got fixed; HB 2649 designated little bluestem as the state grass of Kansas; and SCR 1611 was a constitutional amendment concerning individual right to bear arms, which will go to the voters in the November election.

There were several bills that did not pass. Chairman Johnston – Is this the end of a two-year cycle? Tymeson – Yes, bills are now dead and we will start over again next year.

## **B. General Discussion**

1. Becoming an Outdoors Woman (BOW) – Mike Miller, Information Production Section chief, presented this report to the Commission (Exhibit E, F). This is a national program and we have sponsored a workshop every year since 1994, which is our earliest recruitment program, predating “Pass It On” by about seven years. It is designed to give women a comfortable, non-threatening environment to learn about outdoor skills. It is a two-day workshop at Rock Springs 4-H Ranch where about 125 women are offered more than 40 classes on hunting, fishing and outdoor recreation skills. Recruiting participants, organizing classes, and getting volunteer instructors is a really big job and that is where Jami Vonderschmidt comes in. She has been contracted by the department to coordinate this program for the last nine years. She is a master hunter education instructor, an avid bowhunter and a Conservation Leaders for Tomorrow instructor in addition to her full time job working for Hills Pet Foods. She lives in Topeka. Jami Vonderschmidt, BOW Coordinator – The first event was in 1991, Christine Thomas worked on her thesis looking at why women weren’t involved in outdoor activities, and it was no big surprise that the fathers took their sons out and the daughters stayed home with their mothers. The program has been held in every state, Canada and New Zealand. The program helps women be more competent, more confident and more aware in outdoor activities. Classes are 1/3 hunting: handguns, muzzleloaders, archery, rifle, pheasant hunting, turkey hunting, deer hunting, skinning and tanning, shotgun, and wildgame cooking; 1/3 fishing: float tubing, fly fishing, fishing on the lake, intro to fishing, tackle crafting, fly tying, canoeing, boating and trailering; and 1/3 non-harvest: ATV training, orienteering, camping, outdoor photography, native basketry, biking, rappelling, and Dutch oven cooking. Women enjoy themselves and don’t want to go home. There is a lot of hands-on, one-on-one training and instructors come from a wide range of areas and jobs. Most women are 45-60 and married (3 to 1, with children). That means more opportunity for women to learn outdoor activities, pass on their enjoyment to their kids, which gets kids out of the house and off the computer and more involvement in the outdoors means: more people hunting, fishing, and enjoying our state parks. A national survey examined the effects of BOW on retention/recruitment: 19 times national average of women hunters; one in five purchased a hunting license last year; one in 10 tried hunting for the first time; and 80 percent continue archery target shooting because of BOW. One-third of respondents say they will go hunting in the future, 26 percent are new hunting recruits; and two out of three with no prior experience say what they learned was very important or moderately important to their retention as hunters. Participation in fishing: seven times national average; about half purchased a fishing license in last 12 months; and three in 10 said BOW gave confidence or skills to resume fishing; 43 percent with prior fishing experience said skills they learned at BOW were very or moderately important to their retention as anglers; and 78 percent said their current participation in fly fishing was a result of BOW. Most women said they went to BOW so they could share experiences with their spouses -- the most important motivation for women who try fishing and hunting as adults. Most of the women come with little or no experience. Conservation Leaders for Tomorrow (CLFT), 70 percent are women in CLFT programs. This year’s (BOW) program filled up by June 1 (125 maximum). We have a waiting list and 48 percent are new participants.

We are currently looking at expanding the program into a smaller spring program, as well as the one in the fall. I would like to invite all of you personally to come out and see what the women experience, September 24-26, 2010. Chairman Johnston – How many repeats? Vonderschmidt – About 50-60 percent. Chairman Johnston – What is the fee? Vonderschmidt - \$180 for 2 nights, meals and all of the training equipment is furnished, and \$175 if staying in tents. Chairman Johnston – Thank you for bringing this presentation to us.

2. Spring Turkey Regulation - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit G). We sold 66,621 permits (about 2,500 more than the previous high, a new peak) -- 43,358 initial permits and 23,263 game tags for the spring 2010 season. The harvest estimates have not been calculated for the 2010 season, but they should be available by early August. The department is considering a change to permitting for Unit 4. We have been gradually increasing the quota in Unit 4 over the last several years, and this past spring allowed youth to buy statewide permits over-the-counter. Despite these changes, we have still not been able to meet (Unit 4) demand because applications have increased similarly to our quotas. For spring 2010, we received 471 applicants for the 325 permits that were available. Information from hunter band returns and radio-marked turkeys within Unit 4 indicates that the population can withstand even more harvest pressure. However, the turkey committee believes that a quota of some type is still necessary to help control harvest pressure and hunter interference on the two major public properties in that unit (Cimarron National Grasslands and Cedar Bluff Wildlife Area). We are considering a recommendation to raise the quota from 325 to 500 for the 2011 season. Chairman Johnston – The rationale for the new combination permit was if we offered a reduction in fees, more people would buy permits. It looks like it was successful. Pitman – I think it was, numbers went up for residents and nonresidents; broke even on money with residents and made a little money on nonresidents.

Michael Pearce – Unit 4 permits will still be restricted to Unit 4? Pitman – Yes, that is what we are talking about. Pearce – So someone won't have the option to go across the imaginary line? Pitman – They can buy a game tag and hunt in one of the other units.

3. Pheasant Season Closing Date Request - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit H). At the last commission meeting a constituent raised the possibility of extending the pheasant season into February. There are no biological concerns to a season extension because only males can be legally harvested, and pheasants are polygamous (i.e. one male can copulate many females). However, changing season dates can be quite controversial because changes can affect traditions, public perceptions, and landowner relations. The department has some past experience relative to this exact issue because the pheasant season did extend into February for one year (1981) and received many negative comments from landowners because those extra weeks interfered with calving season and spring planting preparations. The following year moved the closing date back to January 31 for the 1982 season, and it has closed on that date ever since. There are other issues that could/would arise from an extension to the pheasant season. 1) An extension to the pheasant season would mean our Walk-In Hunting Access (WIHA) tracts would not be open for public access because those tracts are only open through January 31. It would probably be viewed poorly by the public if we didn't ensure those tracts were available during the entire season. Thus, an extension would likely require amendments to Walk-In Hunting Access (WIHA) contracts. Such a change would require

a tremendous amount of work and possibly require increased landowner payments for the extra days. 2) An extension to the pheasant season would mean that quail season would not close on the same date. An opinion survey conducted after the 2006 season found that a concurrent closing date for pheasant and quail was preferred by resident and non-resident hunters and farm operators. Extending the pheasant season and not the quail season could lead to some dissention as well. Would like guidance, but if Commission wants to pursue this we should do a survey of constituents first. Commissioner Lauber – How much does it cost for a survey? Pitman – A couple thousand dollars. Commissioner Lauber – Don't want to do it for public perception. Can do survey, but I think it will come back to same social reasons. Chairman Johnston – On WIHA contracts, how many are there? Mitchener – Approximately 2,700 contracts for fall WIHA. Chairman Johnston – It would be hard to seek amendments on all of those. What about two years from now? Mitchener – Contracts are for 1 to 3 years. We would have to increase payments and would have to amend the PR grant to get additional funds in the budget process to pay those. Commissioner Robert Wilson – By the third week after pheasant season opens, there is irrigated corn on several of the places I hunt and some put cattle out there with an electric fence. Farmers wouldn't want you hunting there. Probably hunted pheasants 10 times in January and have never had a good hunt out there. It is hard to get near them after opening day. Not a very good success rate. A lot of those farmers are out working their cattle and calving at that time and won't want to deal with it. Chairman Johnston – There doesn't seem to be much support from the Commission to do anything with this subject. I suggest you let it go.

4. Park Fee Regulations - Jerry Hover, Parks Division director, presented this report to the Commission (Exhibit I). This is the beginning session looking at possible park fee recommendations and changes. We will look at it again in August and vote in October. It has been a number of years since we have made significant changes to any of the fees. With the budget shortfalls, as explained by Mr. Koerth, we will be using Park Fee Fund (PFF) instead of State General Fund (SGF). PFF primarily consists of fees and charges we collect. We have looked at the other private and federal campgrounds as it is important that we stay somewhat in the same realm. On average the private campgrounds are in the \$30-\$35 range (there are some that are much higher or lower); federal campgrounds range from \$10-\$20 per night, plus the Corps parks add \$4 for electric connections and \$4 for a prime site. Prices are varied across the board with both private and federal. Also, if you add in boat ramp access or discounts for seniors, it also changes those prices. Colorado ranges from \$8-\$22 per night plus a \$4 surcharge is added to specific campsites (similar to our prime sites); plus the applicable motor vehicle permit. These prices have recently increased, and I don't have the total of the increases. Kansas ranges from \$7.50-\$18 per night plus a \$2 surcharge for prime sites; plus the applicable motor vehicle permit; we also have an annual camp permit and a utility permit. Nebraska ranges from \$8-\$24. Missouri ranges from \$12-\$26 and provides a discount for seniors. New Mexico ranges from \$8-\$20; they also have an annual camp permit for New Mexico residents at \$180, \$100 for NM residents 62 and older, or \$225 for nonresidents; \$8 per night is added for utilities with an annual camp permit. Oklahoma ranges from \$10-\$21 and adds a \$5 surcharge to some campsites. Texas ranges from \$8-\$20 plus applicable per person fees ranging from \$2-\$5 per person; pricing is park/campsite specific. Many of these states are going to a per-person charge and per-campsite charge, but we are not recommending that at this point in time. I have shown average current annual sales of various permits and resulting annual income. A new park management and

reservation system is scheduled to begin December 15, 2010; we are in negotiations in the third module with KOALS, which is part of the active network. They also own Reserve America, which our reservation program will be patterned after. That will change some of the service fees overall per night; with no reservation it will increase the service fee a little bit, no exact numbers yet. Chairman Johnston – What would you guess a little bit means? Hover – It is complicated. Currently the way things are charged for a daily camp permit there is a \$0.50 add-on charge for the KOALS system. Without a reservation system that was going to go to \$1.50, and we are estimating the cost for a reservation and add-on fees at about \$2.70 per transaction. Right now if you make a reservation it costs \$10.00 plus \$2.00 in service fees, and you charge per night with the service fees (i.e. \$2.50 for 5 nights). Under the new system, we are looking at one \$2.70 fee (or in that neighborhood) cost for as many nights as they stay, so it is more expensive for one night, but cheaper in the long run. We are not recommending changing per night camping fee, and no change to motor vehicle fees. We do recommend increasing annual camping permit, and reinstating the in-season and off-season pricing; it is currently \$150 year-round. We also recommend increasing the long-term camping permit, which allows a person to stay on one campsite up to 30 days and be able to renew that during the time period designated for long-term camping stay. These are primarily the extra costs involved in managing those and the utility cost (not an additional utility cost). We are recommending \$40 per month for all parks except El Dorado, Milford and Tuttle Creek, which would increase \$80 because of high demand. We are recommending increasing the number of prime sites from 12 percent to 15 percent, and increasing the number of statewide long-term camping sites from 10 percent to 12 percent. Some parks have little usage and others have consistent use through the entire time period. A difference in the reservation fee of \$10.00 would reduce reservation fees by \$40,000, but we expect to increase the number of reservations, which will help to offset that. We are looking at \$340,000 in new revenue for FY2011 (half a year) and annual new revenue of about \$600,000, which we are offsetting with the SGF of \$550,000, so we will not make up all that is being taken away, but a portion of it. Commissioner Sebelius – I am on board with what you are developing, with the exception of increasing annual camping. I draw a distinction between that and long-term camping opportunities. It appears that the concept of getting an annual camping should be universally affordable, but I am assuming the ones who buy it can afford 2-3 times the increase. It is tantamount to having a vacation property. It isn't the size of the increase, but the message. It is apparent that the last couple years there has been increased usage in the parks, and we are not trying to achieve parity with surrounding states. The other thing that bothers me is getting everyone in the state supporting the park system whether you use very little compared to your neighbor. The legislature looks at these increases as easily had. Commissioner Bolton – On the bottom of first page, is that 800 months? Hover – Yes. Commissioner Shari Wilson – When was the last time we raised park camping fees? Hover – I think some minor changes were made in 2005. Tymeson – In 2005 we added the off-season and prime annual camp across the board. Chairman Johnston – On the five increases, the next to the last one reads “increase the statewide prime site charge from 12 percent to 15 percent...” that is not how you described it, you talked about increasing the number of sites available. Hover – That is correct. Chairman Johnston – So we are not talking about increasing the \$4 per night additional charge? Hover – No, just increasing the number classified as prime sites. Chairman Johnston - If Commissioner Sebelius' impression is correct, if long-term camping fees can be perceived as a vacation home, it seems the amount of increase being proposed is substantially less than the 25 percent increase being

proposed for the annual camping permit. Is his perception accurate regarding the people who use our long-term camping sites? Hover – We are seeing an increase in the total number of nights used by a person with annual camp permits. Before they were eliminated there were about 3,000 of those permits sold at \$35. It was eliminated for two years and came back at \$110 in off-season and \$150 in full season, and there were approximately 1,000 sold. Now it is about 4,000 a year, so the number of them is increasing. If the average is 6 months out of the year, that is 175 to 200 nights and that is less than \$1 a night. We are basing this on what an equitable charge per night is for annual camp holders. Chairman Johnston – Helpful to know, but which set of customers is better able to weather the increase without discontinuing use? Commissioner Sebelius was under impression that long-term campers fit that description better than annual campers. Would we be discouraging a number of customers who would not tolerate the increase? Perhaps the long-term camping should be larger and the annual permit increase smaller. I am not sure, but that is why I am asking the question. Hover – There is a perceived value and the amount of money you are willing to pay and this could be too high and have that affect. We did see that in motor vehicle daily permits, it was too high and we lost a number of people, so we brought that back to a price they accepted and the public responded. We do need to recover cost or have to reduce services in order to make up the difference. A little bit of increase in revenue and decrease in the amount of services to meet a compromise to where we can still provide affordable camping and parks for people to use.

Natalie Donges – El Dorado – My husband and I own Deer Grove RV Park in El Dorado. I can't give you any information on Milford or Tuttle, but I do know what happens at El Dorado, and I can go out to their long-term camping right now and tell you they are not full, but when they are full it is construction workers for refineries. It is not for vacationers. Hover – The reason they are not full now is because during the summer months we don't offer as many because the general public is coming in and they are generally staying 3-5 days as an average. Part of our agreement with Corps of Engineers is not to offer long-term camping during the summer season. Donges – (handouts – Exhibit J: pamphlet of El Dorado State Park front page; announcement on website about Frontier refinery park donation; and copy of mission statement from Wildlife and Parks). I came to ask you to do away with long-term camping for workers. It provides a lot of competition with private enterprise. Unfair competition is a big concern with most private park owners in the state. State parks were originally set up for vacationers and enjoyment for Kansas customers and out-of-state customers. It now appears that Kansas Wildlife and Parks is trying to make a profit which every state department is -- you call it revenue -- I call it make a profit. By allowing construction workers to stay cheaper than I do is a big concern. Unfair competition exists when government or quasi-government takes advantage of its tax exempt and other exempt privileges to supply goods at a discounted rate to the market. All regulations do not apply to government businesses that apply to private industries. Some of those are: private parks have to abide by public zoning laws, hire electricians and plumbers; if we replace a plug in we have to have an electrician do it and have to get a permit; if we want to expand or upgrade we have to get permit. We pay county and city sewer fees. We don't get water at a discounted rate and pay federal, state and local taxes and property taxes at a commercial rate. When KDWP uses the benefit of the tax exempt status to compete unfairly with small businesses, then small businesses are bankrupt and the tax base is reduced, and tax rates increase and all taxpayers suffer. There is approximately 6,000 acres of land available for public hunting and roughly 4,000 acres of

developed park and recreation areas for your enjoyment. El Dorado consists of four campgrounds which are open to a variety of outdoor recreation opportunities. Nowhere does it state that you are there to house out-of-state construction workers. El Dorado has built a campground specifically for long-term stays, specifically refinery workers. The public announcement states that the park was built specifically for the purpose of making more revenue and housing workers, not for outdoor recreational opportunities. I believe that KDWP is hungry for revenues as are all other agencies, but they have lost sight of the fact that you are taking away from local and private businesses. In the public announcement on the Frontier Refinery Campground, Representative John Grange states that he challenges other Kansas communities with state parks to explore similar partnerships and projects. If this continues around the state, what will become of the private campground sector? What is the goal of the campgrounds, to provide recreation for families, outdoor opportunities for people to enjoy Kansas or to make a profit or increase revenues? By your own mission statement, the Kansas Wildlife and Parks is here to provide the public with opportunities for the use and appreciation of the natural resources of Kansas consistent with the conservation of those resources. Nowhere does it allow for making KDWP a profit business. You discussed federal parks earlier and they also do not allow this kind of camping. I don't know if other states allow this. If this is allowed to continue, you will not only hurt local businesses, but citizens of Kansas, out-of-state construction workers are using the states services and they don't pay property taxes or state and federal income taxes and if it ever passes the state law no one will pay sales tax on utilities and on washing machines. Kansas will also lose because the workers who stay all winter long are not being charged rates comparable to other private campgrounds. These businesses are being undercut by state parks, and the workers are very aware of how much it costs to heat their RV in the winter. When we have extreme temperatures, we have had them use over 5,000 kilowatts and if you take that times 10 cents or \$500, so if you are providing that for free, which the utilities are with long-term camping, you are losing, you are not making enough to cover your own costs. State parks do not set stipulations on heat, whether they use propane or electric heaters. In this hot season, some of them have three ACs in them now, and it does make a difference. As a taxpaying Kansan, I don't appreciate someone that can afford to pay what they are paying because they are here working; they are getting subsidies from the State of Kansas when they don't deserve them. If this for-profit activity is allowed to continue, KDWP is only hurting themselves, the local business, Kansas taxpayers and the state and local tax base. However, if you are going to allow long-term stays for construction, the private RV sector has a request that you raise prices to a more appropriate level. A 50 amp RV that is 44 foot long with two and three AC units are using 3-4 times more electricity, some more than a house. We request you reconsider what you are charging and adopt accounting practices and management approaches that reveal more closely the true cost of service it is providing for the long-term sites. I appreciate that you listened to me. One handout is from private RV parks and we need to take a look. Hover – Many statements you made are very accurate, especially on the amount of usage. The fees we charge are for the utilities and not so much for the camping because they purchased an annual camping permit. There are payments made to the county in lieu of property taxes that are equivalent. We try not to be competitive and we also have taxpayers on the other side who want us to have more revenue. Natalie – Would appreciate you looking into the private sector. Hover – We cannot discriminate because of where a person works. We have to treat everyone the same way. If we took a survey of everyone out there, the majority of them someone is working while the rest are recreating. Commissioner



Lauber – How much competition do we have with recreational campers compared to long-term workers? Not designed to be a low lot-rent mobile home park, but it is difficult and my heart is with her, but don't know if there is a practical way to change it. Does it compete with the recreationists by taking up good campsites by people who want a work place to live, or is it insignificant? Hover – In general, the long-term camping are permitted during off-season, after Labor Day and before May 1. The normal recreational person, sometimes are out there in good numbers, but sometimes not any. It was not too long ago that state parks almost shut down during the winter months. We still shut down some campgrounds where we do not have demand for them, but sometimes the family lives there when the spouse works. Is someone being denied use of that campsite? Maybe. Commissioner Lauber – I suspect we are not competing with constituency. Parks need money and we are trying to gain activity in the winter, but we are doing it at the expense of private campgrounds, but we have to stay in business too. Suggest we raise the price to level the playing field. We try to keep par on cabins with local motel industry. Is there a way we could raise this and provide some benefit to private sector? Chairman Johnston – Miss Donges, you suggest we raise to more appropriate level. Do you have a number in mind? Natalie – In our area, \$400 to \$500 a month just to stay there, we are not opposed to \$500 plus their annual camping fees. We understand that sometimes in El Dorado they did open the campground during the summer also because there were so many workers, but when they did that it took away from Wichita. It did take away from local people on the big weekends because they couldn't get in. The last three May's they have not been able to get in those campgrounds because they have been completely full of workers. There are 50 sites that local campers didn't get in to. Commissioner Bolton – Your use of the word profit, I don't know if you heard the financials, but the whole state of Kansas is down in any sort of revenues so it cuts out a lot of things like staff and services. I don't think we are in profit-making business when we are allowing something like that. Don't remember if there's a Wal-Mart in El Dorado, they are not providing long-term, but are providing free overnight camping. Natalie – Well aware of both of those and Wal-Mart in El Dorado actually has advertising with my park and will go out and suggest that they go down to my park instead. However, they do still allow it and we are aware that private and government are hurting for money right now. Commissioner Lauber – If we raised prices higher than what was recommended we probably wouldn't see much reduction in activity, we possibly would come closer to not being much of a bargain and make more money. These are not our core constituents, staying long-term, and I wouldn't have any problem adding \$50 a month to each of these. We probably will make more money and people would look at your place as having advantages we don't have. Commissioner Shari Wilson – For long-term campers, they have to buy an annual camping permit and pay the long-term camping fee? Hover – That is correct. Donges – Is the annual camping \$130? Hover – It is \$150. Natalie – If you divide that by 12 if they stayed all year that is not much. Commissioner Robert Wilson – If she is right, is that going on everywhere? Hover – What? Commissioner Robert Wilson – Those using a lot of electricity, would that apply to all long-term camping sites? Hover – Yes, it does happen, but we feel we are covering our costs with the fees we collect. Donges – We meter ours and with the hot weather we average 1,500 kilowatts for a month. Commissioner Robert Wilson – That equates to about how many dollars? Donges – About 10 cents each, that is \$150 just for electricity, which has nothing to do with the camping. Hover – We have two providers, one is Westar and one is Rural Electric, and we pay demand charges so we pay at least the same as you. Chairman Johnston – As Commissioner Lauber noted with respect to cabin rental fees, they vary from park

to park and we massage rates for the purpose of avoiding unfair competition. Not sure we have had such a policy in place for these fees. Maybe we need to give additional thought to that aspect of this proposal. If we are going to avoid unfair competition with our cabins it seems logical to try and do the same thing here. I don't know what a fair rate would be, that would be up to you and your staff. Commissioner Shari Wilson – In general I agree, but not sure what rates are at all of the private campgrounds across the state. I don't know if we can make up that difference in one year and I am concerned about the average family that goes out who is out of work and can't absorb an extra \$100-\$150 increase in their camping rates and maybe that is there summer vacation because they can't afford to do something else. We have several constituencies, but it is a difficult position we are in, but we need to keep in mind we are trying to get families out in the park. Commissioner Lauber – People out of work are not staying in long-term camping. Hover – In some cases they are, yes, some people are living in campers. Donges – Once again, it is not your idea to be a glorified trailer park and there are some trailer parks (not RV parks) that are set up to house out of work person and their family at a much lesser rate than what you are doing. I am benefiting from the pipeline workers and Augusta and Towanda are full in their mobile home parks with RVs so I will compete against them in future years.

Doug Phelps, Manhattan – Curious about private RV parks, do they offer any services or benefits beyond the site and utility which is all the state camping permit is providing. The camping permit is not providing any fishing, boating or hunting; that comes with the vehicle permit. I have seen some RV parks have swimming pools and I don't think you can compare Tuttle Creek's swimming beach to that. Do they have laundry facilities or recreational equipment? Hard to say you are competing directly against them unless you can establish that the services provided by both are equivalent. On cabins, we are essentially offering similar services, maybe more with the kitchen. At Tuttle Creek, when you had long-term camping where you had to move every two weeks, even if you were the only camper in the campground. Dad is a retired construction worker and had a camper in a mobile home park that was filthy and unsafe and he moved into Tuttle Creek until the 1993 flood forced him to evacuate. With his health he didn't do any fishing, hiking or boating, but to say he didn't get the benefit is wrong because he spent every day at the river pond visiting and enjoying being outside. I don't understand how we can accuse someone of living in park, no obligation to meet certain set of requirement to use benefits of campground. How much you utilize it is a personal choice. Not opposed to private enterprise, but do find it confusing that parks has been told that they need to pay their own way because SGF money has shrunk dramatically, but the answer to not being a profit-making organization is to raise your prices. Prices should be based on the cost of doing business and maintenance to provide enough surplus to provide for future problems. If you raise your prices and start carrying a balance the legislature will be there to take it. There are a lot of people who can afford to pay more, but there are a lot that are struggling. I remember when we raised annual camping from \$50 to \$100 there was all out war so I would urge caution on getting too carried away. Chairman Johnston – We intend to proceed with caution. Not comparing apples to apples on cabins or long-term camping at El Dorado with Deer Grove. We do have a policy as it relates to cabin rental fees that it is our intent to not compete unfairly with local motel industry. If we do not have such a policy in place in terms of long-term camping then we need to have a good reason why we don't have a policy. We need to reexamine these price increases.

Donges– Have two additional pamphlets (gave to Jerry).

## *Break*

5. Mountain Lion Populations in Kansas - Matt Peek, wildlife biologist, presented this report to the Commission (PowerPoint Presentation - Exhibit K, L). On a side note, potential black bear showed up in southwest Kansas, 100 miles from New Mexico and Colorado where there are established populations and they have come in the past, but not verified. Representative Holmes came to the March meeting and this is a follow up to his attempt to pass a bill. Four things we look at in establishing seasons: statutes, policy, amount of mountain lion damage and abundance. According to statutes and regulations mountain lions are “nongame wildlife” in Kansas. Wildlife may only be taken as permitted by law or rules and regulations of the Secretary. There is no open season and they may not be taken merely for presence. Wildlife may be taken by owners or legal occupants of land if creating damage or near houses. State law allows a landowner or homeowner to remove nongame by hiring a wildlife control operator; department policy provides assistance through a KSU extension specialist, (we pay part of Charlie Lee’s salary). The department will conduct removal efforts for: inordinate threat, sick, emaciated, physically debilitated or showing aggression or lack of fear and incidental captures. Animals present without conflict will not be disturbed. KDWP does investigate damage reports, but don’t always conduct field investigation if no evidence is present. We are always interested in looking at evidence. We take a scientific approach to verifying evidence, which often ends up being dog tracks, bobcats, and house cats. We don’t look for tracks blindly, but if called to a track or see a photo, we take scientific approach to investigate. Three confirmations since 1904 when last documented sighting: Barber County (November 2007); Trego County (October 2009); and Western Kansas (March 2010). Do we need a season on mountain lions? Holmes was not interested in a season, but in taking species and keeping the pelt. On depredation problems alone, we do not allow them to keep the animal. Another problem would be that it is difficult to enforce and difficult to investigate the damage or the case. Deer is one species taken for damage that you can use, but a person would have to establish damage before taking the actual animal. Background on the Colorado mountain lion that was in western Kansas: May 6, 2009, it taken into captivity near Firestone, CO, a 40 lb male, age 6 months; October 20 released near Estes Park at 90 lbs; had GPS satellite downloadable collar which showed locations every 3 hours, downloaded once a month; March 2, 2010 cat entered Kansas; March 26, 2010 cat left Kansas. The cat was still on the move in New Mexico at last check, and they are investigating the data for “clusters” (minimum of three hours at a site). Clusters are two GPS location points within 200 meters of each other. Used in front range study to assess predation habits, and found 25 clusters in Kansas. CDOW and KDWP investigated 18 sites on April 18 and 19 checking feeding activities, resting sites, general evaluation of habitat, etc. Spent time on sandsage draw, landscape basin, right of way between railroad and highway (found dead raccoon there), also used shelterbelt beside road where equipment was being stored, another shelterbelt, an abandoned homestead, WIHA old homestead site, and WIHA CRP field. Points were downloaded and they followed them. Owners of an occupied house where the mountain lion track and spent a little time had photographed a track. They sent the photos to a relative in Colorado, who confirmed that it was a mountain lion, so it wasn’t a great surprise to them. Last image, several way-points, in a Stanton County weed patch (not sure why). Prey items we found: one domestic cat, two raccoons, one porcupine, one deer (hair no carcass) and no livestock. Other items found in

Colorado: coyote, raptors (hawk, owl and eagle), turkey, and pheasant. Main prey was raccoons. The cat covered more than 1,000 miles and now is in New Mexico, but took an unexpected path. Thirty percent of sightings were near buildings because that is where the cover was. The cat had spent time in captivity and they feel it moved because of that. Would a cat never held in captivity have gone near buildings? One other cat with a collar went north, but used similar food habits. Thank Matt Alldredge and Kevin Blecha from Colorado Division of Wildlife for the data they shared with us. Commissioner Shari Wilson – From other collared animals that didn't leave the study area, did they look at their food habits to see if they ate anything besides wild animals? Peek – They were in the vicinity of livestock, but there was no depredation that we know of. They are putting collars on cats to see if they are attacking dogs or eating house cats; shooting with bean bags and using collars to assess deterrent techniques.

W.R. Brecheisen – On wildlife damage control permit, is it legal to keep the animal? Peek – It is on furbearers, but pretty sure that does not apply to mountain lions.

Ron Klataske, Audubon of Kansas, Manhattan – Compliment department for not recommending we follow through on unwarranted hunting of mountain lions in Kansas. We have been supportive of concept of learning to live with mountain lions in Kansas. Know of at least 2-3 good reports that have come from other people. The cat in western Kansas must have traveled primarily at night to avoid detection. We would like to make a couple of requests on how you deal with mountain lions in the state: refine directive, department will go out and shoot in suburban area if compelling reason, not just because one was sighted. It is interesting that there is an absence of information of depredation with all of our livestock in the state. They don't need to be killed if just near a farmstead. Observe, but not disturb; capture, collar and release. This type of information that this wandering animal provided to the science base is very valuable. We should be redirecting our attention to preserving, protecting, capturing and collaring. The other thing we should do is the concept of wildlife control officers, whoever is able to do this for the department, there needs to be a compelling reason to kill the animal. Brought three photos (Exhibit M) a mountain lion in Nebraska; cheetah in Africa; and Cheetah Conservation Fund flag. Same philosophy should be adopted in North America where cheetah's originated. We could obtain more information on mountain lions killed in Kansas if amnesty was granted to those that have killed them; at least we could verify kills and establish an informational base.

Mike Pearce – The cat came in Cheyenne County and went out Morton County? Confined in the western tier of counties? Peek – Western two tiers of counties. Pearce – In what county was the woman who showed you the track? Peek – Morton County. Pearce – When had the cat been there? Peek – Three weeks before. Pearce – You still had a clear track to look at? Peek - There were no tracks. She sent me pictures of the tracks. We found scat only. Pearce – As a biologist, what most surprised you or struck you the most? Peek – It was nice to actually be somewhere where you knew one had been and put a foot on the ground where we knew one had been in the last couple of weeks.

Chairman Johnston – I was not aware that a mountain lion could be shot under circumstances where there was no claim, but just in proximity of a building. Peek – Not singling out mountain lions, but all wildlife. Precedence has been set, for instance if a raccoon is in someone's barn, department policy would allow lethal control in those situations.

Chairman Johnston – Comments or response to Mr. Klataske's suggestion to redefine policy? Peek – State law would allow it to be taken in an urban area, but it doesn't mean we would have to. One group of people want more liberal take and Mr. Klataske would like less liberal take. We are walking a fine line, and if it is merely present we are going to leave it be, but allow liberal opportunity for

take if it gets into a problematic situation. We do that with the understanding that Kansas is not a significant player in mountain lion conservation, relative to populations. The department recognizes that fact and in discussions about policy that was a factor we talked about.

Commissioner Sebelius – What were the details of the mountain lion in Barber County. Peek – The individual was cutting wood on his property, saw a mountain lion and had a gun in his truck and he shot it. We found out about it several months after the fact and the pelt and skull were at a taxidermist in Texas and we eventually took those into possession. That individual was given a citation for illegal possession and given a warning for illegal take. He paid the citation and the case was closed. The department has the pelt and the skull.

6. Cabin Fee Regulation - Mark Stock, special assistant, presented this report to the Commission (Exhibit N). We are bringing up cabin permit fees because we have new cabins coming online, and we need to see if adjustments are necessary. This will be workshopped in August and public hearing in October. Need to do this early enough to project cabins coming on line. It will take effect January 1, 2011 so we need to start on that now. Had a bill to allow us to set cabin fees by Secretary's Orders but that legislation did not pass. We may propose that legislation again next session. Chairman Johnston – One of the factors is comparable prices of neighborhood facilities. Stock – Broad constituency, but people traveling down the highway are not likely to stop, because they are not available (booked far in advance) and no bedding is available. But people who stay at Tuttle Creek during a football game might stay and then we may be competing. We are taking steps on doing metering at some locations to define what we spend.

7. Hunting/Fishing Permit/License Combination Packages - Mike Miller, information production section chief, presented this report to the Commission (Exhibit O). This item opens discussion to develop additional value-added permits. Jim gave you an overview of how the turkey package went, but I don't think people were really aware of it. We are starting discussion to get additional ideas. The marketing/revenue task force has discussed whitetail either sex/whitetail antlerless package; deer/turkey package; and hip stamp/waterfowl stamp. Some states are doing value packages on multiple items. With the spring turkey combo, we are tried to encourage hunters to buy permits before hunting season starts to reduce the potential churn. There is opportunity to do that with fall packages as well. Savings of \$7.50 on spring turkey combo was popular. No specifics on fall packages yet. Commissioner Robert Wilson – How do you purchase a federal duck stamp on January 1? Miller – At the Post Office. We carry them at some of our offices and talking about allowing some electronic purchase, but duck stamps don't expire until June. Faye McNew – Some other states are looking at electronic federal stamp purchase, as well. Commissioner Robert Wilson – They are not open. Miller – Could be available in future. Chairman Johnston – What about an annual turkey package, good for spring and fall? Miller – We haven't discussed that, but we are looking for ideas. Doug Phelps – In light of vendors selling permits, I like the idea, but complicated process for the kid working at Wal-Mart. Miller – If you build it into system right, we can simplify it pretty well. Phelps – Can you upgrade software to avoid these errors? Miller – That is an ongoing program. We have a contract with software developers. Chairman Johnston – Based on what Jim said earlier on turkey permits, that is a good sign and we should expand these programs further.

## C. Workshop Session

1. Fishing Regulations – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit P). This is the first workshop and there are late additions that are not in the briefing book. Had a request about taking of bull frogs with a bow, currently you can bowfish, but just like when taking fish you have to have the arrow tethered on a line to bow. The request was to not require the arrow be attached, but we don't feel we can support that change because it becomes a law enforcement problem to determine if someone is bowfishing illegally, so we have no recommendation for that. Additional items for reference document: where we set creel and length limits that are more restrictive or different than the statewide regulations -- we had a meeting with Horsethief Reservoir operations and they requested a five channel catfish/day instead of the statewide 10/day. City of Liberal has asked for five channel catfish/day at Arkalon Lake outside of Liberal; Syracuse has a new pond called Sam's Pond that wants to go to five/day; and City of Ulysses has a new city lake that wants to go to five/day. We would support these requests. Other changes included: 18-inch length limit on smallmouth bass at Perry Reservoir. The reason is to establish a population, we have moved some adults and had one stocking of fingerlings from the hatchery and the intent is to allow the population to become established. At Perry also we had a proposal on 18-inch length limit on sauger to try and maintain brood stock. At the last Commission meeting there was a question about the change to sync up our fishing regulations on the Missouri River with Missouri. Discussed this with our Region 2 staff, Chuck Bever and Kirk Tjelmeland, and they concur that we are comfortable with their recommendations. Add trout fishing locations which would require a state trout stamp for Holton Elkhorn Lake, Atchison City Lake (there are several, but they are not sure which one they want), Syracuse Sam's Pond, and Belleville City Lake's Rocky Pond, which was recently renovated. We want to change the Cimarron Grassland pits from Type 1 to Type 2 water. The other change is to expand handfishing opportunity. We have had a pilot project on for three years and very few permits have been sold. This would open the entire Ark River and all federal reservoirs to the upper end of the federal boundaries while still prohibiting handfishing within of 150 yards from any dam. Chairman Johnston – There is a companion document (Exhibit Q) "Summary of the 2009 Kansas Handfishing Season" and there is some discussion about permits and the direction the report seemed to be going was that we needed to do something to try and eliminate errors by vendors in selling these permits. What is the downside of eliminating the need for the permit? Nygren – There would no way to evaluate the impacts of handfishermen without surveying all anglers to see if they handfished. The permit allowed us to see if there was a biological impact from the activity, and I don't think we are there yet. In reality, the handfishing in the reservoirs will be in the rivers above the impounded portion of the lake. Not many people are going to try go out in lake itself. We have made changes to the way the licenses are listed for the vendors. I believe we changed it from handfishing to hand-grabbing license. Chairman Johnston – Report says that overharvest does not appear to be an issue, but it also appears to be saying that it is premature to conclude that overfishing can happen so you are hesitant to eliminate licenses? Nygren – At this point I think we are because we are opening it up to federal reservoirs. Only open now in Kansas and Arkansas River, and water has been high there so it has been hard to get in there. We want to expand, but be cautious. We want to try to simplify weigh-in requirements for bass tournaments and clarify the use of the tournament black bass permit. We had a set of weigh-in requirements for registered black bass events and another for all other weigh-in bass

tournaments; and we would like to do away with the confusion of two set of similar regulations and we want to combine them into one. This would allow the holder of a black bass tournament pass to do two things: cull with full creel limit year-round, right now when fifth fish is caught you are done and you can't substitute for a bigger one caught later; and allow two short bass on waters with special length limits above the statewide 15-inch length limit, have fish between 15-inch and the lake limit length. Commissioner Robert Wilson – Do we have these federal reservoirs listed someplace? Nygren – In our fishing guide, there are two lakes that people think are federal reservoirs that are not, LaCygne and Coffey County Lake. I assume we will list the reservoirs when we draft the regulation. Tymeson – In the reference document. Chairman Johnston – Bass pass tournaments can't occur after a certain time in June? Nygren – They can't hold them in the heat of the summer, after June 15. Chairman Johnston – Year-round for culling? Nygren – Yes, but for use of bass pass and holding shorter fish would only occur during the cooler months of the year.

2. Late Migratory Bird Seasons – Faye McNew, waterfowl biologist, presented this update to the Commission (Exhibit R). Late season waterfowl frameworks are set annually by the U.S. Fish and Wildlife Service (USFWS) to set limits, which states must operate within when establishing waterfowl seasons and will be published around August 15, after results from the May Breeding Duck Survey and after the Flyway Councils meet. We do not anticipate major changes in the frameworks for geese; we expect it to be 107 days as it has been and which is the maximum allowed by Migratory Bird Treaty Act. At this time, there is little information to speculate on the duck seasons, however preliminary data coming from the prairies is good and we expect a 74-day season. The three packages available are: liberal, which is a 74-day season in the Low Plains and 97-day season in the High Plains, with a daily bag limit of 6 birds with various species restrictions; moderate is 60 days and 83 days with a daily limit of 6 birds; and the restrictive package is 39 days and 51 days with a daily bag of 3 birds. We will not know if Hunter's Choice is operational until August; if it does become operational, the daily bag limit for the liberal and moderate alternatives shall be five ducks, with two redhead, a potential for other scaup restrictions, three wood duck, and only one duck from the following group: hen mallard, mottled duck, pintail, canvasback. During the restrictive season, the daily bag limit shall be three ducks with species restrictions of two redheads, two wood duck and only one duck from the same group. The possession limit shall be twice the daily bag under all regulatory alternatives. If Hunter's Choice does not become operational we will revert to the federal frameworks with the exception of the hen mallard. Federal frameworks allows two, but Kansas has always only taken one. In summary, we are expecting to change little from last year. Chairman Johnston – A citizen contacted me and said he was not in favor of Hunters Choice. What determines if that is operational? McNew – Right now we are waiting for the USFWS to approve a pintail harvest strategy, and they are leaning toward not including a season within a season for pintails which would make Hunters Choice obsolete at this time. The other issue would be whether or not they allow different states to choose different options. I conducted a hunter survey this year and am just about ready to start analyzing it and will have the data for you in August. Commissioner Lauber – Is it the difference between our liberal frameworks and Hunters Choice, just one duck less? McNew – Correct and then we have that aggregate bag of pintail, canvasback and hen mallard. Tymeson – In relation to Kansas, there would still be a 39-day restrictive season even if the pintails changed? McNew – It depends on where the

canvasback population falls, so the harvest strategy could potentially put us in a season within a season for canvasbacks. Tymeson – So Hunters Choice may not be obsolete based just on the pintail? McNew – In Kansas the harvest of canvasbacks is so low I would not want us to give up that extra duck to have a 74-day canvasback season. We shoot so few canvasbacks that a season within a season would be the better option if we are only talking canvasbacks.

3. KAR 115-14-Series - Falconry Regulations – Mike Mitchener, Wildlife Section chief, presented this report to the Commission (Exhibit S). No changes to what we are proposing, but have had conversations and consultation with the U.S. Fish and Wildlife Service (USFWS). When we redo these regulations, USFWS currently requires a federal falconry permit as well as a state permit. The change in these regulations is going to do away with the federal permit and all permitting would be done by the states. The USFWS has to approve the state’s regulation and that it fits the requirement they have. After consultation, we found that the USFWS needed to have the final approved regulations by September 1 to be valid by January 1. There is no way we can get our process completed through legal staff and through the Attorney General’s office in time to get things voted on by September 1. We are proposing to back up a little bit, take what we have presented at the last three meetings; we have been in consultation with Kansas Hawking Club, which represents the majority of falconers in the state; and propose we get this done and bring it back next year to have it enacted by January 1, 2012 instead of 2011, which is in the federal framework. Commissioner Shari Wilson – Why not continue with the process and approve it even though it would not be in effect until January 1, 2012. Is it because it would preempt the state regulations we have now? Tymeson – Falconers are going to have a federal permit valid next year on January 1, 2011 and the permit is valid for a year. We are going to have to do our regulations and the feds are going to have to approve them and we are trying to get the drafts approved by Attorney General’s office first and then have the federal government look at it in case there are changes in order to not vote on regulations twice in this process. We were not aware of the provisions that the federal government also had to approve our regulations in this process. Commissioner Sebelius – You have listed as part of your recommendation that no species listed as threatened or endangered in Kansas can be taken, should we also have species-in-need-of-conservation (SINC)? Tymeson – That is standard language that could be added, SINC species can’t be taken intentionally.

**VII. RECESS AT 4:53 p.m.**

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

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

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

Mike Pearce (Wichita Eagle) – A couple of weeks ago, we had our 9<sup>th</sup> annual Wichita Eagle kids fishing clinic at the Great Plains Nature Center (GPNC) in Wichita in accordance with their Walk With Wildlife, so there is usually a couple of thousand people there. Some years we have had as many as 500 kids, but this year we had 300 kids, but we get a lot of single parents bringing their kids and kids from the inner city. This year, every kid that wanted to caught a fish. Wildlife



and Parks plays a monster role in it; Jessica has the pond stocked so heavy that you could almost walk across it stepping on fish; they provide phenomenal equipment, a simple pole and a line. Jessica and Tom Swan work long before and afterwards. We have a good tradition going. This is for kids 12 and under and our publisher was there this year and he wants us to stay with it. The GPNC gives us a place to have it and we provide the advertizing, but KDWP is really the one that makes it happen with equipment and stocking the fish. I just wanted to thank the agency. Chairman Johnston – This fits well within our goals and objectives of introducing kids to the outdoors and hopefully having them buy licenses in the future.

## **XI. DEPARTMENT REPORT**

### **D. Public Hearing**

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

1. Early Migratory Bird Seasons – Faye McNew, waterfowl biologist, presented this update to the Commission (Exhibit U). The USFWS allows Kansas to hold an early teal season between September 1 and September 30, 2010. Length of the season is dependent upon breeding population of teal; if above 4.7 million we can have a 16-day season; if between 3.3 and 4.6 million we can have a 9-day season. In the High Plains zone, since we have a 97-day regular season there is only 8 additional days left for the teal season. This year we are recommending a full 9-day season so we can have two full weekends and take the one day off the regular season, which would result in closing on a Monday rather than a Tuesday in the High Plains zone. The dates we are recommending are September 18 through September 26, 2010. In the Low Plains zone; if a 9-day season recommend September 18 through September 26, 2010; or if a 16-day season running September 11 through September 26, 2010. The daily bag is four and possession limit is eight. Shooting hours are ½ hour before sunrise to sunset for all seasons. **Consensus.**

2. KAR 115-2-1. Amount of fees (to set price for elk landowner/tenant HOL) - Mike Miller, Information Production Section chief, presented this report to the Commission (Exhibit V). Matt couldn't be here this evening so I am filling in. This is a housekeeping thing, we have an over-the-counter resident either-sex elk tag for \$250 and we are establishing a hunt-own-land either-sex elk permit for \$125.00, to be consistent with our pricing structure as general resident and landowner hunt-own-land permits. We also have a possible amendment, another housekeeping issue. Last spring we set a deadline for the purchase of the combination turkey permit as before March 31, which made March 30 the last day you could buy it and that wasn't the intention, so there was some confusion. We want to amend that to be purchased before April 1 which would make the last day of purchase March 31.

**Commissioner Frank Meyer moved to bring KAR 115-2-1 before the Commission.  
Commissioner Debra Bolton seconded.**

**Commissioner Gerald Lauber moved to amend KAR 115-2-1. Commissioner Shari Wilson seconded.**

**The roll call vote on KAR 115-2-1 to amend was as follows (Exhibit W):**

<b>Commissioner Bolton</b>	<b>Yes</b>
<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 as presented KAR 115-2-1 passed 7-0.**

**The roll call vote on KAR 115-2-1 as amended was as follows (Exhibit W):**

<b>Commissioner Bolton</b>	<b>Yes</b>
<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 as presented KAR 115-2-1 passed 7-0.**

3. KAR 115-8-1. Hunting; furharvesting, and discharge of firearms - Brad Simpson, public lands section supervisor, presented this update to the Commission (Exhibit X). The purpose of this hearing item is to adopt, by reference, special-use restrictions on wildlife areas and state fishing lakes. I presented the changes to you on the existing reference document at the last two Commission meetings and the entire document is presented to you for approval with those changes implemented.

**Commissioner Gerald Lauber moved to bring KAR 115-8-1 before the Commission.  
Commissioner Debra Bolton seconded.**

**The roll call vote on KAR 115-8-1 as recommended was as follows (Exhibit Y):**

<b>Commissioner Bolton</b>	<b>Yes</b>
<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 as presented KAR 115-8-1 passed 7-0.**

4. KAR 115-25-9a. Deer; open season, bag limit and permits; additional considerations

– Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit Z). This is a clean-up regulation and provides three items: it provides a hunting season for Fort Riley; authorizes us to have antlerless either-species limited quota permits (mule deer doe); and has a special extended whitetail antlerless season of an additional one week in deer management units 7, 8, and 15. We have previously discussed the dates and the numbers of permits. At this time we have one possible amendment for your consideration on subsection (a). Since our last meeting, additional requests have come up and staff recommendations are for you to consider an additional statement that reads: “During the extended firearm season specified in K.A.R. 115-25-9, in the Fort Riley subunit, antlered deer may also be taken January 8 through January 9, 2010 by individuals who possess the required authorization issued by Fort Riley to hunt for antlered deer during the specified days.” This is an additional two days specific to Fort Riley and has been requested to accommodate individuals who will be returning to the Fort Riley after January 1. Commissioner Gerald Lauber – Should that be 2010 or 2011. Fox – That should be 2011. Commissioner Shari Wilson – Also in the last line you said antlerless, but it reads antlered? Fox – This is a little complex, but during those time periods January 1 through January 9 there is a whitetail antlerless season going on and what this proposed amendment would do is allow them to take an antlered deer during an antlerless-only season. It is 2011, that is the proper date. Chairman Johnston – Could you review the reasons why we are allowing, in this one place, on these two days, antlered deer to be taken? Fox – The request came in after this regulation was formulated and after our conversations, the middle of May. It is because of an attachment of soldiers that will be coming back after January 1. They contacted individuals and requested to be allowed to hunt antlered deer this year after their return. It got complicated on how to do that, but these are the days suggested by the people at Fort Riley for this subset of soldiers. Chairman Johnston – So it is just the 8<sup>th</sup> and 9<sup>th</sup> that would be allowed? Fox – Yes, they can still hunt during the antlerless-only season. We will have to work on how they will be able to purchase an antlered deer permit, which is another issue all together. Tymeson – We worked with Fort Riley and they can print online anywhere in the world or at Fort Riley.

**Commissioner Gerald Lauber moved to bring KAR 115-25-9a before the Commission. Commissioner Shari Wilson seconded.**

**Commissioner Frank Meyer moved to amend KAR 115-25-9a with corrected date of 2011. Commissioner Debra Bolton seconded.**

**The roll call vote on KAR 115-25-9a to amend was as follows (Exhibit AA):**

<b>Commissioner Bolton</b>	<b>Yes</b>
<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 as presented KAR 115-25-9a passed 7-0.**

**The roll call vote on KAR 115-25-9a as amended was as follows (Exhibit AA):**

<b>Commissioner Bolton</b>	<b>Yes</b>
<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 as presented KAR 115-25-9a passed 7-0.**

5. KAR 115-25-9b. Deer; nonresident limited-quota antlered permit application period – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit BB). This establishes the application time period for the 2011 deer season. It would set the deadline as April 30, 2011.

**Commissioner Debra Bolton moved to bring KAR 115-25-9b before the Commission. Commissioner Shari Wilson seconded.**

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

<b>Commissioner Bolton</b>	<b>Yes</b>
<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 as presented KAR 115-25-9b passed 7-0.**

## **XII. Old Business**

*None*

## **XIII. Other Business**

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

August 12, 2010 – Mankato, Community Center  
October 14, 2010 – Goodland, Elks Lodge  
January 6, 2011 – Lawrence

Commissioner Bolton – A couple of weeks ago we had a ribbon cutting for the cabins and the Visitors Center at Lake Scott State Park, and the Governor was there and spent the night in one of the cabins and really enjoyed it and Keith Sexson and his wife spent the next night in one of

the cabins. It looks great and if you have a chance to go to Scott State Park we hope you will do that.

Commissioner Shari Wilson – I want to thank the department for hosting the new website for the Kansans for Children in Nature group. It has just gone live and the address is [kcn.ksoutdoors.com](http://kcn.ksoutdoors.com). You can learn about what the coalition is, join, or put your name on an email address. This is the group that is working to get kids outdoors and we will be adding things as we go along.

Chairman Johnston – Thank Frank and Shirley Meyer and Herington Chamber of Commerce for hosting the meeting and taking such good care of us.

#### **XIV. ADJOURNMENT**

The meeting adjourned at 7:21 p.m.

(Exhibits and/or Transcript available upon request)

Exhibit DD – U.S. Stone Industries LLC Brochures