

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
August 11, 2011
Wetlands Education Center
592 NE K-156 Hwy, Great Bend, KS**

Subject to
Commission
Approval

Tour at 9:30 a.m. Met at Wetlands Education Center to car pool to Cheyenne Bottoms Wildlife Area. Lunch was served by Great Bend Convention and Visitors Bureau.

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

The August 11, 2011 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at the Wetlands Education Center, Great Bend. Chairman Lauber and Commissioners Debra Bolton, Randy Doll, Tom Dill, Frank Meyer, and Robert Wilson and were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

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

Chairman Lauber – We are streaming live so please speak into microphones. We appreciate the courtesy and hospitality of the Great Bend CVB, who fed us lunch.

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Revised agenda is same as handout, but different then mailed out version – under Workshop, moved item 2 Spring Turkey to item 6 with Mike Mitchener as presenter, renumbered rest of workshop items; added presentation first thing in evening. In public hearing, deleted item 3 – Duck Zones – that item was voted on at the last meeting, renumbered rest of items.

IV. APPROVAL OF THE June 23, 2011 MEETING MINUTES

Commissioner Debra Bolton moved to approve the minutes, Commissioner Frank Meyer second. Approved. (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Steve Wood, Hays – Talk about number one item on my bucket list, using crossbows in archery season (Exhibit C). I'm almost 70, so I need this passed in 2012 or 2013. My upland game hunting days are winding down when the deer season starts. My son moved to Illinois and works for Ten-Point Manufacturing; Randy took me on an elk hunt for a TV hunting channel show;

went to Mississippi a few years later, and learned a lot about what happens on the floor of the forest. Last Christmas I got a bow, and I hunted in the antlerless season, and hunted spring turkey. Kansas has horrible crossbow seasons; of 103-day archery season you can only use it for 12 days, you can't use it for turkey in the fall because the two seasons overlap. You can use it in firearms season, but you have to wear orange and you can use it in the antlerless seven-day season. For all of the great things you do, crossbow opportunities just aren't there. You would benefit from modest growth of some license sales, excise taxes and out-of-state hunters, which is documented in other states. Who else would benefit? Farmers with crop damage, insurance companies and people who have hit deer with their car. A crossbow is one of the many tools to keep the deer herd under control. Some vertical bow hunters will not approve of it; they say the crossbow will jeopardize the tradition of our state, same as when compound bows were legalized in 1970s. That didn't jeopardize the season, it revolutionized the sport. They say they are too easy to shoot, but states that have done research on success of hunters show about the same success rate as vertical bow hunters. The reason is hunting skills, the ability to not be seen, heard or smelled. The crossbow is pre-cocked, but you can't reload it in time to have a second shot. Some say range is too far; ideal range of both is pretty much the same depending on model of bow: 20-30 yards is a pretty good shot. Some say it is a poacher's weapon, but Ohio did a study: 95 percent are firearms hunters and the other 5 percent use crossbows and other bows. Half of each type, firearms and archery are successful, so it helps control populations. The crossbow movement started in Ohio and Arkansas, and in the last 10 years there has been an explosion of hunters. Of eighteen states, three have legal age restrictions and three have other restrictions; in 26 states now. Kansas has 1,200 miles of border, 800 miles has crossbow inclusion. There is no place you couldn't use it in Kansas. In zone 19, obviously there is a deer problem; small-acre farmers could buy a license and the crossbow could help with that and you might call it urban hunting. After the antlerless season I called Robin, he listened, and about the same time, Representative Larry Powell and Representative Prescott were drafting HB2295, which included crossbow, and he didn't want them legislating that. They gave the Secretary a year to solve those problems, and he wants to solve this in-house rather than legislatively. Fully include crossbow as legal hunting equipment. If you can't do it, I suggest you establish an age (say 50) and make it legal for those 50 and over. However that doesn't include the people we need to be reaching out to: youth. If regulations include crossbow, great; if not, amend it to include them and pass it. Realize some of you are bowhunters, as horizontal bow hunter we want the same opportunity as you. Don't malign the crossbow, stick together and support hunting as a whole. No state has ever rescinded crossbow season or 103 days for vertical bow hunters. Commissioner Meyer – Keith, could you give us a report at a future meeting after taking a look at this information. Chairman Lauber – This is a growing issue, I would also like to have staff reflect as there has been a fair amount of input.

Cris Collier, Great Bend Convention Visitors Bureau (CVB) (handouts – Exhibit D). – It is a pleasure to have you here in our part of the state. We have good hunting here and have looked at diversifying our tourism base. Hunting is staying the same, fishing on decline, but other outdoor recreation is growing. Look at the three wetlands we have, The Nature Conservancy (TNC) property, Quivira and this property. We looked for a way to hook these together so we developed the scenic byway, to invite partnership from communities around us. We inventoried all 77 miles, and now it is one of two national scenic byways in Kansas and one of 150 in the nation. This

brings Barton and Stafford counties, seven communities, TNC, USFWS and Wildlife and Parks together as partners. We are working with the National Park Service on a post civil war tour, and we are also working with Rand McNally and have given you a copy of the timeline and fact sheet on the byway. The Motor Coach itinerary is using this byway and there is a media kit available for outdoor travel writers. We have already hosted a couple of travel writers. We have tremendous outdoor recreation assets here and are looking for ways to move beyond to the non-consumptive market.

Mark Mindenback, Chairman, Economic Development Advisory Council – We advise county commissioners on what we should do to grow the economy of Kansas. It was evident we needed to look at tourism. Our economy appreciates hunters, but those businesses can, and will, help the outdoor recreation assets. Birding is something to do for empty nesters, and we have birds. The bottom line is we see a massive market we can address, have seven communities on our byway, which include seven commissions, two county commissions and state of Kansas -- 10 governing bodies in all, and we are all getting along. Tourism imports dollars and brings people. We need to move into the hospitality industry. We are not driven from quick shop point of view, and need to tell them where to travel to next. We estimate 200,000 visitors within five years. We need to change or die. We created a whistle stop tour. People in Great Bend didn't know you could drive into Cheyenne Bottoms, and people didn't know Ellinwood had tunnels. Everyone from all seven communities got on a bus and did internal cross marketing. It is foreign, but an easy way to teach when related to a story, for instance whooping cranes.

Jan Peters, CVB Board – Welcome to a community with the right first name. A key element here in Great Bend is the best thing about it is its people. We have a statue going up by the courthouse, Jack Kilby (coming soon), noble peace prize winner who invented the microchip and grew up here. Having been in travel and tourism, we do product development (best in the state), marketing, and service: how do we service visitors and citizens? We have a raptor center tied in with zoo, a scenic byway, one of two national scenic byways with GPS system – we are proud of that. It is all about the outdoors here. People will never move to community if they never visited it first. We need good signage out here at Cheyenne Bottoms and need to educate people about what is here. We do front line training. Fifty-four percent of our budget is spent on marketing, every aspect is about marketing. I want to commend you on public/private partnership, a healthy Kansas initiative. Another treasure is Skip Yowl, 1964 graduated from Great Bend, who created JanSport backpacks. He started with his cousin and cousin's wife. Skip also wrote a book, *The Hippie Guide to Climbing the Corporate Ladder and Other Mountains*. He lived in California when we started talking to him, but he now lives back in St. Peter, Kan. We want to tap into people who have been here and want to come home. We bring second graders out here to Cheyenne Bottoms and teach them about birds, reptiles and the ecosystem out here; fourth graders go on agriculture tours; fifth graders go on science tour; and sixth graders go on health science day. We started Friends of Cheyenne Bottoms and Skip is on that board. He wants to be involved in Kansas. JanSport is creating backpacks for every city Skip has lived in and the Great Bend backpack will be out soon. Thank you for coming out here today.

Rick Cleveland – I recently retired after 40 years as manager of Lovewell State Park, which is one of the most progressive state parks in the state (gave history of Lovewell and himself). I have worked under several different classifications and assisted the department through three name changes and received statewide awards. Hope to continue promoting for the rest of my life, but I

feel I was wronged as of August 2 when the state announced a volunteer incentive for retirees who retire from August 2 to September 19. I retired the end of June. I hope no one kept this from me, but it means roughly losing \$30,000 in my retirement. It is unjustifiable that we do not qualify, should have started first of calendar or fiscal year. Seeking assistance to help correct this wrong. Chairman Lauber – Sorry for your feelings, however, this is one of areas the Commission is expressly prohibited against dealing with, personnel or land issues. We don't have authority to do anything, but you can go through a grievance process. Cleveland – I needed someplace to start and that was here. I can still change my insurance up until August 28, so why can't I change it to this deal? I have been around too long to not realize that something this big couldn't have happened in less than 30 days. I realize you may not be able to help me on this, but where you stand in political ties, was it right? Address it from that point. Commissioner Meyer – Ask Secretary to take a look at it and see what can be done.

Commissioner Meyer - In going through figures, I am glad to have tourism in our department; over a billion dollar impact on Kansas economy each year. Work with us on this and help bring in foreign money.

Drew McCartney, Gorham – Past President of the Kansas Bowhunters Association. I have no argument with crossbow. In 1990 lost my right arm and I got a crossbow permit, got a crossbow, and shot the biggest deer I have ever shot in my life. I could shoot a deer at 40 yards with a crossbow with one arm, and I felt I had cheated. I am not 100 percent against crossbows, but feel they should be allowed for disabilities only. The reason we are in bowhunting is because it is our passion and getting a chance to see the wildlife. Bringing crossbows into bowhunting season is compromising our season, and it shouldn't be brought up by someone who gets a subsidy from the crossbow industry.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Dick Koerth, assistant secretary of Administration presented this update to the Commission (Exhibit E). FY 2012 began on July 1 and information was provided at previous Commission meetings. At this time the department is developing the FY 2013 budget, which is due on September 15, 2011. This budget will also include any necessary changes or amendments to the approved FY 2012. KDWPT completed FY 2011 with all approved expenditures financed and expended all funds appropriated from the State General Fund (SGF) and the Road Fund account for park operations. However, the new state accounting system (SMART) has not completed compiling total expenditures for FY 2011 and is not able to provide total expenditures made or the actual fund balances in the major funds used by the agency. The staff will continue to monitor the major funds to support parks, tourism, and wildlife activities. At this time the major concern regards the Park Fee Fund and reductions in activities at state parks due to weather and blue-green algae occurrences; receipts were 8 percent below the estimate for FY 2011. In addition, July receipts were 8 percent below July of last year. The State of Kansas completed FY 2011 in better fiscal condition than prior years; the SGF exceeded the estimated revenue by \$107 million. This increase provided for an ending balance of \$183 million; a substantial increase over prior fiscal years. For FY 2010 the SGF ended with a

negative balance of \$27 million. The Governor's Budget Report in January 2011 estimated an ending balance of \$35.7 million for FY 2011. For FY 2013, KDWPT received a SGF allocation equal to the approved amount for FY 2012. Continuation of the current level of support does not allow for increased utility costs being incurred by the state parks or for replacement of needed equipment. As the department develops the FY 2013 budget, we will review alternatives within the agency, which will allow the most efficient use of the SGF allocation. Since FY 2010 has KDWPT has received approximately \$1 million per year for operations of the state parks from the State Highway Fund, and that transfer must continue to provide the current level of services. In addition to a SGF allocation, KDWPT received an allocation from the EDIF for FY 2013 equal to the FY 2012 approved amount. These funds are used for the promotion of tourism within the state and provide the major funding for the Division of Travel and Tourism. However, the EDIF allocation did not allow for the funding of indirect cost activities associated with Tourism activities or the inclusion of the Agritourism program within KDWPT. In order to maintain the same level of promotion activity in FY 2013, KDWPT will request additional EDIF funding.

B. General Discussion

1. Tourism Briefing – Linda Craghead, assistant secretary for Parks and Tourism presented this update to the Commission (Exhibit F). I hope you embrace our tourism team; I want you to meet them, find out what they do, hear from them and ask them questions (introduced Richard Smalley, marketing manager; Kelli Hilliard, assistant marketing manager; Jennifer Haugh, communications manager; and Becky Blake, director of tourism).

Becky Blake – I have been around a long time, and am excited to be part of a cabinet-level agency. They made room for us at the Office of the Secretary, and we are settled in now. We look forward to sharing more specifics of our program. You have an overview of who we are, what we do and why we do it, but the reality is that tourism is a \$6.5 billion industry, and we provided summary of our strategic plan in the briefing book. We drew upon research and an economic impact study, which was done by Global Incite. We would like to see \$6 billion and have 130,000 people employed through the tourism industry. We continue to develop products, maintain good communication and provide outreach in communities at the local level, obtain and use research and develop resources. Note that this plan was not written by me or our staff. It was a collaborative effort across the state programs, developed with CVBs, chambers, and many other players who make up the tourism industry. Primarily our focus is outside of the state, and we provide research and focus our efforts on things they can't do for themselves. Collaboration is important. We have interagency agreements at state level; as FDIE funding has declined, we have created those opportunities. We look forward to more information at future meetings. Linda Craghead – Come to our office in Topeka. It is a different place. We found our desks and are figuring out where we belong. Thank you for your efforts to make this transition smooth.

2. Geocaching – Linda Lanterman, acting Park Division director, presented this update to the Commission (Exhibit G). It is all about tourism and marketing and giving people things to do when they come to our facilities. Rick Cleveland first proposed geocaching in our parks. I was surprised because he is really not a technical guy. All state parks hide their caches. Rick retired so we put this information on a geocaching website, doesn't look like we had a lot of participants

in 2008, 2009 and 2010. Kathy Pritchett has taken this over and since we have been online, we have had about 300 correspondents with ideas. We are one of the first states to do this in all parks. Not everybody enjoys going to the park just to camp, and we have increased day use. Next year we will try to get more national involvement. Many positive comments have been received from geocachers, as well as offers to assist with next year's contest. Rick Cleveland – Great way to get kids in the outdoors, Lovewell did this during special events; kids could use their GPS to find a beaver dam, antler shed, fox hole, etc. Kids are interested in electronics. We would give them the coordinates and they would have to go find whatever was there. This can be used in tourism to get people to go see what you want them to, advertise your state.

3. Big Game Permanent Regulations – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit H) – Permanent regulations, 4-series dealing with big game will be discussed together at this meeting. If you make no recommendations, these regulations will come forward as they are now. These regulations are brought forward in general discussion to allow public comments for future changes. These regulations are presented again in a workshop session for additional public comments and input from the Commission, as well as to provide an update on the status of staff recommendations. Selected regulations will be reviewed during a second workshop session and finally they will be brought back for a vote at a public hearing in March. Items to be discussed are: KAR 115-4-2 - Big game; general provisions (information on carcass tag, photo-check system, procedures for transferring meat, depredation, who may assist and how); KAR 115-4-4 - Big game; legal equipment and taking methods (usually great deal of controversy around it, like .22 caliber high-powered rifles and a host of suggestions we have heard); KAR 115-4-6 - Deer; firearm management units; KAR 115-4-11. Big game and wild turkey permit applications (describes general procedures and priority drawing and preference points); and KAR 115-4-13 - Deer permits; descriptions and restrictions (describes what animals can be taken on what permit and restrictions). Some of these changed in 2008. In discussion, photo check deer registration system started in 2010 (KAR 115-4-2) and is up and running. Hunters used that system, but some minor difficulties were encountered and corrected by the department's IT staff. Additional modifications of the regulation may be needed for hunter convenience in situations where hunters lack adequate communications equipment or service to the internet. One potential modification would be to allow hunters to call and notify the department when they take a deer and then transport the deer without the head being attached if they carried the required photos to photo check the deer. The hunter would then have a limited time to register their deer on-line when they reached an area with internet service. So far this year, there have been few comments from the public for changes in KAR 115-4-4. We've heard from Steve and some others, but there have been fewer contacts than usual. No changes in deer management unit boundaries, KAR 115-4-6, are currently being discussed within the department. No changes in the application process of big game or wild turkey permits, KAR 115-4-11, are currently being discussed. Once again this year we will consider combo deer permits to allow hunters to obtain two tags with one permit. The combo permit would allow the hunter to take an either-sex deer plus an additional tag limited to an antlerless white-tailed deer. That action would require changes to KAR 115-4-13. No changes in the permanent big game regulations are currently proposed. Public input and comments are being sought, as well as direction from the Commission. Commissioner Bolton – I heard from Matt Ponquist from Deerfield? Have you heard from him? Fox – Yes, not sure if the same one. Commissioner Bolton – Today or

yesterday? Fox – No. Commissioner Bolton – I will forward it to you.

C. Workshop Session

1. Potential Changes in Deer Regulations 2012 - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit I). – We started as discussion back in April. Major changes in the deer management occurred in 2008 after a two-year review process. Before that, we had transferable deer permits. Changes included additional days of hunting during the archery, muzzleloader and season for youth and people with disabilities. That review process also created new permit types, including an “Any-Season” deer permit for residents who hunted only white-tailed deer. Allowed system to flow through for a series of years to see how people adapted to them. The bottom line, in general, is that experience was pretty rewarding and we have had good success with what we attempted to do at that time. However, people want their ideas considered, so we are going through an extensive listening session. We’ve made discussion points and decided to go on the road with them at Commission meetings, public hearings in five cities, a survey of 30,000 hunters at the end of the season and a landowner deer survey that we do about once every five years. Some potential changes in the deer hunting seasons that might be considered include: 1) change current nine-day season for youth and people with disabilities to two four-day seasons with the first season starting on the Friday before Labor Day and the second season starting on the Friday before Columbus Day. Each season would run for four days and include two weekend days and one holiday. 2) Change the dates of the traditional 12-day firearm deer hunting season from the Wednesday after Thanksgiving to the Wednesday before Thanksgiving (including two days of holiday and four weekend days). 3) Change the beginning date of the white-tailed deer antlerless-only season from January 1 to the Friday before Christmas and continue it for 17 days. That season would have no fewer than six weekend days and would include both Christmas and New Year’s holidays. 4) Initiate a two-day pre-rut white-tailed antlerless-only season for the last weekend in September or early October. 5) Expand the season dates for bowhunting with the season beginning on the Tuesday after Labor Day and ending on January 31. During the archery season, hunters would be prohibited from taking an antlered deer during any dates open for antlerless-only deer hunting with a firearm. 6) Expand the muzzleloader season to include the 14 days in September, the period prior to the last weekend in September, and seven days in December following the 12-day firearms season. Also, there are some potential changes in permit fees and permit types that might be considered: 1) develop a nonresident deer permit that included two tags. One tag would allow the hunter to take a deer of either sex while the other tag would restrict the hunter to an antlerless white-tailed deer (a table was attached to the briefing book item that compares the number of tags and the revenue from the system in place in 2010 and a potential future combo permit system). 2) Develop a resident deer permit that included two tags. One tag would allow the hunter to take a deer of either sex while the other tag would restrict the hunter to an antlerless white-tailed deer. The combo permit could be established as a mandatory first permit or it might be offered as an optional permit. During 2010-11, 20,271 people purchased a nonresident deer permit that allowed them to take either sex of deer; however those people purchased only 4,173 white-tailed deer antlerless-only deer permits (for \$75) and land managers are concerned that hunters they are bringing in are not controlling antlerless populations. Hunters are taking a little more than 100,000 deer a year,

about half antlered and half antlerless. Analyses of the results are planned for late February and early March. It may also be necessary to survey turkey, waterfowl and upland game hunters about changes in deer seasons. Commissioner Bolton – A number of constituents ask about youth hunting, too warm, with change of Friday before Christmas, could you promote youth hunting in that season? Fox – Looking at these as possibilities, special season for youth and disabilities has been just in early September, discussion is to break into two four-day seasons, one of those in October, which can be pleasant. No other proposals at this time. We encourage people to come to public meetings or provide input. We will do random surveys of people also. Commissioner Dill – A mandatory combo, raise 6,000 antlerless deer, harvest under 100,000, do we have target number? Fox – No, we don't. One of things we work with is landowner deer survey, trying to match deer herd so landowners are accepting level of problems they are having with deer as we saw in early 1990s. We went from 6 percent of landowners reporting deer problems in the 1960s and 1970s to 60 percent in mid-1990s, when had major complaints. Reaction was to create this whole series of regulations. Now 50 percent say they have damage, with 6 percent to 7 percent saying it is severe. We use input from field biologists, landowners and motorists and look at those indexes that conflict and add pressure to the antlerless component of population. Can we take an additional 6,000 antlerless deer without detriment to experience? Yes, I think we can. Unlike tourism, we have ceiling of where we want to go, limited number of people we can satisfy and limited number of deer that can exist with landowners and motorists. We can't allow populations to grow. That would create more conflicts. We get \$6 million from nonresident deer hunters that the department uses for conservation efforts, so revenue from deer hunting is important. We can't ignore this revenue source and provide the same level of opportunities, for example from WIHA. Yes, financial consideration is a part of it. Commissioner Wilson – Will you have a report back by October or January? Fox – Information on five public meetings in October, but nothing on surveys until probably March. I'm meeting tomorrow with Kansas Ag Statistics to get addresses of farmers, and they say they can't do that until January. In 2008, we went through two-year process to get to that point. We are dealing with complicated group of people with strong feelings on this topic. We're shooting to have information at the March meeting. Chairman Lauber – I grew up hearing complaints, but they stopped in 2008. That lengthy, deliberate procedure created as much harmony as we have ever had. Harvest more deer, deal with politician perspective and beware of political tinkering in the regulations because they have more power than the Commission. That is the reality. Meetings will be good and helpful, but I caution against changing of traditional opening day. I'm getting complete rejection on that idea. Don't rush, keep political interference to a minimum, but do something to enhance more harvest because we are obligated to go in that direction. Drew McCartney – On survey, will you request information from nonresidents? Fox – Yes, it will go to all deer hunters. We'll send to 35,000 and will do analysis the same as how we did it in 2008. McCartney – Allow someone who has only been in our state to hunt, let them help decide fate of deer hunting? Fox – Take that into the mix. McCartney – What about the combo license? Fox – We have handled in the past and will in the future. You can buy up to six permits in some units, and in some units it will not be available. We are looking specifically at units where we have antlerless seasons. Report cards ask for information on individual deer units, so this can be done on a unit-by-unit basis. McCartney – If something happens after permit is sold, can we limit hunting in area where drought or some other emergency occurred? Fox – Generally we don't do that those situations. Deer populations have great deal of resiliency to those items. Rather than disrupt deer permits

and vacations, we'll make changes in next year. Some states have tried the other way; South Dakota offered to buy back permits, but the better approach is to adjust the next year. Richard Showalter, Holyrood – Handed out statement from National Bowhunters that was provided last year (handout – Exhibit J).

Break

2. KAR 115-8-1 Public Lands Reference Document Items – Brad Simpson, public lands section chief, presented this report to the Commission (Exhibit K) – This is the start of a process to update public land reference document on special use restrictions on state fishing lakes (SFL) and wildlife areas (WA). These special restrictions are to address the management issues for those particular pieces of property. We have a number of things we want to add, some we want to remove and some clarifications or modifications. We've added four areas since the last meeting: Grand Osage, only by special permit, military controls access; Jamestown WA, missing a few items; Shawnee SFL was only open to shotgun and archery (12/31 to 1/31), extend archery season to any legal season. Commissioner Doll – Where are these suggestions coming from? Public or staff? Simpson – Both. Chairman Lauber – Has there been hunting with centerfire rifle at Shawnee SFL? Simpson – No, removing on Kansas WA at Urish, MacVicar, and K-18 tracts. Steve Sorensen, KWF – No turkey hunting on Shawnee SFL? Simpson – There will be now with archery hunting only.

3. Fishing Regulations – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit L) – Another reference document dealing with changes in length and creel limits. Most controversial are the large reservoirs: Glen Elder and Lovewell, trying to establish blue catfish so we are reducing creel to let them grow larger (reduce limit to five per day). Coffey County Lake (owned by Wolf Creek and we defer to their wishes) has their own biologist, and they decided to change regulation to help control gizzard shad. In addition KDWPT acquired Grand Osage Wildlife Area, which has not been open to the public. We want to have fish largemouth bass length limit of 18 inches, and a channel catfish length limit of 15 inches. Fish less than those lengths will be protected and must be returned to the water immediately. We're proposing a daily creel limit for largemouth bass of two, and a daily creel limit for channel catfish of two. Chairman Lauber – On Coffey County Lake, harvest is for small fish? Nygren – They want to keep medium size predators to control gizzard shad. It currently reads “Length limits on Coffey County Lake: White bass of a length less than twelve (12) inches, wipers of a length less than twenty-one (21) inches, largemouth bass of a length less than twenty-one (21) inches, smallmouth bass of a length greater than sixteen (16) inches and less than twenty (20) inches, walleye of a length greater than eighteen (18) inches and less than twenty-four (24) inches, and crappie (black and white species) of a length less than fourteen (14) inches are protected and must be returned to the water immediately. Daily creel limits on Coffey County Lake: Wiper creel limit of one (1), largemouth bass creel limit of one (1), smallmouth bass creel limit of two (2), crappie, black and white species (single species or in combination) creel limit of two (2), walleye creel limit of two (2), and channel catfish and blue catfish (single species or in combination) creel limit of ten (10) per day.” There will be a small percentage allowed over the slot limit. Also, we have a new trout location at Colby. Problem with

tournament opening date of October 15, we're changing to November 1, because we can't stock until the water cools down.

4. ANS/Bait Regulations – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit M) – We have already workshopped this issue on the use of bait and potential to move nuisance species from one body of water to the next. We received good direction from Commission on what we want to do with bait dealers, but we are still working on a solution for wild-caught bait where people take wild-caught bait and use it in other locations. We have a deadline to have something in our regulation summary for January 2012. We are having a slow turn-around on regulations we proposed to the Attorney General, but we intend to move forward to try to get something that would go into effect January 1. It may require special session in December. Jason Goeckler will talk about wild-caught issue.

Goeckler – Mr. Chairman, do you want me to go over human dimensions talk I gave before, for the new Commissioners, or just wild-caught bait issue? Chairman Lauber – Give us a summary of options 1 and 2 on wild caught bait that we are considering. Goeckler - We have proposed two options for wild-caught bait: 1) restrict transport of live baitfish and water (we feel this is best option), boaters will need to remove drain plug, etc.; or 2) restrict transport of live baitfish and ANS infested water with four species exception, green sunfish, bluegill, black bullhead and yellow bullhead, which are the most commonly used and generally identifiable. When they are taking baitfish out of reservoir with a cast net we don't want those fish to be moved upstream or past a physical or natural barrier so they would get into places that they wouldn't have been able to get to on their own; so no transport over a dam or natural barrier and no fish could be transported alive from an ANS infested water. That means any fish caught in infested water, as well as the baitfish, would have to be killed before you could leave that water. Chairman Lauber – Can you transport green sunfish over a natural barrier? Goeckler – Not on infested waters. Chairman Lauber – To fill in the new commissioners; we need to stop the spread of these species and there is no question that option 1 is most restrictive: don't move anything and also eliminate the movement of water, and it would be the easiest and best way to have enforcement. I'm a proponent of option 2. There is some risk, but voluntary compliance and outreach will be helpful in that. One group most vocal against option 1 or 2 are those who use gizzard shad at Wilson Reservoir because not conducive to collecting gizzard shad there. How many people can identify silver carp? Goeckler – Twelve percent can identify the silver carp correctly. Chairman Lauber – Silver carp found in farm ponds and other places other than the Kansas River. Arkansas brought these in years ago and promised to be careful with them, but they had a flood and they got into the Mississippi River. We have to do option 1 or 2, so we can write it up with bold colors and have it in the fishing booklets so people know what the rules are. Option 1, unpleasant blowback for law enforcement, option 2 would be less so. We may find option 2 is not enough and we will have to change it later. In the essence of time, between now and when we vote, we need to give information to new Commissioners and have a special meeting in December if need; December 6 is week before traditional deer season starts. Neither option will be popular, but something has to be done. Inaction is not a suitable course of action. Commissioner Bolton – I've had phone calls and emails, had support of option 1, more restrictive, but law enforcement more involved if option 2, but using option 1 shows we are serious. Commissioner Meyer – To have something in there intermittently still too great, we still allow bait dealers to provide gizzard shad legally. Agree option 1 is what we need to do. If don't obey this they will be destroying their own fishing

opportunities. Commissioner Doll – Is the packet Jason sent total of information available? Goeckler – No, I have other information. Doll – Information to educate me more clearly, any science out there? Nygren – A companion to commercial bait and reference document if we go with option 2 is the prohibited species list. Backing up, which are we really concerned with? Commissioner Doll – More information is coming? Nygren – Yes. Commissioner Doll – What is consequence if breaking this law? Chris Tymeson – Class C misdemeanor. Commissioner Doll – On area, bait in live well can be taken to fish cleaning station? Nygren – No transport on public road. Chairman Lauber – No water in live well. Received comments from bait seller, loves option 1 because he would be only one who would have live green sunfish and he has been vocal. Nothing wrong with option 1, but I think it is a little strong and I think we can avoid going that far, but those who agree with that is okay. I don't think public would agree with something that strong. Commissioner Wilson – If you go with option 1, you will cut people out of fishing because they can't afford to buy that bait. In reality we will lose a lot of fishermen who bait fish. Option 2 is more viable. We are talking about ANS infested waters, if not ANS infested, it doesn't fall under this regulation. I haven't seen anything that says where that water is at. No solid testimony of where it is at. Will restrict a lot of people's fishing and we need to create opportunities. If we want to change it back it could take 36 months. Chairman Lauber – If I wanted to buy green sunfish, what would it cost me at a bait shop? Goeckler – Larges would be \$12-\$15 a dozen. Chairman Lauber – For a lot of people that would be prohibitive. Tymeson – Commercial bait is set to be voted on at October meeting, on wild caught bait, the latest we could go is December 6 to make it effective January 1. I will draft least restrictive option and have set of amendments ready with other options. Commissioner Meyer – Unfair to ask new commissioners for a straw poll without more information. Commissioner Doll – I am leaning towards option 1. Commissioner Dill – I have a grasp, but would like additional information, as well. Tymeson – I will draft option 2 with amendments for option 1. Chairman Lauber – We want to see this get into the new fishing regulations. Pearce – Could you buy gizzard shad at a bait shop? Is that currently done? Goeckler – No; and gizzard shad is not on that list of allowed species. Pearce – Question for Kevin Jones, still some nightmares with law enforcement even if you chose option 1? Kevin Jones – If ANS water, fish would have to be dead and still have to have burden of proof no matter what. Commissioner Wilson – Gizzard shad almost impossible to stay alive, will stay in moving body of water. Steve Sorensen, KWF – Option 1 does not restrict me from using live bait, nor requiring me to buy live bait, it just makes sure I catch that green sunfish from whatever body of water I am going to fish in. So we are not going to lose fisherman if they can't use live bait because they have to catch it at the reservoir. You can catch all the green sunfish you want at Glen Elder and use it at Glen Elder; you just can't take it home. My questions is on option 2, fourth bullet, shouldn't that be required of every option? No fish may be transported live from designated ANS waters; why is that only a requirement of option 2? Chairman Lauber – Because on option 1 you can't transport any kind of bait. Sorensen – I can transport sportfish; option 1 is just talking about baitfish. No fish, even sportfish should be taken from any ANS water. We have people who take gizzard shad from Lake Afton and take them to Wilson to fish and Lake Afton has both white perch and zebra mussels. It is definitely an ANS water and it should be illegal for them to do that. Federation would strongly support option 1 with the inclusion of no sportfish should be taken alive from any ANS-infested waters. Commissioner Bolton – Would it be fair to ask Mr. Goeckler what he feels is the best option? Goeckler – Not fair at all. Option 1 is strongest, but option 2 is acceptable. Doug Phelps,

Manhattan – Agree with chairman, Option 1 will be unpopular. In all my years of being involved in politics of wildlife, one recurring theme is why do you make regulations so complicated and option 1 is pretty black and white. Almost weekly, we hear of new infested waters and need to stay abreast of it. We may encounter fewer problems and have a better chance of success with Option 1, simply for simplicity of regulation. If dedicated fishermen want to protect the fishery, they are going to come onboard at some time.

Moved workshop item 6 as Linda Lanterman was not in the room.

6. Spring Turkey Season – Mike Mitchener, Wildlife Section chief, presented this report to the Commission (Exhibit N) – I’m pinch hitting for Jim Pitman, who is attending the National Bobwhite Quail Initiative meeting in Florida. In all units, except Unit 4, hunters can purchase over-the-counter turkey permits. We have game tags in three units and limited draw in Unit 4; also 500 tags for landowners. There is a typo in the briefing book; it should be less than “16”, not less than “6” years of age. Indications are that we will have a good hunting season again. We sold 65,406 permits last year, which is a slight decline. Statewide hunt success is still going to be in the ballpark of 60 percent, which is where it has been for the last several years. It is one of the highest in the country. Our turkey populations in most of the state are stable or increasing. In southeast Kansas, the population is picking back up after declines. At this point the weather, for productivity, has been favorable this year. The department is not requesting any changes to bag limits or season dates because we feel hunter satisfaction and populations are strong enough to continue at the current rate.

7. Falconry Regulations – Mike Mitchener, Wildlife Section chief, presented this report to the Commission (Exhibit O). This was brought to you last year and tabled because of additional information that was needed from the U.S. Fish and Wildlife Service (USFWS). The USFWS is eliminating the federal falconry permit and requiring each state to require a state falconry permit. We’ve had falconry since 1991, and there are currently 74 falconers in three different classes: Apprentice, General and Master. Each class allows you to hold different types of birds from a small kestrel in the Apprentice Class to eagles in the Master Class. Raptors are migratory birds so they are regulated by the USFWS. As of January 2013, the USFWS will no longer offer permits for falconers, so states will need to adopt federal restrictions. We have been working with Kansas Hawking Club to update questions on the state falconry test to match new regulations, and we are working with the USFWS on a new reporting system. Forms have historically been paper, but we are transitioning to an electronic reporting form. Once USFWS concurs with requirements, they will publish rule in the federal register to allow the state to practice falconry. This will happen a year from the date each state started from. We wanted to complete this by October, but it looks like it will be January before you vote. Commissioner Meyer – Are you confident we will meet federal regulations? Mitchener – Yes.

5. Park Regulations – Linda Lanterman, assistant Parks Division director, presented this report to the Commission (Exhibit P) – Every year look at management philosophy and what we should be doing different. We look at fee structure, history of visitation and revenue, and then we put together a plan of things that warranted being brought before the Commission. The changes may include: 1) KAR 115-2-3 - camping utilities - the current regulation lists the following fees:

Current utility fees are: one utility - \$7.00; two utilities - \$9.00; three utilities - \$10.00, and that's per night. We are proposing a fee increase of \$1 per utility. A recommendation is to analyze utility usage to see if we are subsidizing utilities at the current rate. If so, we would recommend raising each utility fee. This past year we underwent a significant increase in utility expense, mainly for electricity, putting us \$400,000 over what we had budgeted for utilities. Many factors could contribute to that, including rate increases, people using utilities longer and the heat. Please know, too that we were down by 6 percent in camping in 2011. We had a fantastic year in 2010, but we are down for fiscal year 2011. We have not received any calls about increasing those utility fees and these increases are comparable to other states and the Corps of Engineers. We hate to have significant increases because we can't afford to lose more visitation. We hope to go to a nationwide electronic reservation system, which will lead to a reduction in issuance fee. Now patrons are charged an issuance fee for every night they reserve, and the new system will be charged per stay; a 30-cent reduction, so only a \$1 increase in fees will only be a 70-cent increase for the customer. 2) KAR 115-8-9 – camping - adding appropriate language to allow persons who have reservations to forgo the requirement for camping units to be occupied in a 24-hour time period. Those with reservations will have provided information to our database and can be called or notified, so we will exempt them. This will be a benefit for people who make reservations for more than two days. 3) KAR 115-8-10b3 – pets - add the words allowing pets in “selected department operated rental cabins” for an additional fee. Currently, pets are not permitted inside department-operated rental cabins, however, pets are allowed in privately owned cabins on department-controlled lands. We will designate specific cabins that will be pet friendly. Not popular with staff, but we want to try it. Finally, Chris is working on KSA 32-901 - Additional Vehicle Permit - we want to consider removing the additional vehicle permit and only selling annual vehicle permits. As a result KAR 115-9-6 would need to be changed. Also, remove the wording “certificate of titleholder” to allow annual permits to be purchased by someone other than the titleholder of a vehicle for which the permit is being purchased. However, add “proof of registration” for additional vehicle permit purchased in the annual vehicle permit name at the reduced rate and add “proof of registration” for any discounted permit like senior permits or qualifying disability permits. Commissioner Meyer – Every year we buy three permits, we will still be able to do that? Lanterman – Yes, we didn't take that out, it is just so I can buy one for someone else, must prove they have first one to buy second one at reduced price. Pearce – Under pets, you said fee at previous meetings? Lanterman - \$50 per reservation, not just for one night.

VII. RECESS AT 5:10 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber - Presentation to Pete and Lois Krier, plaque to be placed at K-4 Highway overlook for land donated for the overlook by Kriers. Dick Koerth – Three years ago, we were looking for an area to place an overlook for Cheyenne Bottoms and the Krier's generously

donated one acre of land to be used for that site. Thank you! (Photo – Exhibit Q).

Larry Fry, Great Bend – I appreciate work you do and am aware of problems you face and you do a pretty good job. My concern is the amount of promotion the tourism department is doing nationwide, primarily for hunting. Our hunting is a finite resource; there are just so many deer, ducks and geese. Every out-of-state hunter that comes in reduces opportunities for in-state hunters. My motives are selfish. I want maximum hunting opportunity for myself, my neighbors and my grandchildren. There are Kansas hunting forums on the internet and a lot of people share my concerns. Your department is primarily responsible for residents of Kansas. I may be wrong, but you need to consider residents over out-of-state people. We vote and have sweat equity in this state and should get first chance.

Pearce – On bait fish, on subject of shad, they die easily, I talked to Paul Barr, who has the current state record, and he said they will stay alive up to two hours, and he has never seen them for sale in a bait shop.

Roy Carter, St. Paul – On new southeast (SE) Kansas duck zone, I run guide duck hunting outfit and deal with residents and nonresidents, but I can't book a hunt until November 24, and in the current season recommendations, the first 3-4 weeks will be a wash. I'm not hear just to talked about Roy Carter but I'm hear to talk about the businesses in the area that are dependent on hunters coming to hunt on the Neosho Wildlife Area. I also own a restaurant in St. Paul and you can tell when the mallards are in. In know this is Kansas and the weather changes and sometimes we freeze up, but we'll always have ducks. When if freezes, they use grain fields, strip pits and riffles on the river. Basically, it gets into tax dollars and sale of out of state hunting licenses. We like to hunt when ducks are in the area. There are other things, too, like at the local game management area, gives more time to get crops out of field to develop habitat. If those seasons could be set back and open say on November 19, it could be a huge shot in the arm for our area. We have some of finest duck hunting in country. We do hold a lot of ducks in January, so would like to hunt while ducks are there. Chairman Lauber – Have season to extent USFWS will let us. Attempt to move in direction you stated. And Mr. Fry, I understand what you are saying. The commission tries to create a balance and we focus on that each time we make decisions.

XI. DEPARTMENT REPORT

D. Public Hearing

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

1. K.A.R. 115-16-3. Nuisance bird control permit; application, provisions and requirements – Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibit S, PowerPoint – Exhibit T). – Housekeeping issue. KAR 115-16-3 allows for the take of certain species under a nuisance bird control permit, many that are federally protected. Many of the species on the list are jointly regulated by the USFWS. In December 2010, there were three changes in Federal Register. It removed the Mexican crow and the rusty blackbird from the list of

species that may be controlled under the depredation order. This was due to long-term population declines throughout much of these two species' ranges. In addition to this ruling, the USFWS also required nontoxic shot or bullets in most cases when a firearm is used to control any species listed under the order to prevent toxicity hazards to other wildlife. This federal regulation was effective on January 3, 2011. The Mexican crow is an endemic species in Mexico with a small resident population near Brownsville, Texas. Rusty blackbirds breed in Canada and Alaska and their winter distribution is in the eastern United States, including the eastern portion of Kansas. Their removal from the nuisance bird list should not have a significant impact in Kansas. We recommend to amend KAR 115-16-3 to disallow the take of rusty blackbird and Mexican crow based on this regulation, identify definitive list of species allowed to take primarily nonnative as defined in the Migratory Bird Treaty Reform Act of 2004 and 2005, and require the use of nontoxic shot when taking nuisance birds, except if using an air rifle, an air pistol, or a .22 caliber rimfire firearm. The list includes European starlings. Also, nonnative species as defined in list published March 15, 2005, except those birds listed that are also designated as endangered, threatened, or as a species in need of conservation under K.A.R. 115-15-1 or K.A.R. 115-15-2, or, the Eurasian Collared-Dove or the Ringed Turtle-Dove. Commissioner Meyer – Will this allow .22? Tymeson – Not allowed. We need an amendment based on comment by legislature because use of air pistol or air rifle does not require a permit. Fry – Expect Eurasian collared dove on this list sometime in the future? Bidrowski – In the regulations they have been removed. They are a hunted species so they are protected that way so you would not be able to control ringed doves or Eurasian collared doves.

Commissioner Frank Meyer moved to bring KAR 115-16-3 before the Commission. Commissioner Debra Bolton seconded.

Commissioner Frank Meyer moved to amend KAR 115-16-3 to make grammatical changes and to add air rifles and air pistols, Commissioner Tom Dill seconded.

The roll call vote on KAR 115-16-3 as recommended was as follows (Exhibit U):

Commissioner Bolton	Yes
Commissioner Budd	Absent
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-16-3 passed 6-0.

The roll call vote on regulation KAR 115-16-3 as amended was as follows (Exhibit U):

Commissioner Bolton	Yes
Commissioner Budd	Absent
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-16-3 passed 6-0.

2. Late Migratory Bird Seasons - Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibit V, PowerPoint – Exhibit T). – The USFWS annually sets the late season waterfowl frameworks, which includes maximum bag and possession limits, season length, and earliest opening and latest closing dates. For ducks, mergansers, and coots, the outside dates are between the Saturday nearest September 24 (September 24) and the last Sunday in January (January 29); with a season length of 97 days in the High Plains Unit and the last 23 days may start no earlier than the Saturday nearest December 10 (December 10); 74 days in the Low Plains Unit. The daily bag limit is 6 ducks, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females), 2 redheads, 2 scaup, 3 wood ducks, 2 pintails, and 1 canvasback. The daily bag limit is 5 mergansers, only 2 of which may be hooded mergansers. In states that include mergansers in the duck daily bag limit, the daily limit may be the same as the duck bag limit, only two of which may be hooded mergansers. The daily bag limit is 15 coots. Shooting hours of ½ hour before sunrise to sunset. Duck hunting zones have changed from the 2010-11 duck season. A third zone in the Low Plains Unit has been created in the Southeast portion of the state, and the boundary for the Low Plains Early and Low Plains Late has been modified to include all the McPherson Wetland Complex into the Early Zone (see map provide). The changes requested to include Cedar Bluff Wildlife Area in the High Plains Unit was denied by the Service. Special Youth Waterfowl Hunting Days - States may select two consecutive days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to their regular duck seasons. The days must be held outside any regular duck season on a weekend, holiday, or other non-school day when youth hunters would have the maximum opportunity to participate. The days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds. The daily bag limits may include ducks, geese, tundra swans, mergansers, and coots and would be the same as those allowed in the regular season. Flyway species and area restrictions would remain in effect. Shooting hours one-half hour before sunrise to sunset. Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day. Tundra swans may only be taken by participants possessing applicable tundra swan permits. The 2011-12 federal frameworks for Canada geese, White-fronted, brant geese, and light (Ross’s and Snow) geese the outside dates are: Dark Geese (Canada, White-fronted, and Brant) between the Saturday nearest September 24 (September 24) and the Sunday nearest February 15 (February 12). For light geese (Ross’s and Snow), outside dates for seasons between the Saturday nearest September 24 (September 24) and March 10. States may select a season for Canada geese (or any other dark goose species except white-fronted geese) not to exceed 107 days with a daily bag limit of three. For white-fronted geese, States may select either a season of 74 days with a bag limit of two or an 88-day season with a bag limit of one. States may select a light goose season not to exceed 107 days. The daily bag limit for light geese is 20 with no possession limit. These frameworks establish the limits, which states must operate within and are published around August 15, after results from the May Breeding Duck Survey and recommendations from Flyway Councils are available. Currently, habitat conditions are very good and wet, so we expect good numbers and don’t anticipate major

changes and anticipate that the season length for Canada geese will again be 107 days, the maximum allowed by Migratory Bird Treaty Act. Adopt frameworks, 74 day season in Low Plains, 96 days in High Plains with dates of: October 8 – January 2 and January 21-29; Low Plains Early Zone October 8 – December 4 and December 17 and January 1; Low Plains Late Zone, October 29 – January 1 and January 21-29; Low Plains Southeast Zone, November 5 – January 8 and January 21-29; and for youth: High Plains Unit and Low Plains Early Zone, October 1 and 2; and for Low Plains Late Zone and Low Plains Southeast Zone, October 22 and 23. Geese recommendations: White-fronted Geese, October 29 – January 1 and February 4-12; Canada and Brant Geese and Light (Ross's and Snow) Geese, October 29 – November 6 and November 9 – February 12; and Light Goose Conservation Order, February 13 – April 30.

Commissioner Bolton – Constituent called about Cedar Bluff, what zone was it in a year ago? Bidrowski – From the headwaters east was in the Low Plains late zone. We hoped to shift it to High Plains Zone, but that was denied. This is a long-standing unit that they did not want to make small changes to, so unit will remain same as last year. Chairman Lauber – Why was it denied? Bidrowski – Regulation creep is the excuse, for fear that every year we are going to come in and ask to extend this unit. Originally this unit's demarcation line was the 100th parallel and since then the only states that have moved their zones eastward have been North and South Dakota. This year Nebraska and Kansas requested two small changes to simplify boundaries for us, and they said they don't want the states to keep moving that east. They did not see a change in biology of birds, was main excuse. Wally Eldridge - Waterfowl migrate north and south, had early zone around Cheyenne Bottoms, why can't early zone be a line? Bidrowski – Set by hunter preferences and habitat. Eldridge - Quivira and Cheyenne Bottoms are the same birds. Doug Hensley – On SE zone, avid duck hunter. In my business entertain a lot at my farm in southeast Kansas. When we bring those people in, and it creates a lot of revenue. We appreciate new region, but I believe it said November 8 for the beginning of the season; mallards aren't even close to there. They show up around Thanksgiving, and you can shoot wood ducks well into Christmastime. We need to push dates back. There is a lot of business created by those ducks, but they aren't there yet. We're not helping sales tax revenue or local businesses, but I am one of many who bring in people. I'd like to urge you to reconsider the dates, based on people who live down there. Kansas is a phenomenal place to hunt and when they come it brings sales tax revenue. Roy Carter – Recently I talked on the phone with Monte Manbeck and he made some good points, but it's not like it used to be. With today's clothing - I take kids 5-years-old and under waterfowl hunting in January. What brings ducks? The ducks eat their way south, they don't migrate with other birds. How many fronts are still coming through in the first part of November? They come in later in the month. Hope this is not etched in stone, but if it is we have come a long way. Like you to consider run a week, then shut down a week then start up again. See so much money going to Oklahoma. Glad to see tourism tie in with KDWP. Chairman Lauber – In perfect world we would extend seasons where birds are, but eastern zone is 10,000 to 15,000 square miles. SE zone is first attempt to expand opportunity, but it freezes up in northern part. Not fair to locals to change season for others in state either. There are seasons within seasons the USFWS has minimums on. Bidrowski – We can have only one split. Chairman Lauber – Propose we look at how it goes this year and might consider doing something else next year. Continue to review and take your point into consideration. Commissioner Wilson – The SE zone is losing opportunity for sake of other zones. I have had many calls and emails. Have opportunities to shoot ducks, but duck season is closed. If jeopardizing zones in one area, like to

see the season start around November 19. Commissioner Meyer – Have had experience when people come to talk to you about suggestions, we should listen to them. I've have had phone calls and emails, too. Bidrowski – We use the waterfowl working group, made up of staff, to discuss waterfowl issues. One of issues is private land versus public land hunters. It's an issue of those who choose to hunt mallards or waterfowl hunter in general. In most liberal frameworks we can change those dates without impact. Changing a week from one end to the other is not going to be a big deal right now. Commissioner Doll – Dates came from those three considerations? Bidrowski – We considered comments from hunters to area managers. We did survey of hunters and November 5 was most chosen date for overall duck season and we used migration chronology. Commissioner Doll – If we change to later, how does it impact other zones? Bidrowski – It has no impact on other zones. Other considerations: if we move it to November 12, same opener as upland game, or November 19 loose two days if you want a Saturday opener. Commissioner Doll – What would you choose? Bidrowski – Relates to which type of hunter you are. Commissioner Doll – Unanimous to start a little later is what I am hearing. Chairman Lauber – Dates have been kicked around with fair amount of study. All emails coming from one group of mallard hunters, but we need to consider those hunters in the rest of the zone, as well. We've spent a year trying to balance interests of everybody in Low Plains Zone; had to be an easy determination on where to have that boundary line. Need to balance interests of everybody, a lot of ordinary resident duck hunters. Could review some more, but before changing date, want same amount of study over the next year. Bidrowski – One condition to get this season, the state sold it as a recruitment and retention tool and we need to show that we are improving satisfaction and even getting recruitment. Commissioner Doll – Who wants to hunt November 5? Bidrowski – Public land hunters. Doug Hensley – Why not split the difference between November 5 and November 19? Study this year and then look at it again next year. Create a compromise and study for 2012 season. Chairman Lauber – In my opinion November 5 was a compromise for some of the public land hunters. I appreciate that people from out-of-state spend more money, benefit to them and economics of the area. Vote on proposal as studied. Carter – I am a public hunter. If you talked to young and old, what they want to hunt a bag limit of is mallards. Big decision being made here today; in my mind if we need to back it up a week. Chairman Lauber – Faye felt November 5 was in the best interest of the state. I have lot of constituents who don't have that option. Commissioner Meyer – I will agree with you. Steve Sorensen, KWF – Special youth, eliminating adult needing license, we strongly urge you to go back to the regulation that required an adult to accompany the youth to have license and stamps. As it is now any 18-year-old can go out with a 15-year-old to hunt ducks. Started as a mentor hunt to get waterfowl hunters to take kids out to teach them how to waterfowl hunt and now you are basically opening it up to anybody. We would like to see you move it back to require licenses and stamps. Hensley – Listened to us, what statistics do you have about migration if you look at 10-year average? When do the ducks get there? Bidrowski – Through individual wildlife areas, varies based on habitats. Not being familiar with that zone, I would have to check with J.R. and Monte, early January based on mallard numbers. Hensley – Based on what you just said statistics don't say when they get there. I hunt almost every day of duck season, no migration by November 5. Carter – Know if we leave this meeting and you set it November 19, there will be a lot of happy people, if you change it even one week, there will be some upset people. Chairman Lauber – Think you are right when most ducks are there, need to have season open earlier, but wider range of sportsmen hunt in wider area. There are enough other ducks that come through earlier to allow sportsmen to

hunt in their own area. Don't mind reviewing it again and discussing it with Faye again. Appreciate how far you have come to get to this meeting. Eldridge – Haven't heard anyone saying they want an earlier date, just a later date. Chairman Lauber – Emails and blogs are not necessarily from different people; don't make decision based on one special interest group. Carter - Think about economic impact. Commissioner Bolton – I received an email that said it prepares them for hunting during peak migration. Commissioner Doll – Voting on dates, no roll call vote? Tymeson – A consensus, doesn't go to state, but goes to federal government. We could have a vote to raise hands. Commissioner Doll – I am a duck hunter, and I respect what I am hearing and don't disagree with what I am hearing. I appreciate someone wanting to get ready for ducks, but I want to hunt when ducks are there. Talking about maximizing for most number of people; don't think it would be a problem to move it back a week to the next Saturday. Fry – See this as debate between commercial interest and survey from majority of residential hunters. Commissioner Bolton – We've done research and came up with November 5. Can we just change it? Tymeson – We can take a roll call vote to change it to November 12. *Voice vote to change opening to November 12 (failed, tie 3-3); November 5 (passed 4-2 vote) (Exhibit W).*

3. KAR 115-2-3a Cabin Camping Permit Fees – Mark Stock, cabin coordinator, presented this report to the Commission (Exhibit X) – Prior to tonight fees were set by regulation; last legislative session the legislature passed a version of SB 123. First we will vote to revoke this regulation, and then under the next item establish new fees.

Commissioner Debra Bolton moved to revoke KAR 115-2-3a before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-2-3a as recommended was as follows (Exhibit Y):

Commissioner Bolton	Yes
Commissioner Budd	Absent
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-2-3a passed 6-0.

4. Cabin Camping Permit Fees Under New Process – Mark Stock, special assistant, presented this report to the Commission (Exhibit Z, PowerPoint - Exhibit AA). Under the new process, proposed changes in cabin camping fees will be discussed during Public Hearing session for Commissioner consideration. Changes become effective on September 15, 2011. From now on when we vote the change will be in effect that night. These fees are the same as are currently charged with four exceptions: 1) Pet Friendly – in an effort to provide additional customer service, the Department desires to start a pilot project for allowing pets in cabins. Currently pets are not allowed in the cabins. Five cabins have been selected for this pilot project. They are Mamie's Cabin at Eisenhower State Park, Larkspur Cabin at El Dorado State Park, Pioneer Cabin at Lovewell State Park, Big Oak Bungalow at Milford State Park and Pawnee Cabin at Tuttle Creek State Park. The Department proposes a \$50.00 per reservation pet fee. 2) Lovewell

State Park Cabins – currently the fee structure at Lovewell State Park charges \$5 per adult beyond the first two adults. It is the only location with this type of fee structure. The department proposes to eliminate this additional charge in order to align Lovewell’s fee structure with the cabins in other state parks. 3) Cheney State Park Cabins – the Department partners with the Friends of Cheney Lake on the operation of the cabins at Cheney State Park. The Friends Group desires the proposed fee changes, which essentially increases the fee by \$10 per night. 4) Kansas State Fair Cabin – partners with the Kansas State Fair on the cabin located on the grounds of the Kansas State Fair in Hutchinson. The State Fair desires the proposed fee change which makes the rate \$75.00 per night all year and eliminates the weekly rates. Commissioner Doll – We revoked the other one? Tymeson – Those were set by regulation, it took 180 days, but legislature passed a bill to set fees at each Commission meeting. This just needs formal adoption.

Commissioner Frank Meyer moved to bring new cabin camping permit fees before the Commission. Commissioner Randy Doll seconded.

The roll call vote on new cabin camping permit fees as recommended was as follows (Exhibit Y):

Commissioner Bolton	Yes
Commissioner Budd	Absent
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented new cabin camping permit fees passed 6-0.

5. KAR 115-8-13. Vehicles on the Ice – Brad Simpson, Public Lands Section chief, presented this report to the Commission (Exhibit BB) – At Commission request, we have reviewed this subject. KAR 115-8-13 (a) states motorized vehicles shall be operated only on department roads and parking areas, except as otherwise established by posted notice, therefore their use on ice would be prohibited. By definition, “motorized vehicle” includes all-terrain vehicles, work-site utility vehicles, golf carts, go-carts, and electric or gasoline-powered two-wheeled vehicles. Allowing the use of certain motorized vehicles for ice fishing will further support and enhance this wintertime activity for anglers. Our recommendation is to add item (b): 1) By regulation, allow motorized electric or gasoline-powered two-wheeled vehicles, all-terrain vehicles, work-site utility vehicles, golf carts, and snowmobiles to be operated on ice covered department waters, unless otherwise prohibited, at certain locales as adopted by reference in the “KDWP fisheries and wildlife division public land special use restrictions” document and posted notice accordingly. 2) The above motorized vehicles shall be operated for ice fishing only from one-half hour before sunrise to one-half hour after sunset. 3) Motorized vehicles shall only be entered onto the ice from boat ramps and other points of entry established by posted notice. On (f)(2) added cars and trucks in definition (not to allow on ice, just in definition). Dan Bassett – The state does not require four wheelers to be licensed, what is the reason for entering at boat ramps? Simpson – Must load and unload at boat ramp because can’t legally drive them in a state park or state fishing lake.

Commissioner Randy Doll moved to bring KAR 115-8-13 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-8-13 as recommended was as follows (Exhibit CC):

Commissioner Bolton	No
Commissioner Budd	Absent
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Meyer	Yes
Commissioner R. Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-8-13 passed 5-1.

XII. Old Business

XIII. Other Business

A. Future Meeting Locations and Dates

October 13, 2011 – Pratt, KDWPT Headquarters, Pratt

December 6, 2011 – Topeka, 7:00 pm.

January 5, 2012 – Salina

March – Topeka

April - Wichita

XIV. ADJOURNMENT

The meeting adjourned at 8:32 p.m.

(Exhibits and/or Transcript available upon request)

Exhibit DD – Cheyenne Bottoms WA brochure

Exhibit EE – Kansas City Star article on

“Illegal deer hunting operation leads to stiff prison terms”