

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
June 21, 2012
Cabela's, 10300 Cabela Drive, Kansas City, Kansas**

Approved Subject to
8/23/12 Commission
w/corrections Approval

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

The June 21, 2012 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at Cabela's, Kansas City, Kansas. Chairman Lauber and Commissioners Debra Bolton, Don Budd, Randy Doll, Tom Dill, Frank Meyer, and Robert Wilson were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

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

Chairman Lauber - Welcome State Representative Stan Frownfelter and Wyandotte County Commissioner Mike Kane.

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Under general discussion, item 1 “Tourism Briefing” Linda Craghead will be presenting and introducing Richard Smalley and Bridgett Jobe. Mike Mitchener will present general discussion item number 3, “Animal Damage Control Briefing” and introduce additional speakers. Possible amendments for KAR 115-25-1 and 115-25-9a in public hearing this evening.

IV. APPROVAL OF THE April 26, 2012 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Mike Whitfield, Kansas City – On Neosho public maps, is property owned on the other side of river? Brad Simpson – We do own land on other side of the river. Whitfield – There are no boundary markers. Commissioner Wilson – We will check and find out, and mark if it needs to be.

VI. DEPARTMENT REPORT

Commissioner Frank Meyer Thank you Plaque – Chairman Lauber – This is Commissioner Meyer's last meeting. He was here when I came. He has been helpful, insightful and there are

many statewide items he has done in his own free time. (Presented plaque) (Photo – Exhibit C)

Statewide Habitat Conservation Award – Jake George – Each year private lands wildlife biologists work with landowners to develop wildlife habitat on private land – the landowners do it willingly. To thank the landowners, biologists nominate a landowner. This year, Dave Webber was selected. Randy Whitaker was the nominating biologist. Randy Whitaker – I started working with Dave in early to mid-1990s. Since then, there's been quite a transformation on this property (Power Point presentation – Exhibit D). Aerial photo shows Dave's property with Missouri River beside it, about 160 acres, three miles south of Wathena. The property includes 60 acres of woodland with about 100 acres of CRP. Management includes burning, planting food plots and habitat breaks and shrub plots. It is textbook quail habitat and was all row-cropped prior to 1993. Other species have benefited, other than game species. He keeps legumes and cuts woody draws back every 2-3 years. The nest box program included bluebird boxes, wood ducks boxes, goose nesting structure and keeps fish food plots and bat roosting box. Completed shrub planting in 2011 and has stake at each food plot explaining what and when it was planted and weed control used. He also planted fruit trees for deer plots. Dave shares with other people and allows young people to hunt there. (Secretary Jennison, and Randy presented plaque and print to Dave Webber – Exhibit E).

Chairman Lauber – Welcome Wyandotte County Commissioner Ann Murguia who is also here.

A. Secretary's Remarks

1. Agency and State Fiscal Status – Robin Jennison, secretary, presented this update to the Commission. More specifics at next meeting on budgets. Working on 2014 budget right now, but its two years away and does create some challenges. We will wrap up and get prepared for the Governor. Since not I was not at last meeting, I'll mention that we had a good legislative session. It was a big agenda and got it passed, but it did take some compromises. Some will fiscally impact the department, but not until January 2013. Impact for Parks is parks pass, which will be available in January. Michigan was only state with this type of program and they got 28 percent of cars and light truck owners to select their pass option. If we even get 10 percent, that will be a significant amount. We plan to pay off Wildscape for cabins in parks, and then we will get 90 percent of the cabin fee fund for parks, additional revenue of about \$850,000, a no limit fund which we can use for cabins and state park operations. This is the best January through May period that parks has ever had. I'd like to say it's because of management, but it is because of weather, this will be a decent year. On fee side for wildlife – we got licenses passed for 65 and over, compromise half price for 65 to 74 or \$40 for lifetime. Seniors are paying federal excise tax and we can't show them as a hunter. Kansas was one of only 14 states not charging those seniors, so a disproportionate amount of federal money went to those other states. Commissioner Bolton – On park pass, how will you educate the people that possibility is out there? Secretary Jennison – Tourism will help us, talked point of sale. Linda Craghead – Recognize that access is available to them. Department of Motor Vehicles had a tough time recently changing over to new system, but we did work before they went into new system and gave them option that they can take 50 cents when they issue one. Hope to see healthy campaign at the end of this calendar year. Commissioner Meyer – On cabins, questioned success in the beginning, but it has been great; we

camp at Fort Scott, glad those are successful. Commissioner Wilson – The senior hunting license goes into effect January 2013? Secretary Jennison – It has to be one-eighth the value of lifetime hunting permit, we will make a dollar, but will level the tables on federal funding. Commissioner Doll - \$40 is the minimum? Secretary Jennison – Yes, take \$5 to issue license if put in modest interest account, average life expectancy is 78 years. Commissioner Doll – With no arbitrage right? Secretary Jennison – We can invest it. Oklahoma does it, could not amortize what you were getting for license but feds have changed the rules and are looking again. Commissioner Budd – Will we know if they are? Secretary Jennison - One state has gotten audited, and we may not know if they are going to change it or not.

2. 2012 Legislative Update – Chris Tymeson, chief legal counsel, presented this update to the Commission (Exhibit F). This was the second year of two-year cycle and a contentious one with some success this year. Seven major initiatives were put out by the Governor’s office among all of the things departments wanted to do. Medicaid reform, KPERS reform (which passed), tax code overhaul (passed), water reform (passed), school financial, budget, judicial reform and redistricting (passed). There are usually three budget bills: supplemental (which is current year), mega bill and omnibus bill. The last several years there has been an agreement on the supplemental or the mega bill and it all went to omnibus this year and this year was the same. We did end up with an \$800,000 supplemental to help us through this year in the parks division because we took a hit last year with blue-green algae, flooding and a number of other items. We did get \$1.7 million to pay off the cabins in the mega bill. Department had six initiatives and got five out of the six, which was pretty successful. Last year got four items: **Executive Reorganization Order No. 36** -- Renaming the Department of Wildlife and Parks as the Department of Wildlife, Parks and Tourism. Neither House passed a resolution opposing it therefore ERO No. 36 became effective July 1. **HB2013** -- This bill repealed laws that restricted the sale and delivery of rifles and shotguns to or from residents of states that are contiguous to Kansas. In 1986 there was a reform bill at the federal level and Kansas never kept up with. **SB123** -- This bill allowed cabin fees to be established by the department Secretary with consideration of the Kansas Wildlife and Parks Commission, streamlining the process of adjusting fees for existing cabins and setting fees for new cabins coming on line. Included an amendment on land acquisitions which restricts us to 320 or less without prior legislative approval or 640 acres or less if under appraised value. **SB152** -- This bill allows a person with a concealed carry permit to carry a concealed handgun while legally hunting, fishing or furharvesting and it also allows any person who lawfully possesses a firearm suppressing device to use that device in conjunction with lawful hunting, fishing and furharvesting. This bill passed and was signed by Governor. This year: **SB314** -- This bill Robin talked about and became an omnibus bill. It started out as 65 and older requiring hunting and fishing licenses, an amendment in the Senate for half price age 65-74 or a one-time lifetime combination hunting/fishing license at a certain amount. House amendments included provisions from HB2295 including some deer issues and a law enforcement issue we will discuss later. When a bill differs from Senate to House, it goes to a Conference Committee where the differences are hashed out. Then it goes back to Senate and House and onto Governor for signature. Conference Committee took out law enforcement issue, at our request, which was mandatory check of 25 percent of all landowner or landowner/tenant permits, which would have taken about 10 percent of all law enforcement time. We are checking those, but not at that level. Included provisions of HB 2709 which increases penalties on violators, and there will be some regulatory work in relation to that. Bill did include

pre-rut antlerless season starting in 2013 and combination antlered/antlerless combo permit starting in 2013 and crossbows starting this year in a four-unit pilot program, which will require some regulatory work. The Wildlife Violators Compact provisions become effective January 1, 2013, as well as senior provisions. **SB316** – A clean up bill to clean up statutes to reflect Executive Reorganization Order 36 creating the Kansas Department of Wildlife, Parks and Tourism. Effective July 1, 2012. Have to do some regulatory work as we picked up some items from Department of Commerce. **HB2491** - Not a department initiative, but deals with carrying handgun in equipment restricted season, like archery. This issue came to the Commission in January with a related item and proponents weren't satisfied with our answer and introduced the bill. Passed the House and Senate and was signed by the governor and is effective July 1, 2012. **HB2596** – Not a department bill, but something I watch – I track about 150 bills every session and this is one of them. Deals with hunting feral swine and changes the definition to include Russian boar and razor backs and prohibits hunting feral swine on a contained hunting preserve. The bill jumped four different bill numbers, was passed and signed by the Governor. **HB2689** – Third rendition of alcohol on KDWP property. It was a department initiative which started as SB313 and would allow department to control alcohol on our property subject to regulation. Current law restricts alcohol to 3.2 percent, basically beer. Staff wanted a more modern approach to allow what we want and restrict by regulation. Passed late in session and signed by the Governor, but lumped into a bill with 11 or 12 other alcohol bills. Concern in legislature about opening up sale of liquor in grocery stores and that prevented individual bills from going through, so it passed as a compromise bill. Effective January 1, 2013. **HB2729** – This was a department initiative and would establish an annual vehicle state park permit that would set a price and allow us to come back later in regulations. This is the park pass we talked about and sets the fee at \$15. Effective January 1, 2013. **House Concurrent Resolution No. 5017** – Department initiative that passed the House last year. This is constitutional amendment and has to pass both Houses, sent to voters in November and if passed would allow the legislature to come back and set a different level of taxation of boats. It is felt that this would increase number of boats, update fleet of boats and prevent people from going out of state to register their boats. **House Concurrent Resolution No. 6015** - This resolution commemorates the 75th anniversary of the Wildlife and Sport Fish Restoration Program, which is where we get our federal funding. There were a number of bills that didn't pass: **SB120** - Vessel titling act which would have required titles on boats. **SB348** – Would have taxed people avoiding tax by keeping boat out of state even though registered in Kansas. **SB380** – Would have allowed full inclusion of crossbows during big game archery season. **SB447** – The department initiative we didn't get passed; to raise the cap on the fee for registration of motorized or sail-propelled vessels. We proposed raising the cap to \$60 for a three-year registration. The fee is currently \$30 and has been since 2006. According to my research it took us from 1991 to hit \$30. **HB2089** - Would allow a licensed hunter to retrieve their hunting dog from posted land without permission. **HB2152** - Increased penalties for boating under the influence. **HB2168** - This would have given free park permits to any person honorably discharged resident of Kansas. **HB2295** – A mega-deer bill with multiple parts and ultimately a substitute came out as pre-rut antlerless and combination permit, which we saw come back in SB314. **HB2432** - This bill would establish a Ducks Unlimited license plate. It got lumped in with a number of other license plate initiatives and didn't make it out of the Conference Committee **HB2452** - This bill would allow 12 big game permits to be issued by the Governor. The department opposed the bill, and it had no further action. **HB2551** - This bill was the original bill on the fee on vessel registration that went down. **HB2709** - Was anti-poaching

bill that came out early, then substitute bill that passed House, went to Senate too late for them to take action. Convinced Conference Committee to include in. **HB2735** - Would hold the trail operator of a rail banked right-of-way responsible for property taxes. Commissioner Wilson – On crossbow for 2012 season what we passed? Tymeson – Pilot project in four units and be an amendment tonight in KAR 115-25-9a. Will be in effect for a two-year period, 2012 to 2014 then report to legislature. Chairman Lauber – The one the Commission passed on youth permits also goes into effect in 2012. The one the legislature passed also goes into effect, but they have no age restrictions and only four pilot units. Commissioner Budd – Will we combine those two? Tymeson – Compromise of what we passed and what legislature passed, anyone in those four units will get to use a crossbow and the rest of the units will be what you passed. Commissioner Budd – What we are looking at is tonight is the first time we have seen it and will vote on it tonight? Tymeson – That is correct; timeliness of the legislature and the uniqueness of the situation is why we ended up with that. Commissioner Doll – You said department received \$800,000 supplemental, is that state tax money that comes from governor? Tymeson – Department budgets we are talking about now are 2014, legislature passed 2013 and they also looked at 2012. Last summer we took a big hit in parks so we asked for \$1.2 million supplemental in the Governor’s budget. We received \$800,000, which will be out of state general fund, starting July 1 our budget shifts to EDIF, which is economic development initiative funds, so we will be out of state general funds, which is a good thing for the department. Commissioner Doll – Restrictions on what you spend money on. Tymeson – Passed for intended purpose and if you don’t use for that you could end up with problems with the law; that money is for Parks. Secretary Jennison – It was for park office salaries. We have already spent it and used road money to get through end of year and then will have to put that back. Cindy Livingston – Already done. Commissioner Bolton – On HB2709 what was reason for color change from purple to orange? Tymeson – Came from legislators, essentially because they wanted to increase penalties and this was suggested. Wide variance across the states, those people thought blaze orange would be more visible, no advance discussion with farm groups prevented it from changing.

B. General Discussion

1. Tourism Briefing – Linda Craghead, assistant secretary for Tourism and Parks, presented this report to the Commission. Will be able to renew licenses online with parks pass. Revenues are strong this year in state parks. New technology starting with series of e-blasts to purchase annual permits. We did see increase in annual park permits. Implemented partnership with Reserve America, reservations were available online through agency website, now national online reservation system; can reserve campsites and cabins there. Implemented smart phone application, Pocket Ranger can reserve cabin or campsite, find out what fish you just caught and many other things; it was ranked 34th in download applications. Management team has done a phenomenal job in state parks. Key developments in Tourism: Flint Hills Nature Trail (PowerPoint presentation - Exhibit G, Exhibit H). Frank Meyer has been working on this trail for 10 years, one of longest rails to trails, 117 miles long when done. Commissioner Meyer – Seventh largest in nation, done totally with volunteer labor and donated money, just less than \$1 million collected. Craghead – First Flint Hills Freedom Ride, 400 bikers and started on south steps of capitol and ended in Wamego along Native Stone Byway; raised approximately \$50,000. Commissioner Dill – Get email blasts, if you don’t get those sign up, they give a lot of

information quickly, www.ksoutdoors.com is the website. Craghead - Proud partner with Cabela's and thank them for their participation in Fishing for Millions, really can win \$1 million dollars, log on and go to state parks.

Richard Smalley, marketing manager for Tourism (Exhibit I). Marketing Recap – Television (only done with eight partners or couldn't do): The TV ad campaign started May 7 in 15 markets and runs for four weeks. The 2012 media buy provided an extra 5 million impressions over the initial plan. On-Line: Display ads included rich media, pre-roll video, and standard banner ads. Our negotiated buy includes over 6 million impressions in 11 targeted markets. Year to date traffic to TravelKS.com is up 7 percent over the same period last year. We are currently working on the new site with plans to launch at the tourism conference in October. Print: The newspaper insert was included in 15 markets including Wichita, Topeka and Kansas City. Ads placed in April and May issues include 17 publications from Midwest Living to American Cowboy. 2013 Travel Guide. We met with Madden Media to plan the editorial outline of the guide. Ad sales are well under way. Projected completion is November. Marketing Road Show: This summer the tourism staff is conducting four marketing workshops around the state.

Bridgett Jobe, Executive Director of Visitors Bureau and KCK Tourism – Welcome to Kansas City. Linda asked me to give quick update. We've had great success since opening of Kansas speedway. We welcome over 10 million visitors a year. Interest is outdoors, at first glance don't think of us as that, but our bread and butter is mom and dad and kid. We see ourselves as gateway to Kansas, many first stops are right here. Take that role seriously and feel part of outdoor experience for visitors. (Visitor Guides (Exhibit J). Tourism game changers had many of those, Speedway, Village West and live strong, new sporting park and new casino. Host other events because of these game changers. Richard mentioned partnering he does with us, value for us too and we do partner with the state on several things, couldn't do radio and TV and other things without the state either. Items that happen on Missouri side also affects us and we have been able to partner with Kansas City MO CVB, too. It took us two years to figure out that challenge, but now have commercials that cover us both. Wyandotte County fairgrounds is new location, and there will be shooting range that will host professional and novice events as well as hunter education, another game changer. See Kansas River as untapped resource for us, three access points and host several events on river right now. Have Blues Fest annually at Kaw Point. Thank you for being here. Jimmy Lopez with Cabela's is my road chair and they understand their role with us.

2. Spring Turkey Regulations – Jim Pitman, small game biologist, presented this report to the Commission (Exhibit K). The number of permits and game tags issued for the spring 2012 season was 63,928 (includes 22,052 game tags), similar to last three years, but roughly 2,500 permits below the peak that occurred in 2010. Preliminary results indicate that hunter success was again greater than 60 percent across the state this past spring. The statewide harvest for 2012 was likely in the ballpark of 34,000-36,000, which is the range in which harvest has fallen for each of the last seven years. Final estimates for the spring 2012 season will be available later this summer. Over the last year, the wild turkey breeding population took a dip in the southcentral and southwestern portion of the state due to poor production last summer brought about by the drought. The population also declined substantially over the last year in parts of north-central and northeastern Kansas as a result of two consecutive Junes with above average precipitation. Wild turkey numbers remained fairly stable near the regional high in northwestern Kansas and

slightly increased in southeastern Kansas due to more favorable conditions for reproduction in those regions over the last couple of summers. The department is recommending new spring hunting units that correspond to the new fall units that were recently adopted. The following changes were proposed by the department turkey committee. They are also being considered for formal recommendations at the next commission meeting. 1) Increasing the season bag from 1 to 2 for Unit 1 (NW Kansas); 2) Making Unit 4 permits valid in adjacent units but keeping a quota of 500 and still issuing them through a pre-season drawing; and 3) Moving the start of the archery-only season to the Monday following the first full weekend in April and leaving the timing of the youth/disabled season unchanged. This change would give the youth/disabled hunters at least one full weekend without any competition from archery hunters (2-8 days total depending on calendar year). As the archery-only season has become more popular, competition has become an issue on some properties where KDWPT sponsored youth-hunts occur; especially wildlife areas. The proposed change would result in four 9-day archery-only seasons and six 2-day archery-only seasons over the next 10 years. Triggers that would result in recommended changes to bag limits within a hunt unit: 1) The percentage of active resident hunters harvesting at least one bird must be equal to or greater than 60 percent for each of the previous three years, and the percentage of the total harvest composed of jakes must average less than 25 percent over the same period before upward movement would be recommended. 2) The percentage of active resident hunters who harvest at least one bird must be equal to or less than 55 percent for two consecutive years before downward movement would be recommended. Commissioner Budd – What are you asking of the Commission? Pitman - Looking for guidance on youth season and reduce overlap somehow, delay start of archery season to allow youth and disabled to hunt by themselves. Chairman Lauber – It is April 1 no matter what day the season starts on? Pitman – Yes, starts second Wednesday, sometimes as short as a week. If delay, will reduce archery-only 6 out of 10 years. Commissioner Budd – Discussed what they want? Pitman – Worked through department committees. Commissioner Dill – How often does turkey committee get together? Pitman – Twice a year. Commissioner Bolton – What is consequence if we do this? Pitman – Positive to youth and disabled, but not to archers. Commissioner Budd – Easy way to do this? Pitman – Had a lot of discussion on this. WIHA doesn't open until April 1, so too difficult to fix all contracts to change that. Chairman Lauber – Staff recommendations make the most sense. Have representative feedback from guides who take the youth out. Struggle to find areas to take them. Pitman – That is what I am hearing from department-sponsored youth hunts. Commissioner Dill – April 1 next year is a Monday. Pitman – Six out of 10 years would be 10 days archery-only and four years would be 9 days. Helps get youth hunting. Commissioner Doll – Conflict is competition between disabled and able-bodied hunter? Pitman – Youth guided hunts seems to be a problem. Been coming up for last 3-4 years, can't quantify but increase is a real problem. Commissioner Budd – Encourage youth hunting, if you feel your recommendation does that then I agree. Steve Letcher – Number of archers as youth? Pitman – Archery hunters is about 7,000; youth is about 4,000. In 2006 and 2007, roughly 3,000 archery hunters. Letcher – Did you consider first weekend? Pitman – Decided on delayed season. Commissioner Bolton – Have regular season, stop for two days on weekend and start again, nightmare for law enforcement? Pitman – We could do that. Jared McJunkin, NWTF – Have position on wild turkey committee, volunteers in department youth hunt, supportive of what state is trying to do and realize some compromise in there. Board is supportive of what department is trying to do. Dave Weber, Wathena – Have long list of what we love about Kansas and what we do right. One

of things I love is archery turkey season. Is there major hunter interference on public lands?
Pitman – Some on leasing of private lands too. Weber – March 25 opener, but understand WIHA areas aren't open, just on public land areas and closed on WIHA. Love two weeks out there. Just close certain areas. In Doniphan County only couple of WIHA areas and no public land areas, don't interfere with us private landowners.

Jimmy Lopez – Want to let Commission recognize weather, best season happened early. April 1 is concrete and well known, move youth and disabled into March. Chairman Lauber – If more normal temperature year, wouldn't that be more disappointing with weather? Pitman – Didn't want to move youth to March because of weather and no WIHA. Chairman Lauber – Consider a possible amendment for first weekend, Commission wants to see what is best for youth. Can still hunt with bow in regular season. Pitman – Just out for discussion at this point. Chairman Lauber – Tinker with first weekend without making it a couple of paragraphs long and see if that will work. Pitman – Will explore possibility with Kevin and Chris and if not feasible will move forward with my recommendation.

Break

3. Animal Damage Control Briefing – Mike Mitchener, wildlife section chief, presented this briefing to the Commission. I've been asked to do short program, and I've also invited Charlie Lee, K-State Extension and Tom Bidrowski to talk about migratory bird depredation (PowerPoint presentation – Exhibit L). Wildlife is a shared public resource, and we use extension approach – provide education, implement approach with partnerships with other state agencies, federal agencies and KSU Extension. Contacts come from phone calls, walk-in traffic or email, and then we try to determine type of damage, species causing damage, recommend or refer and issue department permits if necessary. Resource materials include information on department website, and a link to University of Nebraska of up-to-date information on species and types of damage that can occur and how to alleviate damage, which is a great way for public to look up information themselves. Types of permits: prairie dog permits issued for fumigants only, nuisance bird control, deer depredation control, nuisance wildlife damage control cooperators and migratory bird depredation. Prairie dog permit is required for poisonous gas or smoke, not for above ground toxicants, application required is required which requires legal land description, cannot be used if black-footed ferrets are present and is good for only 120 days. Nuisance bird control permit can be issued when birds are depredating on ornamental or shade trees, agricultural crops, livestock or wildlife, or when concentrated in high numbers. Application is required with legal description of land, method of control, permit not to exceed one year; operating under federal depredation order for blackbirds and lethal take must be reported to USFWS. Permit is not required for non-lethal methods of control. Deer damage control permit can be obtained by landowners. It is the biggest program, site specific assistance available from department biologists or NRO; permits authorize lethal control emphasizing taking antlerless deer. Outline of how we issue permits: landowner contact, staff contact within five working days, inspect area, take antlerless deer, possession tags assigned, landowner issue without cost, can designate agent to take deer but must be Kansas resident and have Kansas hunting license. Landowner required to follow prescribed procedures, file final report, allow firearms deer hunting on property at landowner's discretion. The department maintains 800-number for complaints and hunter referral program. Nuisance wildlife damage control

cooperators are private individuals or pest control businesses trained by KSU Extension must apply annually, pass test and submit annual report; and may charge for their services.

Charlie Lee – 22 years with KSU, six years with KDWP, currently extension wildlife specialist (PowerPoint presentation – Exhibit M). Work in wildlife damage control. KSU is Land Grant University with three branches: teaching, research and extension. It encompasses five colleges and 23 departments, but I am only wildlife specialist. History of KSU is long, first it was a wildlife specialist to help with prairie dogs and pocket gophers and we still deal with those issues today. In 1972, legislation passed that required wildlife damage specialist to instruct farmers and ranchers on effective techniques. Information I hand out is on our website and not reprinted like in the past. Cooperate with partners, work under MOU with KDWP, research projects with FWS and work with USDA-Wildlife Services and provide statewide training with many groups. Most common problem species: moles, voles, pocket gophers, birds, skunks, coyotes, prairie dogs, deer and snakes. Research problems are nuisance bird control at feedlots such as feed loss, disease transmission and general nuisance. Small rodent damage is caused because they eat seeds right after planted, working on new repellent. Working on prairie dog and cattle competition issue, applications are sent to KDWP and assistant secretary decides whether to issue permits or not. Predation on livestock takes a lot of time (calves, goats or sheep) sometimes dogs, usually requires on-site visit and have about 75-100 of those complaints a year. Most of work done to get people to recognize species responsible, understand wildlife biology, know management alternatives, and follow local, state and federal laws.

Tom Bidrowski, migratory bird specialist – (PowerPoint presentation – Exhibit N). What makes the management of migratory birds different is their protection under federal law. However, states play a major role in migratory bird management, through the flyway system, and we're often the first means of contact for those experiencing wildlife damage and likely resolve issues at the local level. Shared resources, managed for all users. KDWP attempts to manage geese with great consideration among all user groups and values. Three main species or groups of birds that KDWP receives annual requests for assistance: waterfowl, sandhill cranes and Mississippi kites. Mostly large flocks of geese feeding on crops, affecting water quality and aircraft safety. When hunting is not an option work on hazing and work through Central Flyway on management plans. Resident waterfowl are here from March 11 to August 31 and complaints include: crop/turf damage, nuisance, and water quality. Use abatement such as hunting, education, hazing or habitat modification, egg addling and relocation. Resident geese are also managed by the Central Flyway Management Plan and the Kansas Management Plan. Sandhill cranes cause crop damage. States can haze or hunt and management is done through Mid-Continent Management Plan and Whooping Crane Recovery Plan. Mississippi kites moving northward, aggressive in nesting season. Most calls during late spring use hazing and issue USFWS depredation permits. There is no management other than encouraging moving the structure that is attracting them. Commissioner Bolton – By pigeons, do you mean rock doves? Mitchener – Yes. Chairman Lauber – Starlings eat how much grain? Lee – Two pounds out of feed bunk in a month.

4. Legislative Regulation Changes – Chris Tymeson, chief legal counsel, presented this update to the Commission (Exhibit O). Department goes above and beyond legally required process with general discussion, workshop and public hearing, only required to hold public hearing. Idea of schedule, more will be brought up later on these issues: 1) In SB314 – crossbows - amendment 115-25-9a tonight to include 4 units with two-year pilot project effective

this season; required report to legislature after pilot; 2) Also, in SB314 - pre-rut antlerless only rifle season-effective for 2013 season, two-year sunset, March vote, Lloyd would handle; 3) Combination antlered/antlerless permits-effective for 2013 season, March vote, Lloyd would handle; 4) Scoring methods for wildlife violator restitution - four new regulations, scoring system will be in regulation, October vote to be effective January 1; 5) Senior hunting and fishing license fees, senior pass-amend 115-2-1, effective 2013, and will have to set fees for half price and develop new regulation with parameters for purchase, October vote; 6) Park entrance fees-amend 115-2-2, effective 2013, October vote, Linda Lanterman will be at next meeting; and 7) Agritourism regulations-six new regulations, not part of original ERO, October vote.

Commissioner Doll – Is pre-rut coming from legislature? Tymeson – Coming from SB314, was part of HB2295. Harvest more antlerless deer prior to the rut. Commissioner Dill – No length of time was dictated? Tymeson – A couple of days was first dictated, but are able to leave that up to Lloyd and what he dictates. These will come back as workshop items.

C. Workshop Session

1. Fishing Regulations – Doug Nygren, fisheries section chief, presented this report to the Commission (Exhibit P). There are changes to reference document since we printed this: Lake Shawnee in Topeka has largemouth bass virus, change to 18-inch length limit; Osage SFL change walleye from 18 inches to 15 inches. Another proposal deals with the crappie fishery at Glen Elder Reservoir to reduce creel from 50-a-day to 20-a-day. The lake refilled after being low for several years ago. In 2008, biologists caught 900 crappie per trap instead of 40 or 50, which is normal. In 2010 the catch rate was lower, but it was better in 2011. Considering this proposal, not coming forward with this recommendation, but plan to do some public meetings with anglers that use that lake, possibly set length limit or creel limit or combination of the two; also not ready with language for Attorney General at this time. There could be an 18 to 25 percent reduction in harvest with 20-a-day limit according to computer model. Length and Creel Limits for Coffey County Lake: The following changes are being proposed: 1) change to a 21-inch minimum length limit on walleye; 2) change to an 18-inch minimum length limit on smallmouth bass; 3) change to an 18-inch minimum length limit and a 2/day creel limit on largemouth bass; and 4) no trot lines or set lines will be allowed. Add to 115-1-1 definitions of artificial lure – manmade fish-catching device used to mimic a single prey item (like Alabama rig). Artificial lures may be constructed of natural non-edible (e.g. including hair, fur, etc.) or synthetic materials. Multiple hooks, if present on an artificial lure are counted as a single hook. Change 115-18-18, on handfishing permit; requirements, restrictions, and permit duration. A mandatory questionnaire to be completed by each holder of a handfishing permit is no longer needed. We believe that practicing good survey techniques will allow us to get voluntary responses from permit holders. We propose removing the requirement under 115-18-18(d). Change 115-25-14 to include two new locations for trout stockings. Great Bend-Stone Lake and Cherryvale City Lake (Tanko) will both be added to the list of Type 2 Waters, which require a trout permit only for trout anglers from November 1 through April 15. Jason Goeckler – Discussed wild-caught and movement through bait trade. Been successful, developed a booklet outlining the details of bait rules, and has cleared up a lot of issues. Personally visiting each bait dealer that has applied to make sure they understand rules, visited 70 of 230 so far; four bait shops had to be revisited, but seems to be working smoothly. Had some issues, growing pains, adjusting to new changes, no tickets written at bait shops so far. Some frustration on receipts originally provided 500 receipts

to each dealer. Nygren – Wild-caught bait is more controversial side (Handout – Exhibit Q). The principles behind the regulatory changes follow the longstanding CLEAN, DRAIN and DRY recommendations. The goal is to prevent the spread of ANS while allowing for the safe utilization of our aquatic resources. Package proposal and generally speaking these rule changes are: 1) to allow anglers to use bait in the water where caught (cannot control from private water fishing impoundment which are exempt from our regulation); 2) to require the draining of untreated water when leaving. ANS spread can be prevented when the water is eliminated prior to transport; 3) to disallow the dumping of fish and bait into waters in which they did not originate; 4) to prevent ANS transport when departing ANS designated waters; 5) to ensure bait shops to be ANS and disease free; and 6) to facilitate adherence to the regulatory intent. We propose the following rule clean-up to fix these gaps: Gap: Water can be transported in all non-boating containers. Gap: Fish cannot be captured in the stream/river and used in the immediate downstream reservoir. Gap: Commercial bait dealers are required to provide receipts. Anglers are not required to provide origin documentation when transporting bait. Gap: Wild-caught, out-of-state bait. Gap: 115-17-15 cites locations where crayfish may be harvested. Concern has been raised as to what are department lands and waters and federal and state sanctuaries. Gap: Wildlife may be stocked into all streams other than KDWPT lands/waters, federal reservoirs, and the 3 navigable rivers. We need to modify 115-8-12 to disallow unauthorized stocking of all waters other than Private Water Fishing Impoundments. Staff will have additional information prepared by the date of the meeting detailing options to address the gaps identified above.

Commissioner Doll – On first one – use of bluegill and green sunfish, flesh that out? Nygren – Can get bluegill out of private farm pond not connected with waters of the state, we have no way to prevent that. Official ANS water, we maintain and is potential that we don't know about it, can transfer from private water impoundments. Commissioner Doll – Is showing up on private land? Goeckler – Small sample of private land, but white perch is prevalent. Chairman Lauber – Solves a lot of issues and also downstream solves issues that constituents have brought to me. Any time you make a major change in reformatted approach take several steps forward and a few back, but minimal damage and important PR-wise. Commissioner Bolton – What about proof for neighboring state? Nygren – Can permit vendor outside state of Kansas. Goeckler – Attempted to address that in gap above that, requiring receipt. Commissioner Dill – Receipts seems to be an issue, also have to put an expiration date, will have to be manual. Nygren – Providing paper receipt at no cost. Goeckler – Mark next to what was sold, those that printed had difficulty. Commissioner Wilson – Bait dealers thought we were going to continue providing those. Goeckler – We sent two letters that said we wouldn't, so don't know why there was confusion. Commissioner Wilson – Considered bluegill and green sunfish before and are going to allow these from non-ANS waters? Petition was handed out in Wichita; 800 plus signatures on this and over-65 hunting issue. Don't know what their next plan is, this may loosen that up some. Believe they understand senior issue as a way to receive federal money. Commissioner Doll – How will you know if from non-ANS designated water? Goeckler – Can enforce if caught at ANS water, easily recognized species by our staff and anglers, still potential of water being moved, but Asian carp still not moved. Commissioner Doll – Can lie and say they didn't move from ANS water. Commissioner Dill – Controversial, things to correct and glad to see them addressed. Asked if bait dealer input or public input? Goeckler – As new Commissioner you missed all that, did years of research. Full representative of angling public and consulted with Kansas Aquaculture Association and general public. Felt what we brought forward was the best. Identified catfish anglers on rivers to be most impacted by not using the bluegill and green sunfish and I can

provide that information if you want it. Commissioner Doll – About 78 percent purchase their bait, so knew about 30,000 who wouldn't like what we were proposing. Chairman Lauber – Public willing to make sacrifices then got down to “didn't know you meant that”. Goeckler – Used scenarios and gave them four options. Went with use it where you can catch it and that is what they supported. Used Colorado State University human dimensions department. Chatt Martin – Discuss Glen Elder, guide but also crappie fisherman. Understand what we have at Glen Elder and want to keep as long as we can, 50 fish is ridiculous number. Seen lakes come and go, know good years and bad years. No way a person can keep 50 fish alive on a stringer so they die and they throw them away. Fish cleaning stations have long lines. Can't eat that many fish and possession limit is three times that or 150 fish and 12-inch length limit. Don't know that 20-fish is magic number. Perry was one of top five lakes until 1992, said flood of 1993 took them out, but I don't believe it. Wish whole state would change creel limit to statewide limit. Don't want to see those fish disappear. Nygren – Will discuss proposal with Director Kramer, Assistant Secretary Sexson and Secretary Jennison. Believe 800,000 crappie were harvested in one year from that lake; always concern to do something, best crappie fishery ever seen. Commissioner Wilson – On gap regulations, come back with regulation? Tymeson – Amendment to current regulations in October. Nygren – Most current is new handout.

2. Late Migratory Bird Seasons - Tom Bidrowski, migratory bird biologist, presented this report to the Commission (PowerPoint – Exhibit R, Exhibit S, T, U). Late-season waterfowl frameworks are established annually by the U.S. Fish and Wildlife Service (Service). These frameworks establish the limits that states must operate within and are published in mid-August, after results from the May Breeding Duck Survey and recommendations from flyway councils are available. The results of the May Breeding Duck Survey, which includes duck abundance as well as pond numbers, will not be available until late July; however, we do not anticipate any major changes in the frameworks. Water conditions in prairie potholes for ducks is one of the greatest determining factors for upcoming 2012-13 waterfowl seasons. It still early but based on indicators, we anticipate no major changes in the federal frameworks for ducks this upcoming season. Early reports from the prairies have noted that despite below normal snow melt runoff, residual moisture from the 2011 flooding has maintained conditions for larger wetlands. Production will likely be down from last year's record counts, but is still expected to produce healthy populations for most species. Last year's flooding may have negatively impacted nesting habitat conditions for some diving duck species that nest over water. Since 1997, the Central Flyway has remained in the liberal package for ducks, which allows outside dates between September 22 and January 27 ~~(last Saturday in September)~~ **Saturday closest to September 24** and last Sunday in January). Season length frameworks allow 97 days in the High Plains Unit with the last 23 days starting no earlier than December 8 and 74 days in the Low Plains Unit. Bag limit frameworks allow six ducks, including five mallards (no more than two of which may be females), two redheads, two scaup, three wood ducks, two pintails, and one canvasback; five mergansers, only two of which may be hooded mergansers (states do have the option to include mergansers in the duck daily bag limit); and 15 coots. Shooting hours are one-half hour before sunrise to sunset. Zones: High Plains – no zones and up to two segments; Low Plains – three zones with each having up to two segments. Due to goose life histories (long-lived), populations do not fluctuate greatly or vary from year to year. Timing of snowmelt in the arctic has greatest affect on production. As such, traditional management strategies for geese rarely change from year to year. Most goose populations are healthy and in the Central Flyway, Canada and light

geese are at the maximum season length of 107 days allowed by Migratory Bird Treaty Act. Greater white-fronted season similarly will likely be unchanged with a 74-day season. Recommendations: Recommendations are to adopt federal frameworks for daily bag limit, possession limit and shooting hours; adopt a 74-day season length in the Low Plains Unit and adopt a 96-day season length in the High Plains Unit. Recommended season dates for ducks, mergansers and coots: **High Plains Unit: Oct. 8 – Jan. 2 and Jan. 21-29 Oct. 6 – Dec. 30 and Jan 19-27; Low Plains Early Zone: Oct. 8 – Dec. 4 and Dec. 17 – Jan. 1; Oct. 6 – Dec. 2 and Dec. 15 – Dec. 30; Low Plains Late Zone: Oct. 29 – Jan. 1 and Jan. 21-29; Oct. 27 – Dec. 30 and Jan. 19-27; and Low Plains Southeast Zone: Nov. 5 – Jan. 8 and Jan. 21-29 Nov. 3 – Jan. 6 and Jan. 19-27.** Showed historic perspective chart showing opening and closing dates from 1970 to 2012. Asked wildlife area managers for perspective and plotted hunter number and harvest for last five seasons. At Marais des Cygnes – 10 percent decline in annual harvest, 12 percent decline in hunter participation; at Neosho WA – smaller, but similar declines. Another important tool in developing season is the use of human dimension surveys. We conducted surveys in 2010 and 2012 to gain insight into hunter preferences. This gave us a before and after shot. There were two main questions from the 2010 survey. From graph, we can see there is polarization among hunters (those wanting early and those who prefer later opening days). Majority chose after Nov 17; fewer before Nov 12; and some with no preference. Mailed out 6,000 surveys, 47 percent said season just right, 28 percent said too early, and 8 percent had no preference. Preferred dates were Nov 3-Jan 6 and Jan 19-27 (27.7 percent). Two consecutive days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” and 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. Youth hunters must be 15 years of age or younger and an adult at least 18 years of age must accompany youth hunter. Adults may not duck hunt but may participate in other seasons that are open on the special youth day. Recommendations are to adopt federal frameworks for daily bag limit, possession limit, and shooting hours. Recommended season dates for the special youth waterfowl hunting days: **High Plains Unit: Oct. 1 and Oct. 2; Sept. 29 and Sept. 30; Low Plains Early Zone: Oct. 1 and Oct 2; Sept. 29 and Sept. 30; Low Plains Late Zone: Oct 22 and Oct 23; Oct. 20 and Oct. 21; and Low Plains Southeast Zone: Oct 22 and Oct 23. Oct. 20 and Oct. 21.** Federal Frameworks – Geese: Dark Geese (Canada, White-fronted, and Brant) – Between the Saturday nearest September 24 (~~September 24~~) (**September 22**) and the Sunday nearest February 15 (~~February 12~~ **17**); Light geese (Ross’s and Snow) between the Saturday nearest September 24 (~~September 24~~) (**September 22**) and March 10. Season Lengths and Limits: Dark Geese - Canada geese: 107 days with a daily bag limit of 3. White-fronted geese: Option A: 74 days with a bag limit of 2; Option B: 88-day season with a bag limit of 1. Light Geese: 107 days with a daily bag limit of 20 with no possession limit. Recommendations are to adopt federal frameworks for season length, daily bag limit, possession limit and shooting hours for dark (Option A for white-fronted geese) and light geese. Recommended season dates for dark and light geese: White-fronted Geese: ~~Oct. 29 – Jan. 1 and Feb. 4-12; Oct. 27 – Dec. 30 and Feb. 2-10~~; Canada Geese: ~~Oct. 29 – Nov. 6 and Nov. 9 – Feb. 12; Oct. 27 – Nov. 4 and Nov. 7 – Feb. 10~~; Light Geese: ~~Oct. 29 – Nov. 6 and Nov. 9 – Feb. 12; Oct. 27 – Nov. 4 and Nov. 7 – Feb. 10~~; and Light Goose Conservation Order: ~~Feb. 13 – April 30. Feb. 11 – April 30.~~ Falconry – Dedicated but small group and season follows waterfowl seasons. Recommendations: adopt federal falconry regulations. High Plains Unit: ~~Oct.~~

~~8 Jan. 2 and Jan. 21-29; Oct. 6 – Dec. 30 and Jan. 19-27; Low Plains Early Zone: Oct. 8– Dec. 4 and Dec. 17–Jan. 4; Oct. 6 to Dec. 2 and Dec. 15-30; Low Plains Late Zone: Oct. 29– Jan. 1 and Jan. 21-29; Oct. 27 – Dec. 30 and Jan. 19-27; and Low Plains Southeast Zone: Nov. 5– Jan. 8 and Jan. 21-29. Nov. 3 – Jan. 6 and Jan. 19-27.~~ Extended Falconry Seasons: High

Plains Unit Extended Seasons: None; Low Plains Early Zone Extended Seasons: Feb. 25 – March 10; Low Plains Late Zone Extended Seasons: Feb. 25 – March 10; and Low Plains Southeast Zone Extended Seasons: Feb. 25 – March 10. Although too early to predict with certainty, we anticipate no major changes in frameworks regarding season length, bag and possession limits and opening/closing dates from previous year for the general duck and goose seasons; July 15-20, Central Flyway Council Meeting; July 25-26, Service Regulation Committee; and vote on regulations at August 23 KDWPT Commission Meeting.

Commissioner Budd – Lot of people here interested in ducks (large number raised hands); asked how many wanted earlier season (shown by raised hands); staff recommendations or compromise (shown by raise of hands). Commissioner Wilson – Had gentleman earlier who asked about south unit of Neosho wildlife area and that they hadn't pumped any water into that corn field; what is the reason for that? Bidrowski – I will have Brad Simpson answer that. We will have public land managers at August meeting giving a presentation. Brad Simpson – Are you referring to last year? Commissioner Wilson – Yes. Simpson – Last year was a dry year and we intended to pump it but got into some stream flow issues in the Neosho River. In fact had trouble pumping the main unit and we were in constant contact with the Division of Water Resources and the Kansas Water Office on meeting minimum stream flow. They did give us a two week window to pump, there were also some maintenance issues with the pump and Monty was short handed so it was a combination of issues, but mainly because of stream flow in river. Intend to pump this year if minimum stream flows are met, with priority on main unit. Monty has proposed a capital improvement project to put in a submersible pump in south unit, try to obtain easement through private property and this will give us more flexibility and efficiency, but it will be 2014 before it is completed. Commissioner Wilson – Do you apply for GRDA or something like that, they release water into the river at Burlington? Simpson – We do not do that. Commissioner Wilson – Could you do that? Simpson – I don't know. We have pumping rights, but it is restricted, they read them above Neosho and down at Parsons, if stream flow is low at Parsons they shut us off. Commissioner Wilson – Where did water come from that came into the river when you initially pumped? Simpson - Based off releases up river. Corps control releases at reservoirs. Don't remember what their release rates were last year, but Division of Water Resource and Kansas Water Office are involved in stream flows in all rivers throughout the state, in coordination with the Corps. Commissioner Wilson – Still not guaranteeing water in south unit? Simpson – Monty plans on pumping that unit. Commissioner Wilson – Bought that in conjunction with Ducks Unlimited (DU) and we would like to see water if possible. Had gentleman (Michael Shropp) approach us last year in duck season and he had some issues with the season at Inman Lake, are you familiar with that? Bidrowski – Last year when we changed the Low Plains late boundary to include all of McPherson Wetlands into the low plains, in doing that his wetland reserve program (WRP) marsh was included in low plains and his preference would have been to stay in low plains late. Since we had already finalized our zone boundaries with the Fish and Wildlife Service as of April 1 this year we were not able to accommodate any more changes. We have had contact with him and U.S. Fish and Wildlife Service and the Central Flyway representative and those zone boundaries are set until the 2014 season.

Dennis Harris, Attorney in WY County for 40 years and passionate waterfowl hunter -Volunteer

for DU for years. Haven't been able to attend Commission meetings in the past, but watched August meeting last year. You need to move that around to other parts of state rather than just Great Bend. Appreciate Commission passed southeast zone, good movement for waterfowl and waterfowl hunters, but disappointed in season date only 3-4 days from what opening was the year before, wanted November 17. Hunted public and private lands in south zone and around Kansas City, in south zone ducks arrive around time commercial turkeys arrive for Thanksgiving. That area ties more in Grand Lake and other areas down in Oklahoma as far as arrival of waterfowl. Daughters come back during Thanksgiving and Christmas seasons, and I would like to see one more week later. Would agree to compromise with just one more week later. Watched meeting in Wichita and saw article an outdoor writer wrote in the Wichita Eagle Beacon about comments on a 200-yard distance between hunting groups at public hunting areas. I think it is an excellent idea, but understand staff would have problems with enforcement. I could copy that regulation and keep copy in my pocket and share other hunters if in place. When I started hunting at Perry Reservoir back in the late 1960s; I got there early in the morning and had my decoys out and I had three hunters move in on my hunt, 50-yards away, so I picked up my decoys and left. Had there been some type of regulation I could have advised them, with a written copy, that they needed to move 200 yards away. Reporter in Wichita in error of that assessment of that recommendation and would ask that the Commission reconsider that.

Bob Beachey, Lawyer from Prairie Village – Helped found DU in Shawnee district in 1979, hunting Marais des Cygnes since 1961 and belong to a duck club and we keep records of our duck harvest. Last year heard there might be a southeast zone and some of us were anxious about that. Very few people I know received the survey, we are shallow marsh hunters at Marais des Cygnes and it is 60 miles to Kansas City. We called department and talked to the lady who was the waterfowl biologist and she said there would be no southeast zone this year, feds screwed it up and there won't be time to put notices out; and the next thing we knew we had a southeast zone. Neosho needs that, but Marais des Cygnes should have never been in that zone. Fact is it is a done deal, it is a five-year thing, but we want staff recommendation because that is the best thing for us, that time is best for us. You have bad dilemma here. In 1970s Bill Anderson, who was one of you commissioners, started Marais des Cynges Valley Waterfowl Association to organize hunters to fight Wichita duck hunters because they wanted a ridiculously early season and we had a 39-day season then and weren't days to go around. Now don't want to push seasons back that far. Dennis hunts deep water, we could be frozen up by Christmas and season is over, ducks may come back in January if it frees up. Commissioner Budd – Mostly members of Hillcrest which is traditional club? Beachey – About six of us are. Commissioner Budd – Would you be opposed to a compromise? Beachey – I can only speak for me and as I lawyer that is what I do, compromise. Budd has worked his tail off on this issue and has talked to everybody that would talk to him about it and has done a spectacular job. Problem with November 10 is; am I going to open the pheasant season or the duck season? Would rather see duck season week before pheasant season and then I can do both. Commissioner Budd – Come a long way because first communication I had with Marais des Cygnes group I expected to be strung up. Beachey – Don't think it was the Commission, feel there was active good communication, but feel we were mislead, maybe not intentionally.

Nick Smith, Neosho County Kansas native – Born and raised near Neosho Wildlife Area and appreciate southeast zone. Commissioner Budd has contacted several of us in the area with input and realize there may have to be a compromise. From PowerPoint saw that there are certain stipulations that feds give us on number of zones. When waterfowl arrives, distance between us

and Marais des Cygnes group, but we would like to maximize harvest potential and if we could delay a week for opener that would benefit us. Mr. Silovsky has done some fabulous projects in south unit and DU has contributed a lot of money to that. Hunt private land, but unit brings in afternoon refuge factor, like to see water and would be willing to contribute to it and would help Monty with hands or whatever we need to do. Been sprayed in eyes so would like to see 200-yard distance.

Pat Farrington – I too hunt Marais des Cygnes valley, hunt off creek downstream of power plant and don't see early ducks. We fight spring flooding, later crop planting and crops don't mature until late October or early November and we are fighting water issues all of the time. Don't have water available to pump and we tried to start pumping last year as early as September and we had one marsh available for opening day. See shift in weather patterns in last few years pumped up until end of year. See majority of mallards after Thanksgiving, first part of December. Need good data for hunting in January. If you look at trend, see October as traditional opening date, now into November; maybe trend needs to continue even later. Youth opener is two weeks before regular season when hardly any ducks out there for them to shoot. Assume that is tied to goose season opener? Bidrowski – Tied with Low Plains late youth season. Farrington – Last two years lowest harvest on opening day on record. Bidrowski – Option to move week later, set for ease of regulations. Farrington – Seeing warmer temperature, seems silly to create new zone and only move it by one week. Chairman Lauber – The southeast zone was designed as a means to compromise, this is not the first year groups are split on days and we can't have every county with their own hunting season. Under frameworks had to create a new zone which was discussed for two years or more and was an effort to compromise. Have to try and figure out who to help or penalize, don't know what answer is, but someone close to where you hunt feels the other way. The southeast zone was a means that the U.S. Fish and Wildlife Service would us to accommodate primarily the Neosho group. Appreciate everything Commissioner Budd has done, but there are no private discussions as a commission like was mentioned. Commissioner Budd – Would you agree with second week of November opener? Farrington – No, the closer to Thanksgiving the better. Commissioner Wilson – Ever shoot any ducks on feed fields later on? Farrington – Hunted on ice before, not opposed to that. Commissioner Budd – I don't think anybody here on Commission is here to penalize anyone because of a zone that was created. I think we need to give everybody that is passionate about this an opportunity and not penalize one or the other, objective is compromise, which is a good thing. My opinion is a later opener is better; would hurt Marais des Cygnes valley, no I don't believe so. As Commissioners we are supposed to make end users happy. Chairman Lauber – I feel the other way, date as it is now is a result of compromise and concur staff did what is in the best interest of entire zone. Commissioners understand the issue, vote for later opening or same opening as last year. Commissioner Doll – How is November 3 on the Low Plains southeast a compromise date? Chairman Lauber – Whole southeast zone was a compromise. Outside of mallards, lots of woodducks are harvested. Pulled part of Low Plains late into area with more January days. Lot of state has duck hunting besides down at Neosho. Commissioner Wilson – We understand that, but this is about the southeast zone. Those people aren't here and weren't represented last August either. Beachey – We were told we didn't have to be that the southeast zone was not going through. Commissioner Wilson – Then you should have talked to someone on the Commission. The waterfowl biologist makes the recommendations, we make the rules. Chairman Lauber – Quite a few of people said they weren't included in the survey, but majority of survey respondents agree. Commissioner Wilson - I never spoke to anyone who received the survey.

Bidrowski – On January 2012 6,516 surveys were sent out. We received 67 percent return. Names came from HIP that had zip codes in southeast zone and surrounding areas such as Wichita and Kansas City. A normal survey, for instance small game survey, gets a response rate of about 25 percent that shows a lot of people have a stake in this. Commissioner Budd – Have a lot more information I would like to share with Commission, but since this is Frank’s last meeting we are going to do something for him and if anyone has any questions come talk to me. Chairman Lauber - Continue at 7:00.

VII. RECESS AT 5:35 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

Chairman Lauber – Welcome Shari Wilson, former Commissioner.

XI. DEPARTMENT REPORT

C. Workshop Session (continued)

2. Late Migratory Bird Seasons – (continued) Commissioner Meyer – Explain what each side wants. Commissioner Budd – Part of guys in Marais des Cygnes valley want the season to open the first week in November; north end of southeast zone; the south end of the southeast zone wants it to open the third week in November. Commissioner Meyer – Two weeks difference? Commissioner Budd – Yes. I have met with most of these guys over the past year and had numerous conversations, heated on both sides. I see these waterfowl hunters all year because I hunt a lot. After two weeks of talking everybody was pretty much in agreement to compromise and split the difference for the second week in November. Even though it was going to be on pheasant opener, 99 percent of the guys said they would go pheasant hunting when they want to and waterfowl hunt when they want to, whichever they prefer first. Commissioner Meyer – From drift of conversation this afternoon, it’s obvious we are not going to make everybody happy so I think it is time to make everybody a little bit mad and split the difference, call it good and go home. Is everybody good with that? Chairman Lauber – Marais des Cygnes wants first weekend, which is recommended, and Neosho wants later so we are supposed to decide which of those two duck clubs win. I think rest of southeast zone, that represents about 25 percent of the state is made up by more average hunters of which 3,000 sent back a survey, with over 1,000 in agreement to leave it the way it is because they sense, as do I, that the southeast zone, in and of itself, was an attempt to compromise. Commissioner Wilson – Not by the Commission. Commissioner Meyer – For the benefit of the folks that called Emporia, this was not on the agenda but came up somewhere in the U.S. Fish and Wildlife Service, so don’t blame Emporia. Let’s split the difference and get on with the agenda. Chairman Lauber – We don’t vote tonight and this discussion is going to come up because of the southeast zone. Faye McNew talked to us in this Commission for a long time about setting up the southeast zone and it wasn’t a fast thing and the Commission did approve the southeast zone and feel this commission did approve these changes. We have two competing interests who have monopolized the issue, lot of waterfowl hunters not here who have the right to be considered. I am one vote and there are seven votes. In

August, follow staff recommendation or come up with a compromise. Commissioner Meyer – What is the staff recommendation? Chairman Lauber – To keep the season we had last year and this year. Commissioner Meyer – That would make one-half happy and one-half mad. Commissioner Wilson – Correct. Commissioner Budd – Passed out pamphlet put out by Delta Waterfowl which is a duck migration study. The survey was done by Season's End, which is a bipartisan policy center. Look at it and see what they are saying about climates, the way seasons have changed, weather patterns have changed and duck migration patterns have changed. The disappointing thing to me is we have a diverse commission and all of us have a little expertise in some field of the outdoors and when we are talking about fishing I will look to you, Mr. Chairman and Robert because you know more about fishing than I do; and when we look to duck hunting, not that I am an expert by any means, but I'd appreciate the same consideration or it is difficult for me to give you that consideration. I believe that staff, as much as staff across the country in government agencies does, wants to do things like we did it 100 years ago and I don't believe in that. We created a new zone in the state of Kansas and it makes no sense to make it 3 to 5 days different than the rest of the state. When the end user is standing up here and saying they both want something different and they are willing to compromise on this, I don't believe we should put personal opinions in this; my personal opinion is third week of November. I believe we need to make both parties as happy or unhappy as we can. We will talk about this again in August. Chairman Lauber – Shot ducks for 45 years or more, but don't hunt as much as you do and do fish more. I do know a tremendous amount of people who hunt smaller lakes, waterfowl areas and public areas throughout the southeast zone and they rely on enjoyment of resource by hunting earlier ducks like woodducks, gadwalls and widgeons, non-mallards species which do migrate later. Small ducks out earlier and mallards come later. Something that would make more sense is to maybe have a bigger split at the end, more January and less December time possibly, but don't know if the U.S. Fish and Wildlife Service will let us. We all know the issues, will vote in August and get guidance from staff. Commissioner Doll – Is the southeast zone boundary created by the feds or is that something we do? Chairman Lauber – We asked for it to be created, they have to approve it and we can't change it without their approval. Commissioner Doll – For a certain number of years? Chairman Lauber – In this case until 2014. Commissioner Wilson – But we asked for where it stands today? Chairman Lauber – Right. Commissioner Wilson – Those people in the north part of that didn't want to be in that zone like Mr. Beachey that was here before. Commissioner Meyer – We have established we can't change the zone. Commissioner Doll – How many more years on this map? Tymeson – Four more years. Commissioner Doll – In four years you can change it to fit so there is a long term solution. Commissioner Dill – This is staff's recommendation and that is what is going to come to a vote. Can we change the date at that time or do we need an alternative amendment? Tymeson – Communicate with me and I will work with waterfowl staff to come up with other options come that you can see in front of you rather than coming up with it in meeting. Would like to see draft regulation to split date in middle and have that available in August. Commissioner Doll – One more week would be November 10 as an alternative amendment. That is how I am leaning too. Commissioner Dill – Have not made up my mind, but rehashing the same issue and that would be a good compromise to have alternative amendment drafted and go on.

3. Falconry Regulations – Mike Mitchener, wildlife section chief, presented this report to the Commission (Exhibit V). – Regulations are finalized and submitted to the Attorney General's office, published in Kansas register and plan is to vote on them in August.

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Brad Kilpatrick, President and Founder of Kansas City Catfish and Dave Studebaker, Owner and Founder of Catfish Chasers Tournament Club in northeast Kansas – Get you to consider slight alteration to transporting of water law which is geared towards baitfish. But when we do tournaments, we allow trailering to any ramp on the lake for safety reasons and convenience for the fishermen. With water law the way it is I can't in good conscience tell them to bring back their fish back to the weigh-in without taking off from that ramp because they have to carry the water to keep the fish alive, which is one of the rules we have so we can release them. Like to see, for event permit or something of that nature or an amendment so that during that event the operator could be sure the livewells were dry and empty when coming to the lake and empty when they leave, they would be allowed to transport water in livewells to bring fish to weigh-in site, not dumping water anywhere, release after fish released. On multiple occasions, on Milford Lake in particular, strong winds become a safety issue and jeopardizes welfare of the fish because you are out there bouncing on 6-foot waves it jars those fish around. As a group we applaud conservation efforts in trying to eliminate invasive species. As organization with an event, would like to see something similar to bass pass where they are given permission to catch sub-legal fish for that particular event. For safety of my fishermen, looking for a way I can get fish back to weigh-in and not worry about their safety. Asking for permission to trailer boat from weigh-in site and move to another ramp on the same lake. Chairman Lauber – Is departure from department waters, is that from leaving state park gate facilities or when you pull it up on a ramp? Studebaker – As rule reads, once you enter a state Highway then you are breaking the law. Tymeson – That is the direction Kevin has given his folks, once you get on the public road, we are giving some leeway because the technical term would be you can't leave the water; some discretion for cleaning fish and weigh-in. Kevin Jones – Rule says when leave body of water, but realize people come up to campsite or up to fish cleaning station, directed officers to ticket if they leave property, like Corps or state park gate, that is a definable line. If just going down shore of lake, still within boundary of reservoir, allow people to move in a reasonable manner. Studebaker – That is possible on a few lakes, but not possible at Milford, have to get on state highway to get to state park. Chairman Lauber – Have bass pass, tournament pass may allow you to move some fish. See your point. As we evolve understanding we would like to encourage this type of thing. Need to think about it. Commissioner Wilson – After you weigh fish in do you release those fish or some people take them? Studebaker – They are the property of the club and are revived and released. Kilpatrick – I don't allow stringered fish, my guys have to have livewells. The largest fish we have weighed in to date was an 83-pound blue catfish and largest stringer was at Milford and was 186. Studebaker – The safety of our fishermen is number one issue. Commissioner Budd – Is Milford your major problem? Studebaker – No, Tuttle Creek, Milford and Perry because of the way the wind tunnels through the lakes and because of size of lake. Some with only one ramp are no problem. Also, fish Melvern. Commissioner Budd – Put you with Doug Nygren and law enforcement. Doug Nygren – Have conversation for sure. Commissioner Meyer – Make sure people don't haul water in livewell. Want to protect our waterways and if we can do that. Kilpatrick – Agree with what Commission is doing. Nygren – Have contacted other states and can have conversations on what we can do.

Brian Rhodd – Too many deer and a few years ago you created the Unit 19 management zone. I

am a whitetail hunter, archery hunter and happen to be a law enforcement officer and see lots of car/deer accidents every year. (Provided handout – Exhibit W). Handout is a proposal of how we might reduce some of these car/deer accidents. State has a great resource in whitetail deer, but too many deer around Topeka, Lawrence, Kansas City and Leavenworth areas. Idea is incentive to shoot one whitetail antlered buck. I will take one doe for meat, but go somewhere else for another buck. Shoot deer and give to feeding the hungry programs. In that zone have an extra antlered buck tag if they shoot a doe; Illinois has a similar bill going through the legislature. Give me an incentive to shoot two more deer, a doe and then shoot another buck in that unit. The only county with significant decrease of car/deer accidents was in Atchison County. Not getting worse, but not better either. Help protect resource, tax payers, businesses and law enforcement. Chairman Lauber – Will give handout to deer study group to review and take it under consideration. Commissioner Bolton – You say you shoot buck and doe for meat, don't eat the buck? Rhodd – Yes I do. I have the right to buy at least four more doe tags, but with time constraints I go out of state to kill another buck. Commissioner Bolton – The science is shooting more does is helping the herd. Rhodd – I can shoot the does, but people are not doing it. Chairman Lauber – He is saying if people had the opportunity to earn another buck permit he would be incented to shoot another doe to get that. Unit 19 is a complicated issue.

James Gray – Represent group who wants to change regulation for using handgun to hunt deer. (Handout – Exhibit X). Current law requires handgun with case length of 1.28 inches and caliber of .24 which allows for several common calibers to be used, but were developed 50 years ago. In recent decades there have technological developments that have led to improvements in caliber and shorter case length cartridges could be used to hunt deer. More options tailored to his age. First research led us to Colorado and Nebraska, 550 foot-pounds of energy at 50 yards. Hunters' responsibility to carry documentation that cartridges carry that. Feedback from Mr. Fox and deer committee suggested added based on .91 case length, to achieve same result. Commissioner Meyer – How long have these cartridges been around? Gray – Last 20 years, some 5-6 years. Commissioner Meyer – Lloyd, when was this regulation last written and approved? Lloyd Fox – Handguns about four years ago. Commissioner Meyer – Give us time to take another look and see what we think.

XI. DEPARTMENT REPORT

D. Public Hearing

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

Brad Simpson - Tom mentioned that we are planning on doing public lands/waterfowl briefing for you in August, let me know what you want included in the recommendation.

1. KAR 115-8-2. Blinds, and tree stands, and decoys. - Brad Simpson, public lands section chief presented this report to the Commission (Exhibit Z). These include the use of tree stands and portable ground blinds and waterfowl decoys. Agency recommendation: 1) tree stands shall be limited to two per person on all department-managed lands. All tree stands must be marked with name and address or KDWP number of owner when used on department-

managed lands. This would still not allow exclusive use, meaning that anyone may use an unoccupied tree stand on department-managed lands. 2) portable ground blinds cannot be left unattended and shall be removed at the end of each day on department-managed lands. In addition, portable ground blinds shall be marked with owners' names and addresses or KDWPT number. Commissioner Budd – I did some research on some states. All those states have a regulation on distances. It's a matter of public safety. Some of them have a regulation of 200 yards, including South Carolina. They also have some areas where the 200 yards didn't apply so they made it 100 yards in that area. This is something that is common sense. I think we have to take public safety first and the recommendations nationally of 300 yards. I think we have compromised a lot with 200 yards when you are looking at the ballistics of these shotgun shells. Do you have possible amendment to include 200-yard safety zone? Commissioner Meyer – How many yards apart are blinds at Cheyenne Bottoms? Simpson – About 300 yards, but they are no longer usable. These blinds used to be drawn but we have done away with that system so they are just open. Commissioner Meyer – Lawyer who spoke this afternoon, recognized what he said. Chairman Lauber – I saw it as an ethics issue more than a safety issue; 200 yards is almost 27 acres, trying to regulate ethics and common courtesy. We don't have regulations for hunting distances for other game birds. If we agree to adopt this standpoint, how could we do that? Could people agree to hunt closer? Don't think it is necessary, but understand your point. Department doesn't support it. Make motion on regulation and see if this amendment has a second. Commissioner Budd – Difference from waterfowl, sitting still and setting up in one area. This does not comparing apples to apples in upland bird hunting. It's a completely different hunting scenario. Want to make sure waters are safe, fish are safe but we don't care about the hunters? Commissioner Bolton – Have statistics to show any hunting accidents from hunting too close? Commissioner Budd – No statistics. Kevin Jones – We compile incidents on hunting accidents, hunter education keeps stats on that and look at information in regards to waterfowl hunting. There are incidents that do occur. We have had officers do investigations and reports on them. Commissioner Budd – Kevin, if you had a set of waterfowl hunters 100 yards apart shooting back and forth from same duck blind, what do you think? Jones – Logical and ethical, no potential harm from an individual. Commissioner Budd – Most of accidents that happen, didn't know he was that close or didn't know it was loaded. Jones – Swinging on game is biggest issue. Chairman Lauber – Kevin, do you see need for this regulation? Jones – See issue with physical evidence, blind sight to blind sight, decoys spread becomes more problematic as in how big is the decoy spread, boats and drifting and things of that nature. When does an officer approach if there is a boundary concern? Chairman Lauber – Good faith attempt to regulate ethics, I understand why it is there. Commissioner Dill – Do you remember any waterfowl incidents reported in last year or two? Jones – One or two possibly in last couple of years. Commissioner Budd – If I amended amendment to read no individual shall hunt waterfowl within 200 yards of the nearest hunter. Commissioner Doll – Department does not support amendment, why? Simpson – Enforceability, will limit hunting opportunity. If this is an issue, teach hunter ethics if this is an issue. It will limit the number of hunters able to use our public hunting areas. Commissioner Doll – Small areas compared to larger areas such as Cheyenne Bottoms. Simpson – Small area with small cells that are a few acres in size. Commissioner Doll – What is impact in numbers? Simpson – Texas Lake, McPherson, Jamestown will definitely limit the number of hunters– Hunting acres availability due to water acres available. Commissioner Doll – How do we measure 200 yards? Simpson – Hard to tell. Commissioner Doll – Going after safety issue or ethics? Commissioner Budd – Why didn't you come up with areas and how they would be

impacted, then come back with a possible solution for each? Chairman Lauber – Policy adjustment on all of my public lands? Commissioner Budd – How many commissioners does it take to direct staff? Secretary Jennison – Don't think Commission does direct staff, management has to direct staff. Chairman Lauber – By policy not involved in staff issues, not as individuals supposed to do that. Commissioner Budd – Asked for direction on turkey this afternoon, have to wait until asked. Commissioner Meyer - Take vote and see where it lands. Steve Ledger – Hunter education instructor, most accidents happen when hunting game. One Ly Cygnes five years ago, one guy hit with one pellet and tried to file assault charges. Not know when someone was in an area in the fog when you come in and set up. Who has to move and who doesn't. Can't regulate ethics and in my opinion an unenforceable law. It is self-regulating, hard to have open hunting for everyone. How would you constitute a group? It would be a nightmare for law enforcement. Could easily be in violation without any intent.

Commissioner Frank Meyer moved to approve KAR 115-8-2 before the Commission. Commissioner Tom Dill seconded.

Commissioner Don Budd moved to amend KAR 115-8-2 to include language on 200-yard minimum, Robert Wilson seconded – Commissioner Doll – Brad, are you familiar with Cheyenne Bottoms and the goose firing line on the highway? How far apart are those hunters? Brad Simpson – Those hunters regulate themselves. If there are not very many there, they spread out but if the geese are coming out they want to be there in the flight pattern so they generally stack up. Commissioner Doll – So those geese are coming out in the same direction? And this would cover goose hunting also. Sheila Kemmis – I just want a clarification on this so you are saying your friend in the same hunting party has to set up 200 yards away from you because it says specifically an individual? Commissioner Budd – I will withdraw this amendment to seek legal counsel on exact wording. Commissioner Doll – Can we pass this another way without passing a law, maybe by posting some signage. Recommended distance posted as 200 yards. Is that something to think about? Commissioner Doll – Purpose in the safety makes sense but drafting it last minute doesn't, without looking at each potential area without exceptions made, just uncomfortable with but do not want to drop the safety issue. Commissioner Budd – So the suggestion has been made to put signage up now. Commissioner Meyer – Following Robert's Rules of Order, you have to vote on that amendment. We cannot amend the amendment. **No vote as motion was withdrawn.** Commissioner Budd – Would like make a new amendment that we put recommended distance on signs at waterfowl hunting spots. Commissioner Lauber – Don't see an issue with putting out a sign about being courteous to other hunters with suggestions for distance. Commissioner Bolton – I would like to see the economic impact of putting out signs.

The roll call vote on KAR 115-8-2 as recommended was as follows (Exhibit CC):

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

The motion as presented KAR 115-8-2 passed 5-2.

Secretary Jennison – The recommendation to the Department is signage before the opening of the waterfowl season but which areas, what the signage is going to be and a variety of other issues. Commissioner Lauber – Staff come back with recommendations for signage and which waterfowl areas to put them on. Commissioner Doll – This item needs to be on the agenda for the next meeting. Brad Simpson – At our next meeting since we are doing a waterfowl/ public lands/wetlands briefing, we will have some samples of the signs. Will get with our information/services section. Bring some templates at that time.

2. KAR 115-8-23. Bait; hunting. - Brad Simpson, public lands section chief presented this report to the Commission (Exhibit AA). 3) Waterfowl decoys shall be removed at the end of each day on department-managed lands and waters. 4) No person shall place, deposit, expose, distribute, or scatter bait while hunting or preparing to hunt on department lands. The definition of “bait” is considered to be grain, fruit, vegetables, nuts, hay, salt, sorghum, feed, or other mineral or food that is capable of attracting wildlife. Liquid scents and sprays are not considered bait. Only state in Midwest that allows unrestricted baiting. Steve Ledger – Concerns about areas where private land borders public land. Undue burden on hunters who hunt on public land. Not fair and equal for all the people. Does department lands include walk in hunting areas? Brad Simpson – At this time it does not. Bait piles have to be on private lands.

Commissioner Debra Bolton moved to approve KAR 115-8-23 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-8-23 as recommended was as follows (Exhibit CC):

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

The motion as presented KAR 115-8-23 passed 7-0.

3. KAR 115-8-24. Commercial guiding on department lands. - Brad Simpson, public lands section chief presented this report to the Commission (Exhibit BB). 5) A permit will be required for all guiding/outfitting for hunting on department-managed lands and waters. Permits will be issued after Guide/Outfitter (permittee) completes a short application process. Permittee will be required to provide an annual report by July 1 of each year. Talked about non-toxic shot, still considering that but will bring forth in January of next year for September 2013 season. Steve Ledger – At previous meeting page 14, wildlife must intensely managed in a way that provides fair and equitable access for all. I think by allowing guides to take people on public ground with no charge, it looks like taxpayers are subsidizing their business and paying for improvements on their ground. Hunters cannot compete with the sheer size of outfitter

businesses.

Commissioner Frank Meyer moved to approve KAR 115-8-24 before the Commission. Commissioner Don Budd seconded.

The roll call vote on KAR 115-8-24 as recommended was as follows (Exhibit CC):

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

The motion as presented KAR 115-8-24 passed 7-0.

4. KAR 115-17-6. Commercial mussel fishing license; mussel salvage permits; license or permit application and requirements, authority, reports, general provisions, and license or permit revocation. – Ed Miller, research biologist presented this report to the Commission (Exhibit DD). This is a topic we haven't thought about for ten years because there has been a 10-year moratorium on commercial mussel harvest and expires this year and we are asking for another 10 years. Four factors: freshwater mussels low demand, low price, China flooded market and don't need Kansas nuclei, one permit sold in Oklahoma, no commercial mussel harvest north except in Mississippi River proper; zebra mussel affects native mussels, lower density; one of three species protected has not rebounded from heavy harvest, three ridge, down to about 2 percent, 43 percent in Marais des Cygnes only where there is no harvest; and trespass complaints and tied up law enforcement. Continue to monitor sites, look at sites every 5-6 years, would allow salvage operations to occur if needed. Would have no problem making zebra mussels a commercial species.

Change date to 2022 (10 additional years) under (b); under (b)(5) and (D)(6) add word "relevant"; and other clean-up language.

Commissioner Don Budd moved to approve KAR 115-17-6 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-17-6 as recommended was as follows (Exhibit GG):

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

The motion as presented KAR 115-17-6 passed 7-0.

5. KAR 115-17-7. Commercial harvest of mussels; legal species, seasons, size restrictions, daily limits, and possession limits. – Ed Miller, research biologist presented this report to the Commission (Exhibit EE). Change date to 2022 (10 additional years); and other clean-up language.

Commissioner Frank Meyer moved to approve KAR 115-17-7 before the Commission. Commissioner Don Budd seconded.

The roll call vote on KAR 115-17-7 as recommended was as follows (Exhibit GG):

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

The motion as presented KAR 115-17-7 passed 7-0.

6. KAR 115-17-8. Commercial harvest of mussels; legal equipment, taking methods, and general provisions. – Ed Miller, research biologist presented this report to the Commission (Exhibit FF). Change “department” to “secretary”; and other clean-up language.

Commissioner Don Budd moved to approve KAR 115-17-8 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-17-8 as recommended was as follows (Exhibit GG):

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

The motion as presented KAR 115-17-8 passed 7-0.

7. KAR 115-17-9. Commercial mussel fishing; open areas. – Ed Miller, research biologist presented this report to the Commission (Exhibit HH). Change date to 2022 (10 additional years); and other clean-up language.

Commissioner Debra Bolton moved to approve KAR 115-17-9 before the Commission. Commissioner Don Budd seconded.

The roll call vote on KAR 115-17-9 as recommended was as follows (Exhibit II):

Commissioner Bolton	Yes
----------------------------	------------

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

The motion as presented KAR 115-17-9 passed 7-0.

8. KAR 115-20-7. Doves; legal equipment, taking methods, and possession. - Tom Bidrowski, migratory bird manager, presented this report to the Commission (Exhibit JJ). This proposal would require that doves be taken only while in flight similarly to the method of take required for other state game birds like pheasants and quail. The basis of this proposal is to ensure safety and reduce any potential damage to property or loss of services (high lines).

Commissioner Don Budd moved to approve KAR 115-20-7 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-20-7 as recommended was as follows (Exhibit KK):

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

The motion as presented KAR 115-20-7 passed 7-0.

9. KAR 115-25-20. Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation. - Tom Bidrowski, migratory bird manager, presented this report to the Commission (Exhibit LL). Kansas is one of nine states that allow sandhill crane hunting in Central Flyway (NE is only state that does not). Kansas has often been more restrictive than federal sandhill crane hunting frameworks, and the current limited shooting hours were implemented in 2005 to reduce the chance for misidentification of whooping cranes. This proposal would change the current legal shooting hours for sandhill cranes to sunrise to sunset for the entire season. The proposed regulation change will reduce regulation complexity, improving hunter participation and satisfaction while maintaining safeguards to prevent accidental take of whooping cranes. Lisa Stickler – Audubon of Kansas, Director of AoK unable to make it to meeting. Policies and procedures for hunting one species should not be detrimental to another species. Changes to policies regarding sandhill cranes removes safeguards, which were put in place to protect whooping cranes, an endangered species. Critical habitat for whooping cranes, two out of four of these critical habitats exist in Kansas. May require special management or consideration. Mentions two, possibly three whooping cranes killed by sandhill crane hunters in November 2004. Ask for vote to maintain current regulations to protect whooping cranes. Matthew Keenan – Sandhill crane hunter for the last 20 years. Agrees with

reasonable accommodation of moving shooting hours. Commissioner Bolton – Clarification on this. Commissioner Lauber – We agreed to ½ hour after to sunrise. We chose to go sunrise to sunset.

Commissioner Frank Meyer moved to approve KAR 115-25-20 before the Commission. Commissioner Randy Doll seconded.

The roll call vote on KAR 115-25-20 as recommended was as follows (Exhibit MM):

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

The motion as presented KAR 115-25-20 passed 5-2.

10. Early Migratory Bird Seasons – Tom Bidrowski, migratory bird manager presented this report to the Commission (Exhibit NN). September Teal Season is designed to provide harvest opportunities on teal that normally migrate through Kansas prior to general waterfowl season. Season lengths are based on breeding teal population estimates that are not available until June. The final Federal Frameworks will not be set until the June 21 USFWS Service Regulatory Committee Meeting. However, based on last year’s blue-winged teal breeding population of 9 million and spring habitat conditions in the Prairie Pothole Region (which has good carry-over from 2011), the 2012 count is expected to allow for a 16-day season, September 8-23 in Low Plains Unit. In developing season dates it is important to note that only eight days will be available in the High Plains due to 107-day limit on hunting of any one species set by the Migratory Bird Treaty Act. The regular High Plains duck season of 97 days is allowed under the regular season liberal package, and with two days of youth hunting leaves only eight days to reach the 107-day total; September 15-23 in the High Plains Unit. **Consensus.**

11. KAR 115-25-1. Prairie chickens; open seasons, bag limits, and possession limits; permit. – Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit OO). There are two species of prairie chicken in Kansas: the greater prairie chicken (GPCH) and the lesser prairie chicken (LPCH) and they both occur in landscapes dominated by native grasslands. Currently, the department regulates harvest of prairie chickens within three hunt units. The most liberal harvest regulations exist in the eastern half of the state, and more restrictive regulations are in place for western Kansas. Current estimates of harvest and hunter effort are mapped through a post-season mail survey to a random selection of small game license holders. This method only provides coarse estimates for prairie chickens because only 3 percent and 1 percent of small game license holders pursue GPCH and LPCH, respectively. Thus, we receive relatively few completed questionnaires from chicken hunters, greatly reducing the precision of our estimates compared to other more commonly pursued species. Recommend southern boundary of NW unit, currently I-70, recommend 96, Great Bend west of Scott City to Colorado line. We are also recommending a mandatory permit for prairie chicken hunters through the KOALs system.

We have the science to recommend increased harvest in that area. September 15 – October 15, third sat in November to end of January. Mandatory permit for prairie chicken at \$2.50 which is minimum amount we can charge with KOALS. Possible amendment: amend proposed subsections (b) and (c) to change interstate highway I-70 to read “state highway K-96 to its junction with federal highway US-56, then east on federal highway US-56”.

Commissioner Randy Doll moved to bring KAR 115-25-1 before the Commission. Commissioner Frank Meyer seconded.

Commissioner Don Budd moved to amend KAR 115-25-1, Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-25-1 as recommended was as follows (Exhibit PP):

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

The motion as presented KAR 115-25-1 passed 7-0.

The roll call vote on regulation KAR 115-25-1 as amended was as follows (Exhibit PP):

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

The motion as presented KAR 115-25-1 passed 7-0.

12. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit QQ). Similar to 25-9, but this deals with just Fort Riley. Everything we talked about for March we included in the document. Possible amendment: amend proposed subsection (g) and renumber original (g) to subsection (h). New subsection (g): Any person with a deer permit valid in deer management units 1, 12, 15, and 19 during an archery season, regardless of that person’s age, may use a crossbow in those units during the archery season if the crossbow meets the minimum equipment requirements specified in K.A.R. 115-4-4(a)(3). Each person between 16 years of age and 54 years of age shall obtain a free crossbow hunter survey number from the department before hunting with a crossbow during an archery season.

Commissioner Don Budd moved to bring KAR 115-25-9a before the Commission.

Commissioner Frank Meyer seconded.

Commissioner Don Budd moved to amend KAR 115-25-9a, Commissioner Frank Meyer seconded.

The roll call vote on KAR 115-25-9a as recommended was as follows (Exhibit RR):

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

The motion as presented KAR 115-25-9a passed 6-1.

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

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

The motion as presented KAR 115-25-9a passed 6-1.

XII. Old Business

XIII. Other Business

Commissioner Dill – The Department has a lot of different committees that meet like Turkey, Deer, Waterfowl, just wanted to ask the Secretary if we could have two commissioners, no more than two, but if there are some commissioners that would like to be on these committees if they may attend the committee meetings. Secretary Jennison – I would like to think about it. I might hold out a possibility of ex-officio. I think it is a chance for the Department to work out options. I will report back to you.

A. Future Meeting Locations and Dates

August 23 – Great Bend (Wetland Education Center)

October 18 – Fall River (Flint Oak Ranch)

January 10, 2013 - Butler Community College new facility, El Dorado
Invitation to come to Manhattan.

XIV. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

(Exhibits and/or Transcript available upon request)