

AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, October 18, 2012
Flint Oak
2639 Quail Rd, Fall River
(Tour Flint Oak 9:00 AM)

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE August 23, 2012 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. Agency and State Fiscal Status (Robin Jennison)**
 - 2. 2013 Legislature (Chris Tymeson)**
 - B. General Discussion**
 - 1. Governor's Eco-Tourism Committee Briefing (Robin Jennison)**
 - 2. Camping and Utility Fees (Rick Martin)**
 - 3. Fall Turkey (Jim Pitman)**
 - 4. Deer 25-Series Regulations (Lloyd Fox)**
 - 5. Antelope and Elk 25-Series Regulations (Matt Peek)**
 - 6. Lesser Prairie Chicken Federal Listing Briefing (Keith Sexson)**
 - C. Workshop Session**
 - 1. Falconry Regulations – clean up (Mike Mitchener)**
 - 2. Big Game Permanent Regulations (Lloyd Fox)**
 - 3. Agritourism Regulations (Chris Tymeson)**
 - 4. HIP Stamp - cleanup (Mike Miller)**
- VII. RECESS AT 5:00 p.m.**

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

1. **KAR 115-1-1. Definitions (artificial lures). (Doug Nygren)**
2. **KAR 115-18-18. . Hand fishing permit; requirements, restrictions, and permit duration. (Doug Nygren)**
3. **KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season. (Doug Nygren)**
4. **KAR 115-7-3. Fish; taking and use of baitfish or minnows. (Doug Nygren)**
5. **KAR 115-7-10. Fishing; special provisions (fishing tournaments). (Doug Nygren)**
6. **KAR 115-2-2. Motor vehicle permit fees. (Linda Lanterman)**
7. **KAR 115-8-19. Personal conduct on department lands and waters; provisions, restrictions and penalties (alcohol). (Linda Lanterman)**
8. **KAR 115-4-15. Restitution scoring system; white-tailed deer; mule deer; elk; antelope. (Kevin Jones)**
9. **KAR 115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms. (Brad Simpson)**
10. **KAR 115-25-6. Turkey; spring season, bag limit, permits, and game tags. (Jim Pitman)**
11. **KAR 115-2-1. Amount of fees (resident senior hunting license). (Mike Miller)**
12. **KAR 115-18-22. Senior pass valid for hunting and fishing; requirements, restrictions, and permit duration. (Mike Miller)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on October 18, 2012, to reconvene October 19, 2012,, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment.

If notified in advance, the department will have an interpreter available for the hearing impaired. To request an interpreter call the Kansas Commission of Deaf and Hard of Hearing at 1-800-432-0698. Any individual with a disability may request other accommodations by contacting the Commission Secretary at (620) 672-5911.

The next commission meeting is scheduled for Thursday, January 10, 2013 at Butler County Community College Clifford/Stone Community Center, 901 S. Haverhill Rd, El Dorado, KS 67042.

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, August 23, 2012
Kansas Wetlands Education Center
592 NE K156 Hwy, Great Bend, Kansas**

Subject to
Commission
Approval

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

The August 23, 2012 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at the Kansas Wetlands Education Center, Great Bend, Kansas. Chairman Lauber and Commissioners Don Budd, Randy Doll, Tom Dill, Roger Marshall and Robert Wilson were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

The Commissioners and Department staff introduced themselves (Attendance roster - Exhibit A). Sheila introduced Emma Foltz who was taking notes for her.

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Workshop item number 1, Kyle Austin will be presenting instead of Doug Nygren.

IV. APPROVAL OF THE June 21, 2012 MEETING MINUTES

Sheila Kemmis - Late migratory bird seasons had incorrect dates. Commissioners each have the corrected dates. These need to be corrected in the minutes.

Commissioner Robert Wilson moved to approve the minutes as corrected, Commissioner Tom Dill second. Approved. (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Tim Donges, El Dorado, President of Blue Stem Branch of Quality Deer Management Association – At national convention in Nashville, TN a few weeks ago, our branch took top honors out of 30 new branches started last year in the U.S. and Canada. Also, Kentucky wildlife agency took honors for their quality deer management practices and education, their second time; would like to see Kansas win that. The biologists who come out and do our land visits could be doing a better job covering the four cornerstones of deer management: habitat management, herd management, herd monitoring and hunter information. We would like to see good information going out to the landowners and the hunters. They don't feel they're getting enough information. Paul Ryan, the V.P. pick for Mitt Romney is a member of the Deer Quality Management Association and an avid bowhunter; maybe we could make contact with Mr. Ryan. On Saturday, K-State with Lloyd Fox and Charlie Lee are putting on a quality deer management

school at the Pratt County Fairgrounds in Pratt from 8-4 and is free to the public. (Handout – Exhibit C).

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. – Required to submit our budget by September 15 and we are little behind. We got allocation later in the summer and should get project budgets done and sent over to budget office. Once it has been there about a month we should have an opportunity to appeal certain portions of it. One of the challenges is that the park side of agency has to become self sufficient. With the recession, we are going to have to start finding that money ourselves, for parks and tourism. We started down that road with the legislature. We got the park pass, which is modeled after a Michigan plan (they got 25 percent of cars and light trucks – we hope to get 10 percent, about \$1.8 million) and can be purchased at the treasurer's offices. The Governor also gave us ELAR money, which is expanded lottery funds from state-owned casinos. And we paid off cabins so now parks are getting 90 percent of revenue from cabins (about \$800,000/year) and Wildscape gets 10 percent. The governor put us under the Economic Development Initiatives Fund (EDIF) instead of the state general fund (SGF), which we thought would be a good thing. However, when allocations came out, they treated us the same as SGF folks, so we will be toned back about 10 percent (\$800,000 to \$1 million). We thought we would have a good year; had excellent winter weather and set records from Feb-May for revenue, but had the worse revenue in July in seven years. The other challenge is the tax reduction -- about a \$260 million hole for the state. Everyone received a 10 percent reduction, and we have been asked to monitor our hiring. Linda is working on putting together an Eco-Tourism steering committee for the Governor. Beginning to look at resort issues and have been to Clinton several times (working with City, developers and Corps) which is the most likely site for a resort. Question was asked about commissioners on the working groups. The process has professional staff working up recommendations and the management team brings it to the commissioners, who act on them. Feel commissioners should not be on a working group as they might be able to influence the group. It takes away people bringing it up to the professional staff. If we put commissioners in the process earlier there would be a question about transparency. In consultation with Chris, I'm not going to allow it at this time. Commissioner Wilson – What are our plans for more cabins and how will we be financing them? Jennison – We will not be financing them. We will be meeting with Wildscape about how we will be doing this. The next point of interest for cabins is at Hillsdale. Wildscape feels they could have fundraising activities to raise most of the money for cabins. One of the things we have to talk about is that the current MOU gives Wildscape 10 percent of revenue up to \$120,000 annually for the cabins once they are built and do we continue to do that? Commissioner Budd – Do members of the House and Senate sit on subcommittees with their staff? Jennison – No, in Kansas we have nonpartisan legislative staff. There are some committees, partly from legislature and partly from Governor that have had industry folks and the legislature; not staff and legislators having a formal committee. Commissioner Budd – Appreciate your comments, but would like you to consider Commissioner Dill's request again. Get briefing book and only get a chance to look at items in a short time frame, by being on committee, we could have a lot more knowledge before coming to Commission meetings.

Jennison – I was surprised when I got here to see how long it takes for us to actually vote on something, in most cases it is an involved process where we take a lot of public comment, so items are well vetted before coming to a vote. Afraid discussion in the open wouldn't happen if commissioners were involved earlier. Commissioner Budd – Our main goal is we want to satisfy the end user, not commissioner or staff. Jennison - Any information we can provide to you to help you do that, we would be happy to.

2. 2012 Legislative Update – Chris Tymeson, chief legal counsel, presented this update to the Commission. There will be a dramatic shift in the legislature due to the new House (about 45) and Senate (12) members because of redistricting. Every year is an educational process as new legislators come in. This shift will mean a shift to fee funding in our agency to get us off the general or EDIF funds, which has been done on wildlife side, but now will be done on parks side. The 2013 session will holdover crossbow issues and deer. Most of our initiatives were passed, so it will be a more defensive-type session. In the November election, House concurrent resolution 5017, will be up for vote to amend the constitution, which will allow the legislature to set a different level of taxation for vessels and we need to get the word out on that and hope to get the Governor's office to do a statement prior to the election.

B. General Discussion

1. Feral Swine Control Efforts in Kansas – Curran Salter, APHIS Wildlife Services, presented this update to the Commission (Exhibit D). Have been doing feral swine work in Kansas since 2006. The European wild boar was domesticated to the ones we find on the farm today. If the domesticated species was kicked out into the wild, in two to three generations it would start taking on those wild characteristics. There are no native swine species in North America. In 1982, map shows location of pigs, which originally came when the Spanish, who first colonized Florida in the 1500s. That was the first introduction of pigs in the United States. In 2004, the map shows a significant increase and Wyoming is the only state that doesn't have feral swine. The primary spreader is the intentional release for sport hunting. An estimated 5 million free-ranging feral swine in 2011, with damage estimates of \$1.6 billion per year. Texas is the worst case scenario, where an estimated 2.6 million feral swine thrive, and that is expected to double in next 6-8 year. Feral swine are present in all 254 counties with estimated agricultural damage cost of \$52 million annually. They have federal, state, county, agricultural company, private individual and wide open hunting, and still the population is increasing. In Kansas, Chad Richardson did the first pig work at Fort Riley in 1995 and removed 385 pigs. In 2004, we worked with Oklahoma and did aerial control at Murphy Farms along Cimarron River and removed 14 pigs. In May 2005 we held inter-agency meeting discussing feral swine and in September 2005, our agency started conducting surveys and documenting feral pig populations. Our funding comes from Kansas Animal Health Department with additional funding from federal Wildlife Services, Kansas pork producers and private farmers and ranchers. In 2005 and 2006 legislative laws were passed on pigs in Kansas. Hunting is not an adequate solution to removing the pigs. Two biggest things pigs damage is milo and corn. It is estimated that they did \$250,000 in agricultural damage in 2011. We have also documented livestock and native wildlife depredation and competition with wildlife for food. Feral swine carry diseases with the most concern being pseudo rabies and swine brucellosis, and we have found both in the state. Live trapping, aerial gunning, snaring and night vision shooting have been the control methods we have used, with aerial gunning being the most effective tool. Use corral trapping and try to get the whole group in a process which takes about a month. Since 2006, 2,583 pigs (over 3,000

including Fort Riley and border pigs) have been killed in Kansas, and we have been the only state to eradicate pigs from areas. We have worked with more than 550 cooperators on 750,000 acres of land and another 200,000 acres of state and federal land. We are in the process of making it a criminal law to kill and dump pigs instead of civil; once that is in place need zero tolerance on pig dumps. There are less than a 1,000 pigs left and most are in northern Bourbon and southern Linn counties.

2. Tourism Briefing – Linda Craghead, assistant secretary for Tourism and Parks, presented this report to the Commission (Exhibit E, F). On July 13 and 14, the Kansas River was designated as the second national water trail in the United States, right behind the Chattahoochee River. Secretary Salazar, Department of Interior, was here for the dedication. Keith and his staff did an excellent job of starting river assess under former Secretary Hayden. Roger Wolfe is the River Access coordinator, and he has worked closely with organizations along the Arkansas and Kansas rivers. There is a presidential program called America's Great Outdoors Initiative to establish a conservation and outdoor recreation strategy. The Governor nominated the Flint Hills and the Kansas River, which is 173 miles long from Junction City to Kansas City. This is about driving economics to the state. We are losing funding and have to look for opportunities outside the box and figure out how to bring additional resources to the state. We partnered with the National Park Service out of Omaha and that was key in making this happen. This was an opportunity for state and federal partnerships as well as partnerships with communities along the river.

Becky Blake – Working with National Park Service on marketing that river trail. Working on development of a micro-site which will be part of travelks.com website; a printed trail guide; and working on signage with KDOT. Much of what we do involves partners. On September 4 we will have a new employee in Tourism division: Sue Stringer who is currently with KDOT and will continue her work with the byways program and assist with agritourism. Byways program coordinator is working on interpretive plan for byways and beginning to look at trails along byways. We are producing a new 48-page Outdoor Guide in collaboration with the Kansas Magazine and will be supported by advertising. The goal is to produce it annually. The Kansas Magazine has won a couple of awards, including the gold and silver award for 2010 and 2011 editions from International Association of Printing House Craftsmen. We are opening the attraction grant program for communities: \$100,000 to help them leverage their dollars and increase economic impact. We will be rolling out the new website this fall. Working on 2013 plan and held four meetings offering partnerships with communities. We went from a bi-annual visitors guide to an annual guide. Expanded our travel show schedule and will be attending more nature-based shows.

3. Waterfowl Management Briefing - Brad Simpson, public lands section chief, introduced public land managers (PowerPoint – Exhibit G). We have five administrative regions throughout the state with 42 field staff (lost 10 percent of work force) and three unclassified biotech. We manage over 120 properties, 135,000 acres fee title, and over 210,000 through COE and BOR, and manage over 6,000 acres in other agreements. There are 75 wildlife areas (22 are COE or BOR), 37 state fishing lakes and 10 other public lands. Primary goals are the public hunting and fishing opportunities and to conserve and manage wildlife and their habitats. A third goal is to be a source for recruitment and retention of hunters through youth/mentor programs, special hunts and ADA areas. In 1859, 12 historic wetlands were deeded by the U.S. Congress to

State of Kansas, all were sold to establish Emporia State University, but we have acquired about 10 of these back through fee ownership and acquiring another one in Lincoln County. Currently manage over 25,000 acres on 32 areas with natural or developed wetlands that are managed for waterfowl and other migratory birds. Range in size from 2 acres to 13,000 acres, and include playa lakes, salt marshes, developed marshes, WRP, to reservoirs. Managed with PR federal aid grants, WFF, ag funds, and with assistance from NAWCA (North American Wetland s Conservation Act) grants and waterfowl stamp funds. Hunters have purchased 26,000 to 30,000 waterfowl stamps each year in the last ten years. In 2002, state waterfowl stamps increased to \$5 (\$3 before that) and generate \$130,000 to \$150,000. This money goes into a special fund to benefit wetlands.

NAWCA is a federal grant that is incentive based and fosters development of public/private partnerships to protect migratory bird habitat, and we use it in Kansas for wetland restoration and acquisition. Since 1990, we've completed 16 projects totaling \$27 million on 71,000 acres and propose two more projects this year. Without Ducks Unlimited, this would be a time consuming grant for us to administer. Wetland management involves water, refuges, vegetation, and challenges entail aging infrastructures, money, time, manpower, decision making, and hunter management.

Introduced wetland managers: Rob Unruh, Jamestown (22 yrs); Brent Theede, McPherson Valley Wetlands (8 yrs); Karl Karrow, Marais des Cygnes (27 yrs); and Monte Manbeck, Neosho (7 yrs); who each spoke about their respective areas (included in PowerPoint).

Unknown Audience – What do you do with the silt you remove? Unruh – Have 404 grant so generally leave it in the marsh. Unknown – Do you spread it out? Unruh – Leave it in piles. Simpson – Karl here at Cheyenne Bottoms moved silt last year to an upland area outside of the marsh. That is the issue -- What do you do with the silt when you take it out? Most times we put it up on the levee. It is costly to get rid of. At last meeting, Commissioners encouraged us to come up with a sign for waterfowl areas which we did. It says “waterfowl hunters maintain safe distance between hunting parties, be courteous of other hunters, know your target and what lies beyond it, following safe and ethical practices will ensure that everyone hunting public lands will enjoys a high quality experience”, this will be posted at all kiosks.

4. Cheyenne Bottoms Signage Project - Manuel Torres, Region 3 public land supervisor, presented this update to the Commission (PowerPoint – Exhibit H). Cheyenne Bottoms signage committee was put together after the Governor's Eco-Tourism summit. The committee is made up of people from different partners. The purpose is to “enhance the visitor experience in order to move them toward stewardship of the resource.” Mission statements from all the partners have something to do with conservation, informing the public and travelers -- the same general idea of what we need to do. We need people to know what we do. Some of the recommendations are entrance sign enhancements, interpretive signs, direction signage, and highway pull outs. Right now there are two entrance signs. The Kansas Wetland Education center should be the visitor's first stop. Cheyenne Bottoms is one of the most important wetlands we have. We want to enhance our signs with the same color as the scenic byway colors. We want to have directional signage so the visitor knows exactly where they are at. Starting to develop a plan to move forward.

Break

5. Big Game Permanent Regulations - Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit I). Have five permanent regulations we usually bring up at this time and decide whether we are going on with each one. KAR 115-4-2 Big game; general provisions - contains information that must be included on the carcass tag; registration (including photo check) needed to transport certain animals; procedures for transferring meat to another person; procedures for possessing a salvaged big game carcass; and who may assist a big game permittee and how they may assist, including the provisions for designated individuals to assist disabled big game permittees. A photo check deer registration system was initiated for the 2010 seasons and modified for the 2012 season to allow people to process their deer in the field and transport it without the head being attached if the hunter had photos necessary for completing the photo check system. No comments from staff or public were received on this regulation last year. KAR 115-4-4 Big game; legal equipment and taking methods (one of more complex and controversial regulations) - contains: specific equipment differences for hunting various big game species; specifications for bright orange colored clothing; accessory equipment such as calls, decoys, and blinds; shooting hours; and special restrictions on the use of horses or mules to herd or drive elk. Two items have come up: transmitted arrow, regulation currently says no electronics can be attached to bow or arrow. A device is being built that could be used to aid hunters in the recovery of archery wounded deer. The device uses a transmitter attached to an arrow. The miniature transmitter remained attached to the deer even if the arrow passed through or fell off. The concept of this type of equipment has been reviewed by the KDWPT deer committee but has not received majority approval. The second item was a request to allow additional calibers of handguns to be used for deer hunting. Restrictions on handguns for deer hunting in this regulation have not changed since 1985. New bullets, powders and calibers of handguns have been marketed since 1985. A current list of calibers of handguns with their ballistic characteristics was reviewed by the KDWPT deer committee. This regulation will be brought back for a workshop session in October, but because of the complexity it is assumed that additional workshop sessions will be needed in January and March and may be necessary in April or June before a final regulation recommendation will be submitted for a Public Hearing. KAR 115-4-6 Deer; firearm management units. No changes in deer management unit boundaries are currently being discussed within the department, or have been requested by the public. KAR 115-4-11 Big game and wild turkey permit applications. Modified a few years ago and no changes in the application process of big game or wild turkey permits are currently being discussed within the department or from the public. KAR 115-4-13 Deer permits; descriptions and restrictions. SB 314 passed last legislative session and it states: Prior to April 30, 2013, the secretary shall develop and implement a combination antlered and antlerless deer permit and adopt rules and regulations for the administration thereof. We have a mandate to come up with a combination permit for deer hunters and would have to be completed by March. Creating an optional combination permit that contained two carcass tags, (one carcass tag valid for either sex of deer and one carcass tag restricted to an antlerless-only white-tailed deer) adds additional complexity for deer hunters and vendors. Replacing all existing either-sex permits to a two-tag combination permit. Combination permits might be established based on conversion of an existing either-sex permit type to a two-tag permit. A conversion of a permit type to a two-tag permit does not increase the level of permit complexity in our permit system that an optional combo permit would. Non-resident leasing of deer hunting lands in Kansas combined with their low participation in antlerless deer harvesting is frequently mentioned as a key factor leading to localized overabundance of deer and is often associated with crop damage caused by deer to an

adjacent landowners. A promising procedure for a combination deer permit in Kansas is to limit the change to just non-residents with an either-sex permit. To emphasize that the combination permit is being developed for deer herd management, the price the new permit could be either revenue neutral for the department, or the combination permit could be the same price as the current either-sex permit and we could anticipate the reduction in revenue based on which permit types were converted. It is recommended that KAR 115-4-4 and 4-13 be brought back to the Commission in October in a Workshop Session. Commissioner Dill – On one for types of equipment, what are you going to do in review process? Fox – Looking at what other states are doing and rely heavily on input from law enforcement division as well. Most of that has to do with the way the regulation is written, for example, our handgun restrictions are based on caliber and length of the cartridge case; items that can be reviewed in the field by the officer. Some other states are going with regulations that are using foot-pounds of energy which we can't measure in the field. Another alternative is to be broader in the way we write the regulation to preclude people from selecting equipment that we feel is inadequate for big game harvest. One way is to allow hunter to make these types of decisions and focus department efforts on education of what is adequate. Allow greater flexibility so that when a new version of a .357 comes out with different energy ratings, we don't have to go back and review each piece of equipment again. Commissioner Budd – On KAR 115-4-4 I would like you to look at two things: implementing law on anything that is centerfire cartridge and see if that is feasible or not. Fox – That is one of the options we are looking at. Commissioner Budd – The other item would be on the arrow transmitter, for that guy to getting us one so you can look at it and give us an honest opinion on it. Fox – He feels he will have production by January and that is another reason we are putting this one in a delayed process compared to 4-13, which will be done in March. Mike Pearce, Wichita Eagle – On combo deer permit, you said it would be for a buck and a doe, are you looking at one permit that will say antlered deer only? Fox – Basically the same permits we have only right now we have an either-sex permit and a whitetail antlerless-only permit, and we would now have a permit that allowed both of those; a permit with two tags associated with it. Pearce – Can you shoot two does with that permit? Fox – Yes, because the first permit is a whitetail either-sex permit. Pearce – What are you looking at for cost? Fox – Not decided yet, but would like to see it be revenue neutral for us; where department is not losing money and public doesn't feel we switched the permit to get more money. Also, looked at this as part of the youth permit, a combo; looked at several possible options. Trying to make sure we don't provide a system that issues additional antlerless permits that will detrimental to the deer herd. Also, want to put additional harvest in area where we feel we are having the most problems. Pearce – This has to be implemented by 2013 season? Fox – Yes it does. Pearce – Right now not looking at for general resident hunter? Fox – No recommendation until we bring back to workshop session. Possibility is to only bring back for nonresidents in this case.

C. Workshop Session

1. Fishing Regulations – Kyle Austin, fisheries section hatchery chief, presented this report to the Commission (Exhibit J). The first page of document shows proposed changes for statewide length and creel limits. We have 26 reservoirs, approximately 40 state fishing lakes and roughly 225 community lakes that we manage and our management biologists are very aggressive in managing those resources to provide better fishing for our angling public. Draw your attention to Glen Elder reservoir which was discussed in length at the last commission

meeting; staff is recommending a change to 20/day creel limit. Length and creel limits for Coffey County Lake, as requested by Wolf Creek nuclear plant employees: 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. Other proposed changes to 2013 are adding better definition of artificial lure – manmade fish-catching device used to mimic a single prey item (like Alabama rig). Change handfishing permit; a mandatory questionnaire was to be completed by each holder of a handfishing permit and that will no longer be needed. We propose a couple of extra winter fishing opportunities for trout stockings: Great Bend-Stone Lake and Cherryvale City Lake (Tanko) will both be added to the list. Proposed regulations for wild-caught bait and there were four gaps that were identified and which were discussed at last commission meeting in great detail. First gap was fish can now be transported from certain waters; looking at allowing bluegill and green sunfish transported from non-ANS waters. Second gap, fish cannot be captured in the stream or river and used in the immediate downstream reservoir; that is not what we intended. Next gap, commercial bait dealers were required to provide a receipt but anglers were not; closing that gap by requiring anglers to carry receipt from a permitted bait dealer. The last one is out-of-state bait; requiring permit dealers to be in compliance with Kansas commercial bait species and standards. A couple of guys got up at last commission meeting and on catfish tournament anglers/organizers. This did not get in the briefing book; but they had concerns on safety issues of hauling live fish off of designated ANS waters, for instance like at Milford state park, and want to go to upper end of reservoir and wanted to haul live fish via vehicle or boat and we are looking at language to allow that to happen. Each individual in the tournament will probably be required to carry a tournament permit issued by the agency and then they will be okay. Commissioner Dill – The person responsible for the tournament will issue those and hand them out? Austin – Handled at their pre-meeting and handed out at that time. Commissioner Budd – On the first gap it indicated fish can be transported from certain waters, I thought they couldn't? Chris Tymeson – That is a typo, but there is always going to be an issue with private water fishing impoundments which are statutorily defined. Commissioner Budd – Isn't this gap from public waters to public waters? Tymeson – No. Kevin Jones – The point of this would be, in a non-ANS water an individual could go and catch bluegill and green sunfish and transport to another body of water to be used as bait. Chairman Lauber – Part of the problem was you could still catch bluegill and green sunfish from a pond and we had no way to stop them from being moved from private waters. Tymeson – We looked at it and decided this was the least amount of risk and most beneficial for limb-line anglers who are currently prohibited.

2. Spring Turkey Regulations – Jim Pitman, small game biologist, presented this report to the Commission (Exhibit K). Three staff recommendations to workshop. The statewide harvest for 2012 was a little over 31,000 birds, in the ballpark of 34,000-36,000, which is the range in which harvest has fallen for each of the last seven years. Harvest success was 60 percent and permit sales were over 60,000. Concerned with declines over past several years in eastern part of state, but last year had better production than we have had in awhile. Indications are that production, over the eastern third of the state, were really good 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 department is recommending new spring hunting units that correspond to the new fall units that were recently

adopted. The second recommendation is to increase the season bag from one to two birds for Unit 1 (NW Kansas) due to increased turkey numbers and landowner complaints. Third we are recommending making Unit 4 draw permits valid in adjacent units.

3. Park Fees - Linda Lanterman, acting parks division director, presented this report to the Commission (Exhibit L). The Park Pass was introduced into the Kansas Legislature as a way to look at additional revenue for state parks and allow constituents easy access to state parks. When you go to register or re-register your vehicles, you will be able to purchase a park pass or many park pass permit. This will add easy pass into regulation and will take away seasonal pricing. If you purchase the annual vehicle permit through the park office or online, it will cost \$25.00. The daily vehicle permit will increase to \$5 at the gate and seniors will still receive discount if purchased at park office. Effective in January.

4. Alcohol on KDWPT Property - Linda Lanterman, assistant parks division director, presented this report to the Commission (Exhibit M). This initiative was looked at as a way of attracting resorts and passed the legislature to modernize the alcohol laws and allow state parks to stay competitive with federal parks, neighboring states, and attract new business opportunities. This would remove the restriction allowing only cereal malt beverages unless posted otherwise on KDWPT lands or restricted by the KDWPT public lands reference document. Commissioner Budd – What will be allowed now, everything? Lanterman – Yes, but we can make restrictions as deemed necessary. Tymeson – We have some restrictions in place already where there is no alcohol and that is not going to change. Allows wine or other alcohol on the rest of the properties.

5. Scoring methods for poaching penalty - Kevin Jones, law enforcement division director, presented this update to the Commission (Exhibit N). The passage of Senate Bill 314 requires that true restitution value be placed on trophy-class animals taken in violation of the law. The regulation had broad guidelines and some specific values under commercialization of wildlife, but nothing that really specified restitution values. Value will be determined through a formula based on the gross score of the animal's antlers or horns. The formula varies, depending on the species of animal, but it is basically the gross score of the animal in inches minus a constant value for that species; deer is 100, elk is 200 and antelope is 40. This number is then squared and then multiplied by \$2 to arrive at the value. The new law establishes a minimum score for the restitution value to be considered under the formula. We have opted to use the Boone and Crockett Club scoring methods. There process is copyrighted, but they have given us permission to use their method. Chairman Lauber – If a whitetail scored 125, you would square that? Jones – you would take $125-100=25$ squared x \$2 and that is the value, \$1,250.

6. Senior hunt-fish licenses/pass pricing - Mike Miller, information production chief, presented this report to the Commission (Exhibit O). Senate Bill 314 was a department-sponsored bill that proposed eliminating the hunting and fishing license exemption for Kansans 65 and older. The bill was amended and passed that allows Kansans 65 and older to purchase a resident combination hunting and fishing pass. The bill also provides residents 65 and older half-price annual fishing, hunting or hunting/fishing combination licenses. The bill requires the fee for the pass to not exceed one-eighth the fee for a general combination lifetime hunting and fishing license, which is \$880; during the legislative process staff indicated that a fee of \$40

would be adequate to ensure federal aid. The fee for a half-price annual hunting or fishing license would be \$9 and for a hunt/fish combination half-price is \$18. Chairman Lauber – Will this pass the feds numbers? Miller – I know the numbers we worked with when this was proposed, but don't know if those are going to stay. Jennison – Under current guidelines it will qualify us for PR/DJ for another 18 years for that individual. Other states have their senior licenses set up this way. This will put more money in the pot and Kansas will get more of the share of federal monies. Chairman Lauber – Do we have to escrow this money? Jennison – Under current understanding of the way the feds do it now, you can amortize that out and that is the key. The way it was done before is that we had to make a dollar per license, \$2 for combination and you can amortize that out so the \$40 amortizing out to meet the criteria all of the other states were working under. That portion of the bill sunsets in 8 years so it will come back the commissioners to vote on and set the license fees. Commissioner Wilson – After that 8 years is up will that \$40 continue to fund that? Tymeson – I believe you are asking about people who have already purchased it and yes it will.

7. Agritourism regulations – Linda Craghead, assistant secretary for Tourism and Parks, presented this report to the Commission (Exhibit P). In 2011, Governor Brownback issued Executive Reorganization Order Number (ERO) 36, which merged the Division of Travel and Tourism into our agency, in oversight agritourism was not technically part of tourism. So in 2012, the legislature passed Senate Bill 316 in response to clean up the ERO and add Tourism and Agritourism to our agency and statutes. With agritourism, there are a lot of duties and liabilities that come with that. Once the statutes are renumbered and cleaned up we will be presenting those regulations to you for your review and approval, probably in January or March of next year. Commissioner Budd – Are we were working with them, agritourism? Craghead – Since the merger actually, originally it was thought agritourism would move to the Department of Agriculture, but did not align with their purpose, so it moved to our agency. We have no FTE, but will fill that with tourism staff we currently have.

VII. RECESS AT 5:05 p.m. (Catered BBQ supper, \$13.50 each)

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

Chairman Lauber welcomed Debra Bolton who is with us via Skype.

XI. DEPARTMENT REPORT

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Bill Rice – Sedgwick, KS. Up at Marion, all the public hunting areas there is grass always had pheasant and quail. This farmer has not grown any grasslands for pheasant and quail. There was 40 acres that was mowed and bailed. Property along the river, a farmer put something on the land and nothing grew for three years and washed into the river on French Creek Cove. Another farmer burned turkey habitat. There are hardly any turkeys now, there are just predators.

XI. DEPARTMENT REPORT

D. Public Hearing

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

Mike Mitchener – KAR 115-14-1 through 14-10 are the falconry regulations that exist right now and will be voted on to revoke them. They will be replaced with KAR 115-14-11 through 14-15. Vote on each item to revoke, and then I will give brief description of new regulations and vote on them. We are moving from a state and federal permit and line up with new federal regulation which hands over the permitting and administration of falconry to the states. Chairman Lauber – Nearly every permitted falconer sent an email or letter in support of these new regulations.

1. KAR 115-14-1. Falconry; federal regulations. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit R). To be revoked.

Commissioner Don Budd moved to revoke KAR 115-14-1 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-14-1 as recommended was as follows (Exhibit U):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-1 passed 7-0.

2. KAR 115-14-2. Falconry permits. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit S). To be revoked.

Commissioner Don Budd moved to revoke KAR 115-14-2 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-14-2 as recommended was as follows (Exhibit U):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-2 passed 7-0.

3. KAR 115-14-3. Falconry permit classes and requirements. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit T). To be revoked.

Commissioner Debra Bolton moved to revoke KAR 115-14-3 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-14-3 as recommended was as follows (Exhibit U):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-3 passed 7-0.

4. KAR 115-14-4. Examination. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit V). To be revoked.

Commissioner Tom Dill moved to revoke KAR 115-14-4 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-14-4 as recommended was as follows (Exhibit Y):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-4 passed 7-0.

5. KAR 115-14-5. Facilities and inspection. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit W). To be revoked.

Commissioner Tom Dill moved to revoke KAR 115-14-5 before the Commission. Commissioner Randy Dill seconded.

The roll call vote on KAR 115-14-5 as recommended was as follows (Exhibit Y):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes

Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-5 passed 7-0.

6. KAR 115-14-6. Equipment. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit X). To be revoked.

**Commissioner Tom Dill moved to revoke KAR 115-14-6 before the Commission.
Commissioner Robert Wilson seconded.**

The roll call vote on KAR 115-14-6 as recommended was as follows (Exhibit Y):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-6 passed 7-0.

7. KAR 115-14-8. Reports. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit Z). To be revoked.

**Commissioner Debra Bolton moved to revoke KAR 115-14-7 before the Commission.
Commissioner Don Budd seconded.**

The roll call vote on KAR 115-14-7 as recommended was as follows (Exhibit CC):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-7 passed 7-0.

8. KAR 115-14-9. Acquisition of raptors. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit AA). To be revoked.

**Commissioner Robert Wilson moved to revoke KAR 115-14-9 before the Commission.
Commissioner Debra Bolton seconded.**

The roll call vote on KAR 115-14-9 as recommended was as follows (Exhibit CC):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-9 passed 7-0.

9. KAR 115-14-10. Other provisions. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit BB). To be revoked.

Commissioner Robert Wilson moved to revoke KAR 115-14-10 before the Commission. Commissioner Randy Dill seconded.

The roll call vote on KAR 115-14-10 as recommended was as follows (Exhibit CC):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-10 passed 7-0.

10. KAR 115-14-11. Falconry; general provisions. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit DD). This new administrative regulation sets general provisions for falconry. The provisions contained in the previous regulation as well as provisions from federal regulations are included in the new regulation. The provisions include hunting license requirements, take of certain species, abatement activities, feather disposal, carcass disposal, conservation education programs, rehabilitation, and hunting seasons.

Commissioner Don Budd moved to approve KAR 115-14-11 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-14-11 as recommended was as follows (Exhibit GG):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-11 passed 7-0.

11. KAR 115-14-12. Falconry; permits, applications, and examinations. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit EE). This new administrative regulation details permit classes, the application process and the examination for falconry. The provisions contained in the previous regulations as well as provisions from federal regulations are included in the new regulation. The provisions include the provisions of the application, dates permits are valid, transfer of raptors into the state, lapsed permits, temporary permits, permit levels and permit denial, suspension or revocation.

Commissioner Don Budd moved to approve KAR 115-14-12 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-14-12 as recommended was as follows (Exhibit GG):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-12 passed 7-0.

12. KAR 115-14-13. Falconry; facilities, equipment, care requirements, and inspections. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit FF). This new administrative regulation details facility, equipment and care requirements as well as inspections for falconry facilities. The provisions contained in the previous regulations as well as provisions from federal regulations are included in the new regulation. The provisions include facility definitions, minimum facility requirements, transport requirements, minimum equipment requirements, temporary facilities, training and facility inspections.

Commissioner Robert Wilson moved to approve KAR 115-14-13 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-14-13 as recommended was as follows (Exhibit GG):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-13 passed 7-0.

13. KAR 115-14-14. Falconry; taking, banding, transporting, and possessing raptors. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit HH). This new administrative regulation details taking, banding, transporting and possessing raptors. The provisions contained in the previous regulations as well as provisions from federal regulations are included in the new regulation. The provisions include hunting license requirements, capture devices, permission from the landowner, number of raptors that may be taken, threatened or endangered species, reporting take of raptors, recapture of raptors, identification of raptors taken, and release of raptors.

Commissioner Roger Marshall moved to approve KAR 115-14-14 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-14-14 as recommended was as follows (Exhibit KK):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-14 passed 7-0.

14. KAR 115-14-15. Falconry; transfers, trading, and sale of raptors. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit II). This new administrative regulation details transfers, trading and sale of raptors. The provisions contained in the previous regulations as well as provisions from federal regulations are included in the new regulation. The provisions include transfer of raptors, prohibiting sale of wild-caught raptors, marking of transferred raptors, and reporting of transferred raptors.

Commissioner Robert Wilson moved to approve KAR 115-14-15 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-14-15 as recommended was as follows (Exhibit KK):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-14-15 passed 7-0.

15. KAR 115-18-1. Wildlife rehabilitation permit; application, reporting and general

provisions. – Mike Mitchener, wildlife section chief, presented this update to the Commission (Exhibit JJ). This permanent regulation establishes requirements for wildlife rehabilitation permits. The proposed amendment results from coordinating the rehabilitation regulation provisions with the proposed changes in falconry regulations, specifically related to changing possession requirements for treatment for injured animals.

Commissioner Robert Wilson moved to approve KAR 115-18-1 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-18-1 as recommended was as follows (Exhibit KK):

Commissioner Bolton (via Skype)	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-18-1 passed 7-0.

16. Late Migratory Bird Seasons – Tom Bidrowski, migratory bird biologist, presented this report to the Commission (Exhibit LL, PowerPoint – Exhibit MM). The following is an update of the development of season dates and limits for Kansas general duck and goose seasons including staff considerations for the 2012-13 Waterfowl Seasons. USFWS establish frameworks from which states can develop migratory game bird hunting seasons. Federal frameworks provide bag and possession limits, season length and the earliest and latest dates for which the season can be held within. States can be more restrictive, but not more liberal. Frameworks are developed cooperatively through the Flyway System and USFWS service regulation committee. Since 1995, Adaptive Harvest Management (AHM) has been used to derive the frameworks for which season can be derived. AHM provided a set of four regulation alternatives that are derived from populations, habitat and harvest variables for mid-continent mallards. Based on this year’s breeding population estimate of 10.96 million midcontinent mallards and 3.89 million ponds in Prairie Canada, the prescribed regulatory choice for the Central Flyway is the “liberal” alternative. Federal frameworks for duck, merganser, and coot, under the liberal package are dates between September 22 and January 27; season length in High Plains Unit: 97 days with the last 23 days starting no earlier than December 8; in the Low Plains Unit: 74 days. Duck bag limit is six ducks, with species and sex restrictions as follows: five mallards (no more than two of which may be females), two redheads, three wood ducks, two pintails, and one canvasback. Merganser bag limits is five mergansers, only two of which may be hooded mergansers. States do have the option to include mergansers in the duck daily bag limit. Coot bag limit is 15 coots. Shooting hours are one-half hour before sunrise to sunset. With zones in the High Plains of no zones and up to two segments; and in the Low Plains – three zones with each having up to two segments. The only change from last year is that scaup jumps from a two bird bag limit to six. Special Youth Waterfowl Hunting Days: Two consecutive days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to the regular duck seasons. 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. An adult at least 18 years of age must accompany youth hunter. Adult may not duck hunt but may participate in other seasons that are open on the special youth day. Staff recommendations are to adopt maximum 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. The two day discrepancy is because of the 9-day teal season and 2-day youth season only leaves 96 days which brings us to the maximum limitation of 107 days for a single species per the Migratory Bird Treaty Act. Recommended season dates for ducks, mergansers and coots: High Plains Unit: Oct. 6 – Dec 30 & Jan 19-27; Low Plains Early Zone: Oct. 6 – Dec 2 & Dec 15 – Dec 30; Low Plains Late Zone: Oct. 27 – Dec 30 & Jan 19-27; Low Plains Southeast Zone: Nov 3 - Jan 6 & Jan 19-27. Recommendation is similar to the 2011 season adjusting for calendar shift. Staff recommendations are to adopt maximum federal frameworks for daily bag limit, possession limit, and shooting hours. Recommended season dates for the special youth waterfowl hunting days are High Plains and Low Plains Early Zone: Sept 29 – 30; Low Plains Late Zone and Low Plains Southeast Zone: Oct 20 – 21. An important tool in developing season is the use of human dimension surveys. As hunters are the ultimate end user, a priority is placed on setting season dates that match hunter preferences. In a 2010 survey we survey over 7,500 hunters across the state to get feedback on zones and preferred opening dates before we implemented zoning changes. This was augmented by public information meetings across the state. Presented here are the two important questions from the 2010 survey relating to opening day. You can see there is polarization among hunters (those wanting early versus those who prefer later opening days). Once hunters had a chance to experience the season we resurveyed them and targeted over 6,500 hunters in the southeast zone to solicit input for future hunting dates. A copy of this survey was handed out at the July meeting. When asked about the timing of the season zone they indicated 47.6 percent indicated the season was about right, with 26 percent thought it was too early, 9 percent thought it was too late and 18 percent had no opinion. The most direct question and valuable question relating to hunter season date preference was question 6. Where we directly asked what would be their preference for this upcoming season and as staff recommended it would be November 3 to January 6 and January 19 – 27 with one-third favoring this opening. If you combined the options from previous slide, it could be concluded that 52 percent would prefer opening day of November 3. Survey results show hunters may prefer earlier openers, but also indicated more opportunity for hunting in January; nearly a 60/40 split when asked which they preferred more days in. We also looked how season dates could potentially affect hunting and hunter participation. We plotted hunter number and harvest for the past five seasons at Marais des Cygnes and noted decrease in harvest of about 10 percent and reduction in hunter participation of about 12 percent if we shifted to a November 17 opening date. Similarly, but with fewer results, harvest and hunter participation would decrease for Neosho of about 3 percent. Showed slide that depicts how Kansas season compares to neighboring states in last year's 2011-12 duck seasons. Missouri and Oklahoma have similar seasons and Oklahoma just passed a November 3 season opener. Also, note that Iowa, Missouri and Arkansas are the only states that have a 60-day season and the Arkansas season is statewide with no zones. Waterfowling is steeped in traditions but waterfowl management has always been at the forefront of wildlife science. While we honor the past we haven't been confined by it. This graph represents duck season opening and closing dates since 1961 and provides a greater

explanation into Kansas harvest than the Season End report that was distributed at the July meeting. Green bars are number of days open to hunting (from low of 39 days to our present day framework of 74 days). The shades of green of the bars represent duck zones. Before 1972 one season statewide, in 1972 to 1996 had high plains and low plains, then from 1997 to last year had high plains, low plains early and late. Last year had high plains, low plains early, low plains late and low plains southeast zone. Zoning has allowed greatest flexibility in providing the greatest amount of opportunity. Blue lines are opening days and have crept up from mid-October to early November for the southeast portion of the state. Red lines are closing dates which also have shifted later to match harvest opportunity with migration and landscape changes (with agriculture and creation of reservoirs). The red diamonds are average dates of the mallard harvest used in Season End report for comparisons. A few things that were not considered in the report were the 2004 season extensions to the last Sunday of January instead of January 20, zoning changes, actual migration chronology, number of days in the season (longer seasons more dead ducks). For example in 1961 the first red dot is the mallard harvest which was 37,796 ducks compared to 2008 harvest of 114,167. Also, note that mallard harvest is still skewed to first half of the season not the latter. The take home of the graph is the amount opportunity we are currently able to provide. Moving season dates a week or so will not likely affect hunter satisfaction as much as when we drop to a moderate or restriction package of 60- or 39-day seasons. Combine current waterfowl numbers, for this year a record 4.86 million ducks counted in annual survey; and expanded goose hunting opportunities these are truly the “good ol days of Kansas waterfowling”. Moving onto geese; federal frameworks give us outside dates: dark geese (Canada, white-fronted, and Brant) between September 22 and February 17; light geese (Ross’ and snow) between September 22 and March 10. Season lengths and limits for dark geese is 107 days with a daily bag limit of three. White-fronted geese: Option A is 74 days with a bag limit of two; and Option B is 88-days with a bag limit of one. Light geese are similar to dark geese with 107 days, however a daily bag limit of 20 with no possession limit. The staff recommendations are to adopt federal frameworks for season length, daily bag limit, possession limit and shooting hours for dark and light geese; and Option A for white-fronted geese. Kansas has a small contingent of falconry hunters, but they are very passionate about their sport. We recommend adopt seasons following the regular duck season with the option of the extended falconry season which would run February 27 to March 10 for all seasons except the High Plains Unit which has maximum days. Again similar to 2011 shift in calendar dates. Staff recommendations are derived on sound principles of wildlife science that incorporates biological constraints of waterfowl and the social aspect of the hunter. Conduct large scale surveys of hunters with pre and post treatments of their season preferences and compare those results to migration chronology, hunter participation and harvest timing to develop recommendations that will provide the greatest opportunity for all waterfowl hunters. Kansas has a diverse waterfowl landscape and it is a daunting task to create a package that works for all. In the past 15 years Kansas has enjoyed some its longest seasons and greatest bag limits for both ducks and geese. With liberal packages and zoning, we have greatest means to satisfy the greatest array of constituents.

Commissioner Wilson - When looking at the neighboring states, did you look at Colorado?

Bidrowski - Yes, the dates for the eastern part of the state are on there, the two adjoining zones are October 8 – December 4 and December 23 to January 29 and for the southeast October 26 to January 29 for last year 2011/2012 and pretty much match up to our High Plains zone from last year too. Commissioner Wilson - Is their southeast zone considered a low plains zone?

Bidrowski - No, the area of the high plains zone was created in 1961 to pick up under-harvested

mallards and was set basically at the 100th parallel, for Kansas west of 283 and similar for Nebraska, Oklahoma and Texas. Commissioner Wilson - One of the comments of the Neosho Wildlife Refuge manager mentioned was that they shot a mixed bag of ducks the first two weeks and shot mallards the rest of the hunting season, have you taken that into consideration?

Bidrowski – Yes. Some of the adaptability of the mallards and wintering is similar to geese that assemble in large flocks, but the majority of mallards are still taken in the early part of the season, because most of the hunters are out then. Blue winged teal, gadwall and shovelers are earlier migrants. Facing water issues this year. Commissioner Wilson - Do you expect a freeze in the southeast zone this year? Bidrowski – I don't think I can forecast that. Survey respondents noted that last year was not a typical year. It was warmer. Commissioner Doll – You sent out 6,500 surveys and received about 3,800 responses about hunting dates, about half the people in the SE zone wanted a later start date, the other half wanted November 3 to be the start date?

Bidrowski – That removed people who had no response or preferred other dates. I was requested to do a compressed version of the graph. Only about 1,800 people answered this question on the survey. Commissioner Bolton – Why was Option G left off the bar chart? Bidrowski – Option G was not presented on the survey. These are all Saturday openers and Option G is a Thursday opener. If we start on November 17 we would only have a 72-day season. Commissioner Marshall - Why did you choose November 3 versus November 10? Bidrowski - November 10 interferes with another hunting season opener, upland game, and nearly a third of respondents went with November 3 opener. Chuck Carper, Great Bend – Three years ago came before the Commissioners before to move Cedar Bluff into the late zone. At that time told you couldn't do that because federal government was involved and you couldn't change the zones but every five years. Last year you agreed to do that and it didn't happen so today coming before you to asking for later opener than first weekend of October. Last year and years prior to that we never had influx of mallards until last weekend of the year. He has emails from other hunters asking to move the season back at least two weeks later. Bidrowski – There are two issues he brought up, one being the timing of harvest, 1,500 to 2,000 birds in October compared to less than 100 birds in December at Cheyenne Bottoms, but by moving season two weeks, drastically reducing number of hunters for Cheyenne Bottoms. Mallards were third last year in harvest behind blue-winged teal and shovelers. An issue that ties to that is the hunters' preference for ducks. The second issue is where you hunt. Chairman Lauber – We try to accommodate the largest number of sportsmen and the number of people affected has to weigh into this. In most years ice is a factor and as you begin to push that date back you lose water and hunters will be forced to hunt on free open hunting lands.

Larry Fry, Great Bend - Given the conditions across the state, I'm wondering if season dates aren't a moot point. It isn't going to make any difference when the dates are, there are going to be the same number of huntable ducks, zero. Chairman Lauber – If we don't get rain you are probably right.

Tom Los, Overland Park - Let the experts set the dates; the year goes hot then cold and hunters always want to fix the dates for the year that they had previously, they have the knowledge and expertise.

Wally Eltridge, Great Bend – The zones right now go in a circle around Cheyenne Bottoms, you can drive five miles in any direction and be in a different zone. Ducks migrate north and south. Bidrowski – It is based off of habitat types. Cheyenne Bottoms is relatively shallow and caters to dabbling ducks and if you are targeting mallards they will travel farther to feed. We make sure McPherson and Jamestown are in the early zone. Have petitioned for Cedar Bluff to be placed in

high plains zones twice and will try again.

Bill Rice – Wanted to know about the McPherson Wetlands and why it is separated into two different zones. The rezoning was done last year is all in the early low plains zone. Bidrowski – In rezoning last year now McPherson is all in early zone.

Commissioner Budd – Harvest data changes from year to year and the reason you don't see harvest numbers in January is because typically most of these zones are closed half of January so you are only hunting two weeks so we don't have data. Bidrowski – Have trends that trail off all through December at Marais des Cygnes. Commissioner Budd – I make a motion to adopt Option G in the southeast zone for several reasons; one being what I just mentioned, second it doesn't conflict with pheasant opener and third the lack of water and we are in a weather pattern that none of us can predict. Motion would be to make the SE zone Option G and use the staff recommendation for the rest of it; that would make duck seasons in the SE zone, November 15 – January 27. Chairman Lauber suggested having staff recommendation voted up or down before deciding on what to do. If this fails, the commissioners will look at the other options.

Commissioner Budd – See if we can get a second on my motion first. Chairman Lauber – More discussion? Documents provided to us from the department are provided with some thought and good faith and don't believe they pulled the numbers around to satisfy themselves. They are trying to provide for the majority of Kansans not just a few. There are three fairly large areas in the southeast zone, the Flint Hills, Marais des Cygnes and Neosho, all which probably have about 3,800 man trips throughout the season and two are dramatically affected by weather patterns. We shouldn't provide for one area over the other two. Still significant hunting in early part of season and there are other options better than Option G. Suggest vote on staff recommendation first and if it didn't pass chose another option. Commissioner Doll – Can we get a feel from the Commission on whether they want to vote on staff recommendation or vote on motion made at this point? Commissioner Marshall – I think if there is a second we will have to deal with it. Commissioner Dill – Can move for amendment when motion is made to adopt recommendation. Have rest of discussion and call question on staff recommendations and at that point make motion to amend. Commissioner Budd - What do we want to accomplish? We know what staff recommendation is and my motion would be to amend that with Option G. Chairman Lauber - Option G isn't fair to the people who don't hunt in the extreme southeast part of the SE zone, too many days at tail end of season and not enough at the front to benefit people who hunt early migrants and those who hunt areas that typically freeze up. Commissioner Budd – I hunted 63 days last season and would not propose this if I thought it was detrimental. The point you are missing is that we did what staff recommended last year and the SE zone is for a trial period of five years and we are not going to know which is best if we don't move those seasons around. Believe better success rate in later time period. Chairman Lauber – Pond's freeze up sooner and the zone goes clear up to I-135 and some of the larger areas freeze up earlier. Won't have good statistics if you keep moving your frame of reference. Tymeson – Procedurally I would ask that you withdraw your recommended motion and treat this like regular regulation. Have motion and second to bring staff recommendation forward, then make motion to amend the SE zone dates.
Commissioner Budd – I withdraw motion.

Commissioner Tom Dill moved to bring “Late Migratory Bird Seasons” before the Commission. Commissioner Roger Marshall seconded.

Commissioner Don Budd moved to amend “Late Migratory Bird Seasons” to Option G

(November 15-January 22 for SE zone, no splits starts on Thursday), Commissioner Robert Wilson seconded.

Chairman Lauber – If going to not go with staff recommendations, feel Option B is better than Option G for people who hunt throughout the whole SE zone; and this would give us a Saturday opener instead of Thursday opener. Commissioner Marshall – Call for the question.

Commissioner Bolton – Question on item B, what is the matter with a Thursday opener?

Chairman Lauber – Only get 74 days and Don’s amendment puts everything as late as possible; Option B would give November 3 and 4 and then start on November 17, if started on November 15 that would give us more days than allowed by USFWS. Staff recommendation has a split; Don’s recommendation has no split. Feel Option B would accommodate more hunters in SE zone. Commissioner Dill – A call for the vote has been called.

The roll call vote on “Late Migratory Bird Seasons” as recommended (Option G) was as follows (Exhibit NN):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	No
Commissioner Doll	Yes
Commissioner Marshall	No
Commissioner Wilson	Yes
Commissioner Lauber	No

The motion as presented “Late Migratory Bird Seasons” passed 4-3.

Tom Los, Overland Park – Have recommendations from the waterfowl managers across the state and there are four major areas in the north portion of the SE zone, Flint Hills NWR, John Redmond, Hillsdale and Marais des Cygnes; and El Dorado (from audience). Now we have some commissioners that have gotten together and have a group they hunt in SE zone and they are going to dictate the dates where the majority of the hunters in the state want to hunt.

Commissioner Wilson – Where did you get that information? Los – Here tonight. Commissioner Wilson – You can’t substantiate any of that. You just accused us of getting together and making a recommendation behind somebody’s back. That is an insult. Los – I am just saying there are a lot more areas in the SE zone than Neosho to hunt. Where it was messed up was the division of the zone it should have been Highway 54 or 400; we should have never been in this zone.

Commissioner Wilson – But none of your people were there at the meeting two years ago.

Chairman Lauber – There were people from your side too at Cabela’s. There was one professional hunter from the Pittsburg area, but that was the only one I remember. Commissioner

Wilson – When Mike Hayden was Secretary and we first started talking about this his comment was, he didn’t understand why there weren’t people here talking about the SE zone

Commissioner Dill – Since we passed the amendment, do we need to make changes to the youth season in SE zone because it has to be within 14 days of the regular season? Bidrowski – Not sure, would have to go back to the feds to see if the 14 days in within any of our seasons or during the regular season.

Commissioner Tom Dill moved to amend “Late Migratory Bird Seasons” youth season in

SE zone to November 3 and 4 in compliance with regular season, Commissioner Roger Marshall seconded.

The roll call vote on “Late Migratory Bird Seasons” as recommended (change youth season) was as follows (Exhibit NN):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented “Late Migratory Bird Seasons” passed 7-0.

Mike Pearce, Wichita Eagle - Commissioner Doll, why did you back the late season?
Commissioner Doll – Don’t know anyone that hunts in the SE zone like Budd and Lauber do. You want to go hunting because the ducks are there, not just because it’s duck season. This is to see if this will increase hunter participation. Pearce – Comments (couldn’t hear). Commissioner Doll - Ducks come later in the SE zone. On hunter survey, half want the change and half don’t. We have no statics that show if there are any ducks hunted in January because it’s only open half the month. Commissioner Budd – If we have had a year to deal with this and have had hundreds of conversations with people from Marais des Cygnes and Neosho, have not heard from El Dorado or anywhere else. If this is a bust, we can modify it next year. Bidrowski – Depending on what ducks you are hunting is when they are there, peak hunting is still around Thanksgiving. Tom Los – Why not leave the zone as it is to collect the data and if there are different changes within those five years, then change the hunting seasons? Commissioner Budd – It is about harvesting the ducks and the end user getting the best opportunity he can. I’m not against anybody, but for everybody. Comments from audience (couldn’t hear).

The roll call vote on regulation “Late Migratory Bird Seasons” as amended was as follows (Exhibit NN):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	No

The motion as amended “Late Migratory Bird Seasons” passed 6-1.

XII. Old Business

None

XIII. Other Business

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

March 21, 2013 - Topeka

Invitation to come to Manhattan.

XIV. ADJOURNMENT

The meeting adjourned at 8:46 p.m.

(Exhibits and/or Transcript available upon request)

Secretary's Remarks

**Agency and State Fiscal Status
2013 Legislature**

No briefing book items – possible handout at meeting

General Discussion

Governor's Eco-Tourism Committee Briefing
No briefing book items – possible handout at meeting

2013 Recreation Vehicle Short-Term Parking Effective Calendar Year 2013

Background: This initiative is in an effort to respond to the many requests for offering competitive short-term RV and boat parking fees in state parks. Currently, our short-term parking is \$125.00 per month. An inventory of parks has been completed for each state park. Many areas do not have local businesses offering this service. We would like to offer this service at a competitive rate for our customers to mitigate the high cost of fuel used in transporting campers and boats to our recreational areas.

Regulation: 115-2-3 (h)

Recommendations: To adjust pricing per location.

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

Background

Over the last five years, the fall turkey season in Kansas has averaged nearly 100 days in length and only Unit 4 has been closed to hunting (Figure 1). Hunters are currently permitted to harvest one bird of either sex in Units 1, 2, 3, 5, and 6 and they can purchase three either-sex game tags valid only in Units 2, 3, 5, and 6. The number of permits and game tags issued for the fall 2011-2012 turkey season was 12,914 (includes 2,889 game tags). Total permit sales were very similar to the previous fall but down about 3,500 from the peak in 2006. Thirty-six percent of hunters harvested at least one turkey during the fall 2011-2012. These hunters harvested an estimated 3,677 turkeys (925 archery and 2,753 firearm) of which 39 percent were identified as females. Harvest taken with all the game tags accounted for only 19.5 percent (about 717 birds) of the total statewide harvest.

Population Status and Productivity

Over the last couple of years, the spring wild turkey population has declined in every region except the southeast due to inadequate weather and/or habitat conditions during the reproductive season (Figure 1). Drier than average conditions in the southeast region over the last couple of years have lead to improved productivity and as a result, populations have began to recover from their recent lows. Severe drought in far western Kansas where precipitation is normally low (less than 25 inches annually) anyway has lead to poor productivity over the last two years, which will result in lower populations in the near future. Recent drought conditions in the central and eastern part of the state where precipitation is comparably much greater (25-45 inches annually) have been beneficial to turkey productivity. As a result, populations in the eastern half of the state have generally increased over last year at this time.

Discussion

The department is considering a recommendation to overlap the fall turkey season with the extended firearm deer season. We are considering this recommendation to increase consistency in the fall turkey season dates from one year to the next and minimize confusion. Currently, the fall turkey season is closed during the regular firearm deer season and the extended firearm deer season. However, it is open during the early firearm deer season (DMU 19) and the special extended firearm deer season. In recent years, the regular changes to the extended and special extended firearms deer seasons have shortened the fall turkey season and/or created confusion about when and where the turkey season was open. Running the fall turkey season concurrent with the extended firearm deer season would alleviate those problems. The department is not planning to recommend overlapping the fall turkey season with the regular firearm deer season to prevent any hunter conflicts that might result from putting turkey hunters in the field simultaneously with the bulk of the firearm deer hunters.

Figure 1. Current fall wild turkey hunting units for Kansas.

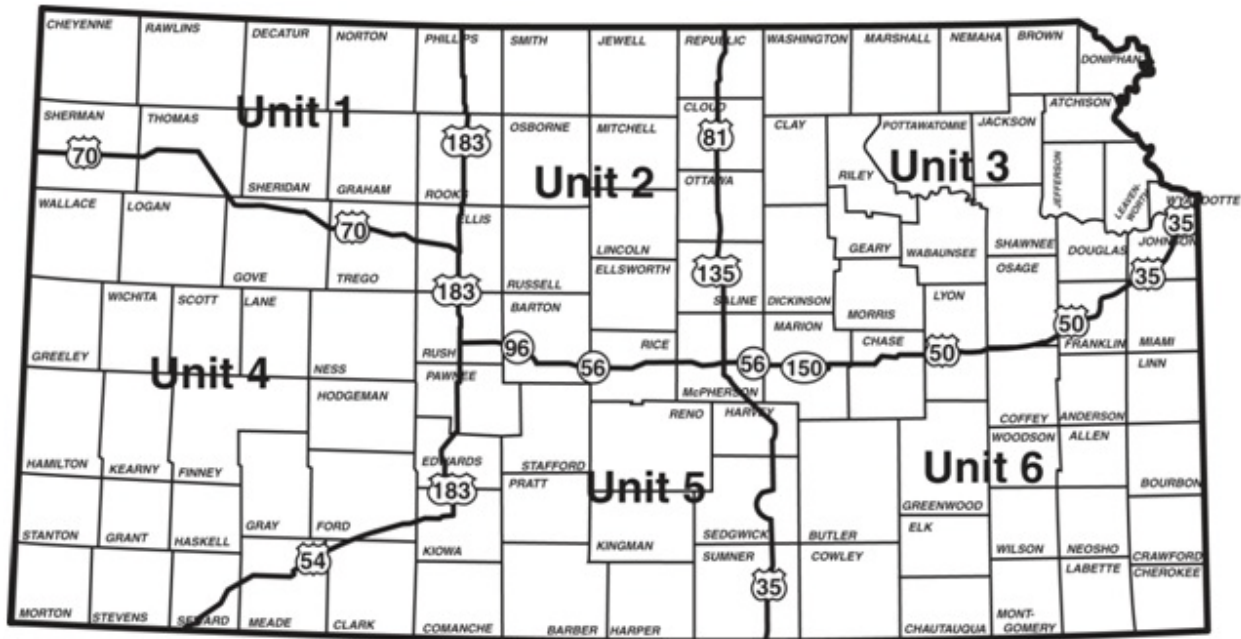
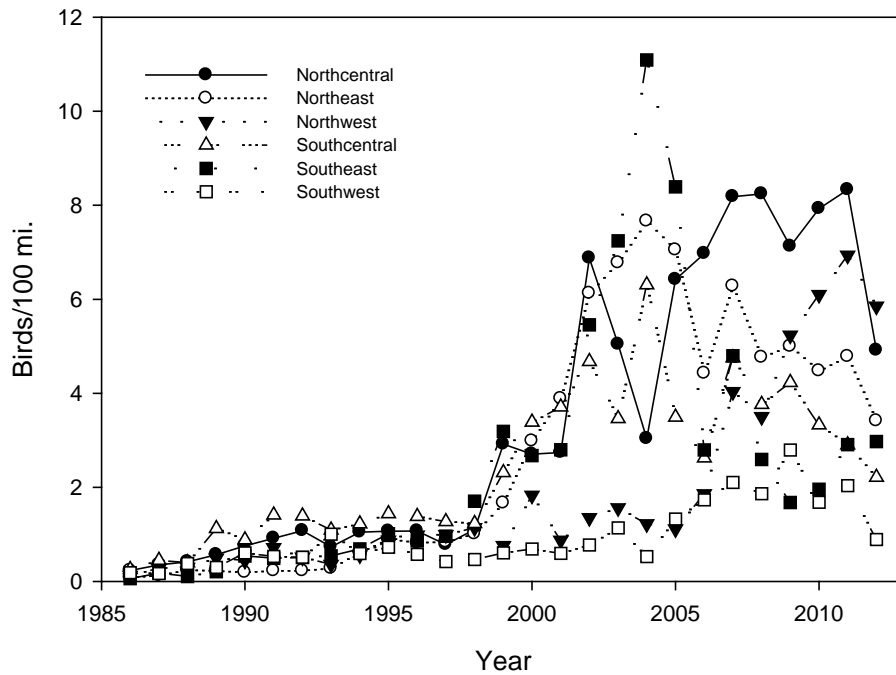


Figure 2. Regional indices (birds/100 mi.) to Kansas' wild turkey population derived from the April rural mail carrier survey, 1986-2012.



Deer 25 Series Regulations

Background

The regulation contains the following items:

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

Discussion

Annual adjustments will be made in the season dates. This review process initiates the discussion of potential changes in deer hunting seasons for 2013. The recommendations at this time follow the traditional season structure.

Pre-rut hunting seasons have been suggested by various deer managers and organizations as a tool which might be helpful in controlling deer populations. Among its anticipated advantages are the notions that by removing female deer before the rut there may be few deer related vehicle accidents and hunters may have better success at taking a buck deer during traditional season dates. The department has been directed by the state legislature to develop a pre-rut white-tailed deer antlerless-only season for 2013.

The deer hunting season structure is already considered by many to be too complicated. An additional season could be met by dissatisfaction from hunters and landowners. We have had a 9-day early firearms season in DMU 19 since 2003 with limited participation by hunters and relatively minor effects on deer population control. Replacement of that season with a pre-rut white-tailed deer antlerless-only season would keep our current season structure similar to what we have had for many years.

Key points made by deer managers in other states about success for a pre-rut season is that the season must be short in duration, during a pleasant time of the year and limited by a special and specific permit. The goal is to motivate deer hunters to use an additional weekend and special tag to take additional deer, as opposed to having hunters simply shift the season dates when they take their antlerless deer. The timing of an extended season for taking antlerless deer late in the season is frequently controversial. Some deer managers in other states hope that a pre-rut antlerless-only season may allow them to reduce or even eliminate those late-season antlerless hunts.

To give the pre-rut hunting season an adequate evaluation, we are considering a season that is statewide. In reviewing the sportsmen's calendar, there were few weekends before the rut that did not conflict with some existing season. The weekend in Kansas which best fit the goals of a pre-rut deer season appears to be the second Saturday and Sunday in October.

Population indices, mortality due to disease and changes in recruitment due to drought will be examined and public input will be considered in the development of a list of units where an extended firearms seasons and white-tailed deer antlerless-only (WAO) permits will be authorized. The number of WAO permits that may be used in each unit will also be evaluated after additional data becomes available.

Recommendation

Season dates suggested for deer hunting during 2013-14 are as follows:

Youth and Disability	September 7, 2013 – September 15, 2013
Early Muzzleloader	September 16, 2013 – September 29, 2013
Archery	September 16, 2013 – December 31, 2013
Pre-Rut WAO	October 12, 2013 – October 13, 2013
Regular Firearms	December 4, 2013 – December 15, 2013
Extended WAO	January 1, 2014 – January 12, 2014
Special Extended WAO	January 13, 2014 – January 19, 2014
Extended Archery (DMU 19)	January 13, 2014– January 31, 2014

Consideration will be made on inclusion of DMUs where an extended firearms season will be authorized after additional data becomes available. Effects of factors like mortality due to hemorrhagic disease and fawn recruitment influenced by the drought will be considered.

The proposed dates for the firearm season at the Fort Leavenworth subunit are November 23 2013 through November 24, 2013, November 28, 2013 through December 1, 2013, December 7, 2013 through December 8, 2013, December 14, 2013 through December 15, 2013, and December 21, 2013 through December 22, 2013. The proposed dates for the firearms season for deer hunting at the Smoky Hill Air National Guard subunit will be the same as the rest of the state.

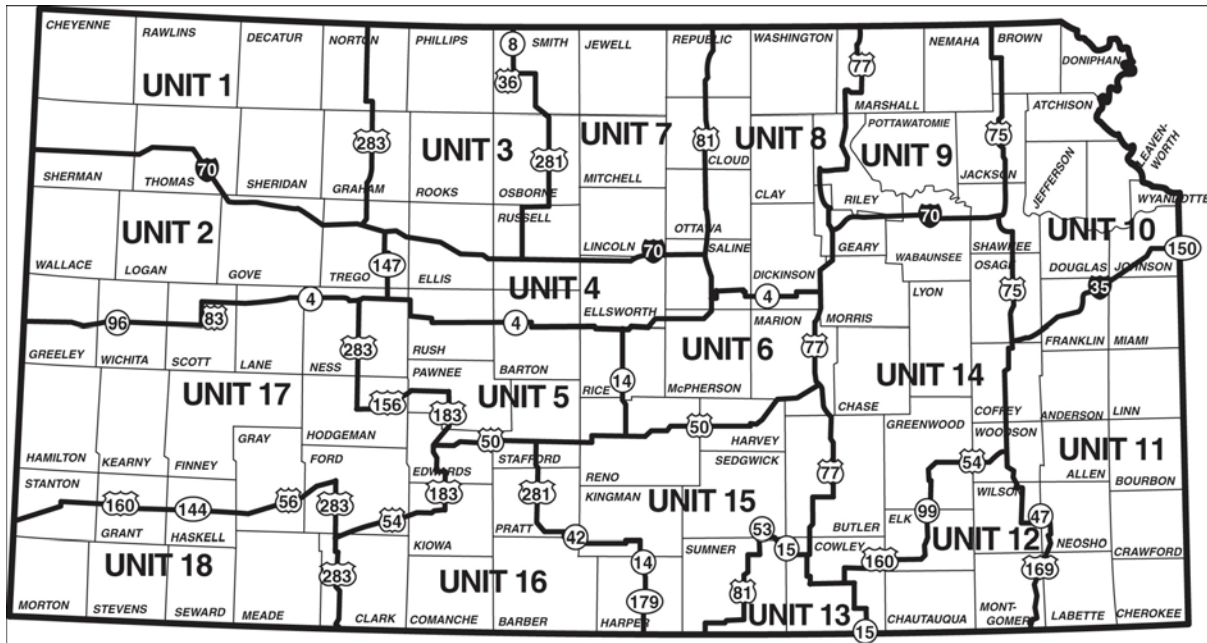
Firearm season dates for deer hunting at Fort Riley will be established in K.A.R. 115-25-9a which will be covered in a Workshop at a later date.

Application deadlines are now provided in KAR 115-4-11

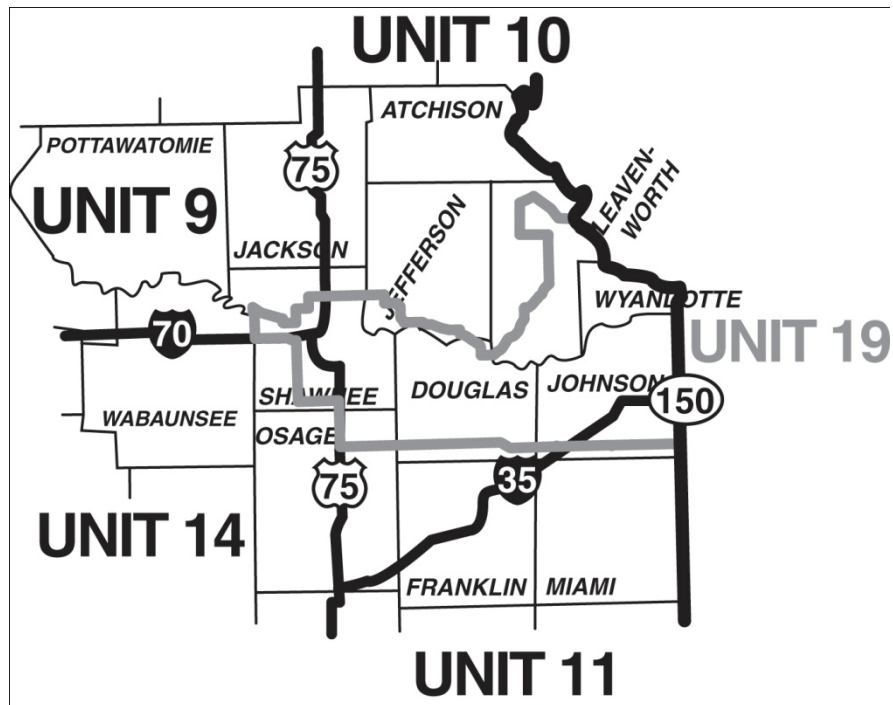
Consideration will be made on the number of white-tailed deer antlerless-only permits that may be used in each DMU after additional data becomes available. Last year the first permit was valid statewide including on lands management by the department. The second WAO permit was also valid statewide and was valid at Cedar Bluff WA, Glen Elder, Kanopolis, Kirwin, Lovewell, Norton, Webster, and Wilson Wildlife Areas. The last 3 WAO permits were valid on DMUs, 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 15, 16, and 19 and was also valid at Cedar Bluff WA, Glen

Elder, Kanopolis, Kirwin, Lovewell, Norton, Webster, and Wilson Wildlife Areas. No additional wildlife areas are being considered where more than one WAO could be used.

Deer Management Units



Deer Management Units with Sub-Unit 19



KAR 115-25-7

Antelope; open season, bag limit and permits

Background

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for pronghorn antelope.

Western Kansas pronghorn antelope populations have supported a hunting season since 1974. The firearm pronghorn season has been four days long since 1990, starting on the first Friday in October. The archery pronghorn season was nine days long from 1985 to 2004, and included the two weekends prior to the firearm season. Since 2005, the archery season has reopened on the Saturday following the firearms season and continued through the end of October. A muzzleloader season was initiated in 2001. It has begun immediately after the archery season and ran for eight days, the last four of which overlap with the firearm season.

Pronghorn populations within each of the three units are monitored twice annually by aerial survey. Production surveys occur in July and August, and are used to determine buck:doe:fawn ratios. Buck ratios serve as a forecast for the harvest seasons, whereas fawn ratios are an indicator of annual productivity, which will have greater impact on harvest levels in future years. Population surveys occur primarily in January because pronghorn are found in larger herds and therefore are more visible at this time. This survey is a stronger indicator of the population size, and, used in conjunction with production survey results, landowner issues, and staff input, is the primary tool used to determine permit allocations for the upcoming season.

Discussion & Recommendations

No changes are recommended for season structure, unit boundaries, bag limits, or permits.

We propose unlimited archery permits be allocated for both residents and nonresidents. Firearm and muzzleloader permits will remain restricted to residents, with half assigned to landowner/tenants and the remainder awarded to general residents. Firearm and muzzleloader permit allocations will be determined following winter aerial surveys.

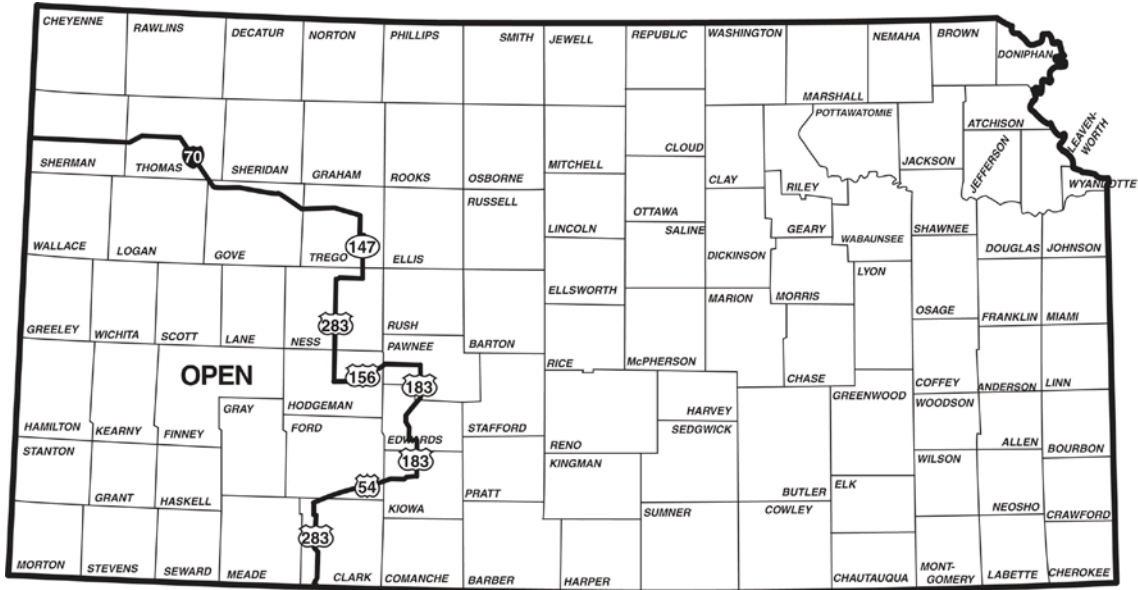
Unit boundaries are proposed to coincide with firearm deer management units defined in K.A.R. 115-4-6, with units 2, 17, and 18 being open. The proposed season dates are:

September 21, 2013 through September 29, 2013 and October 12, 2013 through October 31, 2013 for the archery season.

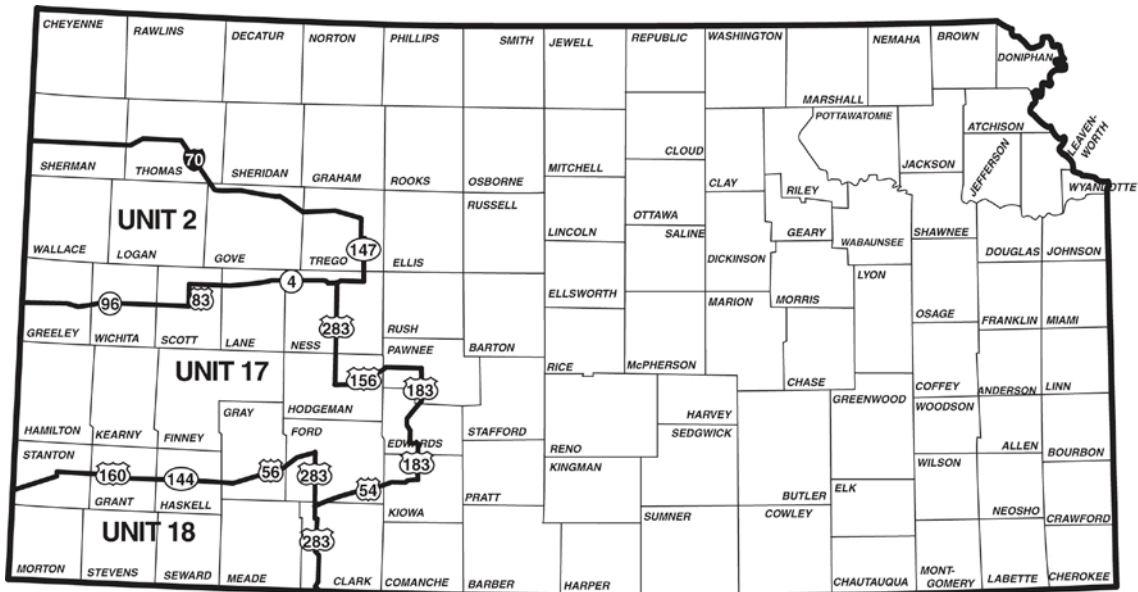
September 30, 2013 through October 7, 2013 for the muzzleloader season.

October 4, 2013 through October 7, 2013 for the firearms season.

Antelope Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



KAR 115-25-8

Elk; open season, bag limit and permits

Background

This regulation pertains to seasons, bag limits, unit boundaries, permits and tags for elk hunting.

Elk hunting on and around Fort Riley was initiated in 1990, and most of the hunting opportunity in the state occurs on the Fort. However, elk do exist on private lands, though unpredictably in most of the state, with parts of southwest Kansas being the main exception. Elk also occur in the vicinity of Cimarron National Grasslands, but these elk are primarily found in neighboring states, and the Grasslands haven't been open to elk hunting since 1995, following several years of herd reduction.

Since 1999, longer seasons and less restrictive permitting options have been authorized except near Fort Riley and the Grasslands. This framework is intended to allow for elk that may be causing crop damage or other conflicts on private land to be harvested, and for landowners to have the opportunity to maintain elk at desirable numbers on their own property while at the same time allowing the Fort Riley and Cimarron herds to be maintained.

Discussion & Recommendations

No changes are recommended for season structure, unit boundaries, or permits.

Unit boundaries are defined in K.A.R. 115-4-6b. Units 2 and 3 will be open to hunting.

The proposed season dates on Fort Riley are:

- a) September 1, 2013 through September 30, 2013 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1, 2013 through December 31, 2013 for the firearms season with one-third of the antlerless only permits valid during each of the following segments:
 - 1) First segment: October 1, 2013 through October 31, 2013.
 - 2) Second segment: November 1, 2013 through November 30, 2013.
 - 3) Third segment: December 1, 2013 through December 31, 2013.
- c) October 1, 2013 through December 31, 2013 for a firearms season for all holders of any-elk permits.

The proposed season dates outside the boundaries of Fort Riley are:

- a) September 1, 2013 through September 30, 2013 for the muzzleloader season.
- b) September 16, 2013 through December 31, 2013 for the archery season.
- c) December 4, 2013 through December 15, 2013, and January 1, 2014 through March 15, 2014 for the firearms seasons.

An unlimited number of hunt-on-your-own-land antlerless only and any elk permits will also be authorized in Units 2 and 3. An unlimited number of general resident and landowner tenant antlerless only and any elk permits will be authorized in Unit 3. Limited draw permit numbers

Lesser Prairie Chicken Federal Listing Briefing

Significant declines in lesser prairie chicken (LEPC) populations and their range were cause enough for the U.S. Fish and Wildlife Service (USFWS) to list the species as “warranted but precluded from listing” in 1996. This simply meant that it deserved a review for listing under the Endangered Species Act, but that a review would not take place because there were higher priority species. However, recently the priority status for LEPC review went from a level 8 to a level 2 and as such, a preliminary review has been accomplished and a proposed rule for listing was to be announced on September 30, 2012. That proposed rule announcement has been postponed for 60 days and should come out by the end of November. If the decision is made to list the species, the LEPC will be listed federally as threatened or endangered one year after the announced proposed rule.

In anticipation that the proposed rule will be to list the species, the Five-state LEPC Interstate Working Group (Kansas, Colorado, Oklahoma, New Mexico, and Texas) and its many partners have initiated the development of a range-wide plan directing the conservation and management of the species. If this plan can show with certainty that the number of birds and their habitats can be managed to levels that provide for a viable and stable population throughout the LEPC’s range, it could influence the USFWS’s final decision. This plan will be presented to the USFWS by the end of March, 2013. The final decision for listing will be announced by September 30, 2013.

The presentation is intended to inform the Commission and others of the current status of this planning effort and those programs that have been implemented for the purpose of better understanding LEPC population dynamics and for enhancing habitat conditions beneficial to the species.

Workshop Session

Falconry Regulations – clean up
No briefing book items – possible handout at meeting

Big Game Permanent Regulations

The following big game permanent regulations have been reviewed and discussed and no further action is anticipated on them this year:

- **K.A.R. 115-4-2. Big game; general provisions.**
 - **K.A.R. 115-4-6. Deer; firearm management units.**
 - **K.A.R. 115-4-11. Big game and wild turkey permit applications.**
- a) **K.A.R. 115-4-4. Big game; legal equipment and taking methods.**
- b) **K.A.R. 115-4-13. Deer permits; descriptions and restrictions.**

This regulation is currently under staff review. It will be discussed in a Workshop Session at the January Commission Meeting.

Background

KAR 115-4-4 contains the following items:

- Creates permit types that include:
 - White-tailed deer, either-sex (WTES) permit or white-tailed deer antlerless only (WTAO) permit for residents of Kansas. These permits are valid during all seasons with equipment authorized for that season.
 - White-tailed deer, either-sex permit for nonresidents valid for one equipment type and one unit. Nonresident hunters may designate one adjacent unit where they may hunt.
 - Either-species, either-sex permits are restricted to a season or seasons and units where they may be used by resident and nonresident deer hunters.
 - Hunt-on-your-own-land permits, including resident HOYOL, nonresident HOYOL, and special HOYOL permits for certain direct relatives of the landowner or tenant.
- Each deer permit is valid only for the species and antler category specified on the permit.
- Antlerless deer defined as a deer without a visible antler plainly protruding from the skull.

Discussion

SB 314 passed last legislative session and it states:

(n) (1) Prior to April 30, 2013, the secretary shall develop and implement a combination antlered and antlerless deer permit and adopt rules and regulations for the administration thereof.

The department conducted public meetings and opinion surveys last year on various aspects of a

combination permit for deer hunters. Combination permits with multiple tags have been reviewed by department staff. Experience with the resident combination permit for turkey has shown that an optional combination permit at a reduced fee may not generate sufficient interest by additional hunters to generate the same revenue as a system with separate permits at the regular price.

Creating an optional combination permit that contained two carcass tags, (one carcass tag valid for either sex of deer and one carcass tag restricted to an antlerless-only white-tailed deer) adds additional complexity for deer hunters. An additional option of that type of permit for deer would also fail to increase the harvest of antlerless deer. Approximately the same number of people would purchase the combination permit as had purchased the two permits previously.

Replacing all existing either-sex permits to a two-tag combination permit has been linked to over-hunting in localized areas of other states in the Midwest. Such a dramatic change is not recommended in a statewide manner for all hunters in Kansas.

Combination permits might be established based on conversion of some types of existing either-sex permit type to a two-tag permit. A conversion of a permit type to a two-tag permit does not increase the level of permit complexity in our permit system that adding an optional combo permit would. If the change was limited to only certain permit types, the adverse consequences of local over-harvest would be minimized.

A review of hunting practices and harvest information indicated that the conversion of the non-resident white-tailed deer either sex permit to a combination two-tag permit held the highest potential to accomplish improved deer management. Nonresident deer hunters frequently complain that the cost of an antlerless-only permit in Kansas is excessive. As a result, they do not purchase antlerless-only permits at as high a frequency as residents (a white-tailed deer antlerless-only permit costs a nonresident \$50, whereas it costs a general resident \$15 and a youth \$7.50). Nonresident leasing of deer hunting lands in Kansas combined with their low participation in antlerless deer harvesting is frequently mentioned as a key factor leading to localized over abundance of deer and is often associated with crop damage caused by deer to an adjacent landowners. The department's proposal is to place more antlerless deer permits in the hands of nonresidents to help control deer numbers where they hunt.

Last year there were 21,105 nonresident deer hunters who purchased one of the white-tailed deer either-sex permits. That included permits for archery, firearms, and muzzleloader hunting. Nonresidents purchased only 5,603 antlerless deer permits. Limiting the combination permit to just nonresidents with a white-tailed deer either-sex permit would increase by approximately 16,000 the number of white-tailed deer antlerless-only tags in the hands of nonresidents. It is anticipated that approximately 6,500 more white-tailed antlerless deer would be taken than the current level of 3,000 on the nonresident white-tailed deer antlerless only permits. The majority of that increase in harvest of white-tailed deer would be taken on private properties where the harvest of antlerless deer in recent years had been inadequate.

The current price of a nonresident deer permit that allows the hunter to take either sex of white-tailed deer is \$300 and their price for a white-tailed deer antlerless only permit is \$50. It is

recommended that the new combination permit should be established at \$315. The additional increase in price for a nonresident deer permit would be the same amount as the current price for a resident to purchase their first white-tailed deer antlerless only permit. Nonresidents would also be allowed to purchase additional antlerless only deer permits at the established price of \$50.

Recommendation

Additional review is necessary on this regulation. It is recommended that this regulation be brought back to the Commission at the January Workshop Session and that it be brought to a Public Hearing in March.

Agritourism Regulations

Background

In 2011, Governor Brownback issued Executive Reorganization Order No. 36, which merged the Division of Travel and Tourism of the Department of Commerce with the Department of Wildlife and Parks. The ERO created a new Assistant Secretary for Parks and Tourism, and it created the Tourism Division within the Kansas Department of Wildlife, Parks and Tourism (KDWPT).

In 2012, the Legislature passed Senate Bill 316 in response to ERO 36. SB 316 is commonly known as the trailer bill, which transfers the statutory authorities of the former Division of Travel and Tourism to KDWPT. Trailer bills also provide opportunities to address any unanticipated issues with ERO. EROs, while specific to the topic, are generally generic in nature. Trailer bills are very specific and address items like name changes in the statutes.

Discussion

The Department of Commerce has several regulations in place that deal with agritourism. Since the agritourism duties have been transferred to the KDWPT, the regulations should at some point be brought into the Department's regulation numbering system and the statutory references updated. We anticipate that this change will occur in January or March of next year, once the new statute numbers have been assigned.

115-9-8 Migratory bird harvest information program; requirements, exemptions.

The Harvest Information Program (HIP) was established by the U.S. Fish and Wildlife Service (USFWS) to develop more reliable migratory bird harvest estimates. The federal law requires anyone who hunts migratory birds in Kansas and who is required to have a hunting license to participate. This regulation was written to exempt resident hunters younger than 16 and older than 64. As a result of SB314, hunters 65-74 will need a hunting license beginning Jan. 1, 2013, so this regulation needs to be amended. The proposed wording exempting certain hunters under (d), (3) should be changed to read “a resident of this state hunting, by legal means, and not required by K.S.A. 32-919, and amendments thereto, to hold a hunting license.”

115-9-8. Migratory bird harvest information program; requirements, exemptions. (a) As used in this regulation "migratory game bird" shall mean any wild duck, goose, merganser, crane, dove, rail, snipe, woodcock, or other migratory bird for which a hunting season is established in the state of Kansas.

(b) Each person hunting migratory game birds in the state of Kansas shall be required to complete a Kansas migratory bird harvest information card, as provided by the secretary.

(c) Upon completion of a Kansas migratory harvest information card, a harvest information program stamp shall be issued by the secretary or the secretary's designee to the person completing the card.

(1) Each person required to comply with subsection (b) shall be in possession of a valid harvest information program stamp issued to that person while hunting any migratory game bird within the state of Kansas.

(2) Each harvest information program stamp shall be validated by the signature of the stamp holder written across the face of the stamp.

(3) A harvest information program stamp shall be valid from the date of issuance through June 30 following the date of issuance.

(4) A harvest information program stamp shall not be transferable.

(d) The provisions of subsection (b) shall not apply to the hunting of any migratory game bird by any of the following:

(1) tribal members on federal Indian reservations or tribal members hunting on ceded lands;

(2) a person, or a member of a person's immediate family domiciled with that person, on land owned by that person or on land leased or rented by that person for agricultural purposes; or

(3) a resident of this state ~~who is less than 16 years of age or who is 65 or more years of age~~ hunting, by legal means, and not required by K.S.A. 32-919, and amendments thereto, to hold a hunting license.

(e) This regulation shall take effect on and after ~~July 1, 1998~~ April 1, 2013. (Authorized by and implementing K.S.A. 32-807; effective July 1, 1998; amended P-_____.)

Public Hearing

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife, Parks and Tourism

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

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - August 16, 2012

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

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

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 7:00 p.m., Thursday, October 18, 2012 at Flint Oak, 2639 Quail Road, Fall River, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A regulatory hearing on business of the Wildlife, Parks, and Tourism Commission will begin at 7:00 p.m., October 18 at the location listed above. There will be public comment periods at the beginning of the evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. October 19 at the location listed above.

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

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

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

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

K.A.R. 115-1-1. This permanent regulation establishes definitions. The proposed amendment would add a definition for artificial lure to clarify the regulations for Alabama rigs.

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

K.A.R. 115-18-18. This permanent regulation establishes the hand fishing permit and requirements. The proposed amendment would rescind the reporting requirements following the end of the hand fishing season.

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

K.A.R. 115-25-14. This exempt regulation establishes the creel limit, size limit, possession limit, and open season for fishing. The proposed version of the regulation adds new trout waters and updates the reference document.

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

K.A.R. 115-7-3. This permanent regulation establishes taking and use of baitfish or minnows. The proposed amendments would allow taking and use of live baitfish within a drainage except from a designated aquatic nuisance species water, allow the taking and use of bluegill and green sunfish to be used as baitfish anywhere in the state except if taken from a designated aquatic nuisance species water, and restrict importation of out of state baitfish unless they meet the same criteria as Kansas commercial baitfish sales.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-7-10. This permanent regulation establishes special provisions for fishing. The proposed amendments would allow transport of live fish from designated waters containing aquatic nuisance species during permitted fishing tournaments for weigh-ins, update the reference document designated aquatic nuisance waters, and require persons fishing with baitfish purchased from a commercial bait dealer to possess the purchase receipt while fishing.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-2-2. This permanent regulation establishes motor vehicle permit fees. The proposed amendments would set a different fee structure for motor vehicle permits and reduce fees for those who purchase the permit when registering their vehicle based on legislative enactment.

Economic Impact Summary: If the owners of ten percent of the light trucks and cars registered opted to purchase a park motor vehicle permit, the proposed amendments would generate an additional \$1,800,000 on annual fiscal year basis. Otherwise, the proposed revocation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-4-15. This new permanent regulation establishes a restitution scoring system for white-tailed deer, mule deer, elk, and antelope for wildlife violations based on legislative enactment.

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

K.A.R. 115-8-1. This permanent regulation establishes provisions related to hunting, furharvesting, and discharge of firearms on department lands and waters. The proposed

amendment would update the reference document in relation to possession of alcohol on department lands and waters based on legislative enactment.

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

K.A.R. 115-8-19. This permanent regulation contains provisions, restrictions and penalties for personal conduct on department lands and waters. The proposed amendments would update the regulation in relation to possession of alcohol on department lands and waters based on legislative enactment.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-25-6. This exempt regulation establishes the spring season, bag limit, and game tags for wild turkeys. The proposed version of the regulation would change management units from 4 units to 6 units to coincide with changes previously made in the fall turkey season, would increase the bag limit in Unit 1 and would allow the use of Unit 4 permits in adjoining units.

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

K.A.R. 115-2-1. This permanent regulation establishes fish and wildlife-related license and permit fees. The proposed amendments would establish license options for individuals 65-74 based on legislative enactment this past session. Options would include hunting or fishing licenses at \$9.00 respectively, a combination hunting and fishing license at \$18.00 or a lifetime senior pass for hunting and fishing at \$40.00.

Economic Impact Summary: The proposed amendments would increase department revenue to the wildlife fee fund but depending on the options chosen, any amount would be purely speculative at this time. Otherwise, the proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-18-22. This new permanent regulation establishes requirements, restrictions, and permit duration for the senior pass valid for hunting and fishing. The proposed regulation would allow residents 65 and older to purchase the pass, not invalidate the pass if the holder moves out of state, allow the purchase of deer and turkey permits at resident prices if the holder move out of state, and have the license expire on the death of the holder.

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

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above,

electronically on the department's website at www.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.KSAG.ORG

August 7, 2012

Chris Tymeson
Chief Legal Counsel
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Ave., Suite 200
Topeka, KS 66612-1327

RE: K.A.R. 115-1-1; K.A.R. 115-2-1; K.A.R. 115-2-2; K.A.R. 115-4-15; K.A.R. 115-7-3;
K.A.R. 115-7-10; K.A.R. 115-8-1; K.A.R. 115-8-19; K.A.R. 115-18-18;
K.A.R. 115-18-22; K.A.R. 115-25-6; K.A.R. 115-25-14

Dear Chris:

Pursuant to K.S.A. 77-420(b), we have determined that the above-referenced regulations are within the statutory authority of the agency and do not present any other legal issues of concern. We have therefore approved the regulations for legality. The regulations are stamped and enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Sarah Fertig
Assistant Attorney General

Enclosures

cc: Sen. Vicki Schmidt, Chair, Joint Committee on Rules and Regulations
Rep. Carl Holmes, Vice Chair, Joint Committee on Rules and Regulations
Rep. Janice Pauls, Ranking Minority Member, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 545N
Kenneth Wilke, Revisor of Statutes, State Capitol, Ste. 24-E

STATE OF KANSAS

RANEY L. GILLILAND
Interim Director
J.G. SCOTT
Chief Fiscal Analyst
Amy Deckard
Assistant Director for Information Management



STAFF
LEGISLATIVE COORDINATING COUNCIL
INTERIM COMMITTEES
STANDING COMMITTEES
LEGISLATIVE INQUIRIES

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 68-West — State Capitol Building — 300 SW Tenth Avenue — Topeka, Kansas 66612-1504
PHONE (785) 296-3181 ♦ FAX (785) 296-3824 ♦ TTY (785) 296-3677
INTERNET: <http://www.kslegislature.org/kird> E-MAIL: kslegres@kird.ks.gov

September 25, 2012

Mr. Robin Jennison, Secretary
Kansas Department of Wildlife, Parks and Tourism
1020 S. Kansas Ave., Room 200
BUILDING MAIL

Dear Secretary Jennison:

At its meeting on September 17, 2012, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning definitions; amount of fees; motor vehicle permit fees; restitution scoring system, white-tailed deer, elk, antelope; fish, taking and use of baitfish or minnows; fishing, special provisions; department lands and waters; hunting, furharvesting, and discharge of firearms; personal conduct on department lands and waters, provisions, restrictions and penalties; hand fishing permit, requirements, restrictions, and permit duration; senior pass valid for hunting and fishing, requirements, restrictions, and permit duration; turkey, spring season, bag limit, permits, and game tags (exempt); fishing, creel limit, size limit, possession limit, and open season (exempt). After discussion, the Committee had the following comments:

KAR 115-7-3 and 115-7-10. The Committee requests the agency review these rules and regulations for consistency in spelling of the term "baitfish."

KAR 115-2-1, 115-4-15, 115-8-19. The Committee notes that certain amendments to statutes and session laws cited in the history sections are effective January 1, 2013, and asks the agency to explain its authority for rules and regulations based on the amended authority adopted before that date. The questioned citations are L. 2012, Ch. 154, Sec. 1; KSA 2011 Supp. 32-988 as amended by L. 2012, Ch. 154, Sec. 7; KSA 2011 Supp. 32-1032 as amended by L. 2012, Ch. 154, Sec. 9; and KSA 2011 Supp. 41-719 as amended by L. 2012, Ch. 144, Sec. 29.

Prior to filing with the Secretary of State, review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Please indicate your agency's website address in the filing notice where proposed regulations can be located. In addition, if your agency accepts written comments by e-mail include this information in the public notice. Further, e-mail requests for public accommodation should be included as a part of the notice.

Finally, verify that the adoption by reference of any materials included in the regulations is properly completed as prescribed in the *Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations*.

Please make this letter a part of the public record on these regulations. The Committee will review the regulations which the agency ultimately adopts, and reserves any expression of legislative concern to that review.

To assist in that final review:

- Please inform the Joint Committee and me, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes which have been made following the public hearing.
- Please notify the Joint Committee and me, in writing, when your agency has adopted the regulations as permanent; delayed implementation of the regulations; or decided not to adopt any of the regulations.
- Also, please indicate separately to the Joint Committee and me, any changes made to the proposed regulations reviewed by the Committee.

Based upon direction from the Committee, failure to respond to each and every comment contained in this letter may result in the request that a spokesperson from your agency appear before the Committee to explain the agency's failure to reply.

Sincerely,



Raney L. Gilliland,
Director

RLG/db

11/1/2012
SOS WS 120
11/1/2012

115-1-1. Definitions. (a) Except as specified in subsection (b), the following definitions shall apply to all of department's regulations.

(1) "Arrow" means a missile shot from a bow or a crossbow.

(2) "Artificial lure" means a man-made fish-catching device used to mimic a single prey item. Artificial lures may be constructed of natural, nonedible, or synthetic materials. Multiple hooks, if present, shall be counted as a single hook on an artificial lure.

(3) "Bag limit" means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

~~(3)~~ (4) "Bait fish" means a member of the minnow or carp family (*Cyprinidae*), sucker family (*Catostomidae*), top minnows or killifish family (*Cyprinodontidae*), shad family (*Clupeidae*), and sunfish family (*Centrarchidae*), but excluding black basses and crappie. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

~~(4)~~ (5) "Bird dog" means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

~~(5)~~ (6) "Bow" means a handheld device with a cord that connects both of its two ends and that is designed to propel an arrow. This term shall include long, recurve, and compound bows.

~~(6)~~ (7) "Bridle path" means an established, maintained, and marked pathway for the riding of animals.

~~(7)~~ (8) "Camping" means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

~~(8)~~ (9) "Camping unit" means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

~~(9)~~ (10) “Cast net” means a circular or conical weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

~~(10)~~ (11) “Creel limit” means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

~~(11)~~ (12) “Crossbow” means a transverse-mounted bow with a cord that connects the two ends and that is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

~~(12)~~ (13) “Culling” means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

~~(13)~~ (14) “Department lands and waters” means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the jurisdiction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

~~(14)~~ (15) “Depth finder” means an electronic device used to locate fish or determine underwater structures.

~~(15)~~ (16) “Dip net” means a handheld net that has rigid support about the mouth and is used to land fish.

~~(16)~~ (17) “Draft livestock” means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

~~(17)~~ (18) “Drag event” means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

~~(18)~~ (19) “Dryland set” means any trapping device that is placed or set on land or is not in contact with water.

~~(19)~~ (20) “Eyass” means a young of the year raptor not yet capable of flight.

~~(20)~~ (21) “Falconer” means the holder of a falconry permit.

~~(21)~~ (22) “Falconry” means the taking of wildlife with a trained raptor.

~~(22)~~ (23) “Field trial event for dogs” means a competitive event involving at least six dogs that are judged on hunting or running ability.

~~(23)~~ (24) “Firearm” means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.

~~(24)~~ (25) “Fire ring” means an open-topped, man-made, fire-retaining device.

~~(25)~~ (26) “Fireplace” means an enclosed, man-made, fire-retaining device.

~~(26)~~ (27) “Fishing line” means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

~~(27)~~ (28) “Fish trap” means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

~~(28)~~ (29) “Fully automatic firearm” means a firearm capable of firing more than one round with a single trigger pull.

~~(29)~~ (30) “Gaff” means a hook attached to a rigid pole.

~~(30)~~ (31) “Gig” means a hand-operated spear with one or more prongs with or without barbs.

~~(31)~~ (32) “Group camping area” means any area within a state park designated by posted notice for camping by organized groups.

~~(32)~~ (33) “Haggard” means an adult raptor in mature plumage.

~~(33)~~ (34) “Hook” means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

~~(34)~~ (35) “Imping” means the repair of damaged feathers.

~~(35)~~ (36) “Kill site” means the location of the wildlife carcass as positioned in the field immediately after being harvested.

~~(36)~~ (37) “Length limit” means the minimum length of a fish allowed in order to take it and not release it to the waters immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.

~~(37)~~ (38) “Moorage site” means a location designated for the fastening or securing of a vessel.

~~(38)~~ (39) “Nonsport fish” means carp, drum, white amur, threadfin and gizzard shad, goldfish, gar, suckers including carpsuckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.

~~(39)~~ (40) “Orthopedic device” means a device that attaches to the body and is required to enable a handicapped person to walk.

~~(40)~~ (41) “Overflow camping area” means an area in a state park that is separate from the designated overnight camping area and that may be used for a maximum of 24 continuous hours of camping if no alternative camping facilities are available within reasonable driving distances.

~~(41)~~ (42) “Passage” means an immature raptor on first fall migration still in immature plumage.

~~(42)~~ (43) “Pen-raised wildlife” means any wildlife raised in captivity.

~~(43)~~ (44) “Pets” means domesticated wildlife, including dogs and cats.

~~(44)~~ (45) “Possession limit” means the maximum total number of a species that can be retained per person at any one time.

~~(45)~~ (46) “Prime camping site” means any site within a state park so designated by posted notice of the secretary and subject to an additional charge.

~~(46)~~ (47) “Raptors” means members of the order Falconiformes or Strigiformes and specifically falcons, hawks, and owls.

~~(47)~~ (48) “Raw pelt” means the undressed skin of an animal with its hair, wool, or fur in its natural state, without having undergone any chemical preservation converting the skin to a leather condition.

~~(48)~~ (49) “Recreational vehicle” means a vehicle or trailer unit that contains sleeping or housekeeping accommodations, or both.

~~(49)~~ (50) “Running” means the pursuing or chasing of furbearers or rabbits with hounds. This term shall not include the capturing, killing, injuring, or possessing of furbearers or rabbits, or having a firearm or other weapon in possession while running, except during established furbearer or rabbit hunting seasons.

~~(50)~~ (51) “Sanctioned or licensed coyote field trial” means a competitive event that involves only sight or trail hounds and that has been advertised in one of the national foxhound journals ~~no fewer than~~ at least 30 days before the event.

~~(51)~~ (52) “Sanctioned or licensed furbearer field trial” means a competitive event in which dogs pursue unrestrained furbearers and that is sanctioned or licensed by any of the national kennel or field dog organizations for the express purpose of improving the quality of the

breed through the awarding of points or credits toward specific class championships or other national recognition.

~~(52)~~ (53) “Seine” means a net with a float line and lead line designed to be pulled through the water for the purpose of catching fish.

~~(53)~~ (54) “Set line” means a string or cord that is anchored at one point, does not have more than two hooks, and is not associated with a hand-operated mechanical reel.

~~(54)~~ (55) “Sight hound” means a dog used to pursue furbearers, rabbits, hares, or coyotes by sight.

~~(55)~~ (56) “Skin and scuba diving” means swimming or diving while equipped with a face mask or goggles, allowing underwater vision and possibly involving an underwater breathing apparatus.

~~(56)~~ (57) “Snagging” means the hooking of a fish in any part of its anatomy other than the inside of the mouth.

~~(57)~~ (58) “Speargun” means a device used to propel a spear through the water by mechanical means or compressed gas.

~~(58)~~ (59) “Sport fish” means northern pike, walleye, saugeye, sauger, yellow perch, striped bass, white bass, black bass including largemouth, spotted, and smallmouth bass, striped bass hybrid, trout, muskellunge, tiger muskie, channel catfish, blue catfish, flathead catfish, paddlefish, and panfish including bullhead, black and white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.

~~(59)~~ (60) “State fishing lake” means a department facility that contains the words “state fishing lake” in the name of the area.

~~(60)~~ (61) “Tip-up” means an ice fishing device designed to signal the strike of a fish.

~~(61)~~ (62) “Trail hound” means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.

~~(62)~~ (63) “Transfer” means any of the following:

(A) To reassign one’s license, permit, or other issue of the department to another individual;

(B) to exchange any license, permit, or other issue of the department between individuals; or

(C) to carry another individual's license, permit, or other issue of the department when that individual is not present.

~~(63)~~ (64) “Trot line” means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.

~~(64)~~ (65) “Turkey” means wild turkey.

~~(65)~~ (66) “Unattended fishing line” means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.

~~(66)~~ (67) “Wake” means the waves thrown by a vessel moving on water.

~~(67)~~ (68) “Water race” means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.

~~(68)~~ (69) “Water set” means any trapping device that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.

(b) Exceptions to the definitions in this regulation shall include the following:

(1) The context requires a different definition.

(2) The defined term is specifically defined differently within the department's other regulations. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Dec. 26, 1989; amended June 8, 1992; amended Sept. 19, 1997; amended Nov. 21, 2003; amended July 22, 2011; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-1-1. Definitions.

DESCRIPTION: This administrative regulation establishes definitions of certain terms used with department regulations. The proposed change deals with a new definition of artificial lure to clarify the use of Alabama rigs.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, small businesses, or the public.

ALTERNATIVES CONSIDERED: None.

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

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

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

~~(d) A questionnaire shall be provided to each holder of a hand fishing permit. Each permit holder shall complete and submit the hand fishing questionnaire no later than 30 days after the close of the open hand fishing season. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; implementing K.S.A. 32-807, K.S.A. 2005 Supp. 32-1001, and K.S.A. 2005 Supp. 32-1002; effective Nov. 27, 2006; amended P-_____.)~~

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This permanent regulation establishes the hand fishing permit. The proposed amendment would remove the requirement to complete a survey following the hand fishing season.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: Otherwise, no economic impact to the department, other state agencies or members of the public is anticipated.

ALTERNATIVES CONSIDERED: None.

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

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

(2) the flowing portions of the Kansas river from its origin downstream to its confluence with the Missouri river and the flowing portions of the Arkansas river from its origin downstream to the Kansas-Oklahoma border and on federal reservoirs from 150 yards away from the dam to the upper end of the federal property, for which the open hand-fishing season for the taking of flathead catfish shall be from sunrise to sunset, June 15 through August 31;

(3) the open season for floatline fishing shall be from sunrise to sunset, July 15 through September 15, on designated federal reservoirs; and

(4) those areas closed by posted notice.

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

(1) November 1 through April 15:

(A) Cedar Bluff Stilling Basin;

(B) Dodge City Lake Charles;

(C) Fort Scott Gun Park Lake;

(D) Garnett Crystal Lake;

(E) Glen Elder State Park Pond;

(F) Kanopolis Seep Stream;

- (G) KDOT East Lake, located in Wichita;
- (H) Lake Henry, located in Clinton State Park;
- (I) Pratt Centennial Pond;
- (J) Sandsage Bison Range and Wildlife Area Sandpits;
- (K) the following Sedgwick County Park waters;
 - (i) Vic's Lake; and
 - (ii) Slough Creek;
- (L) Topeka Auburndale Park;
- (M) Walnut River Area, located in El Dorado State Park;
- (N) Webster Stilling Basin; and
- (O) Willow Lake, located in Tuttle Creek State Park; and
- (2) November 1 through October 31: unit number 30, located in the Mined Land Wildlife

Area.

(c) Pursuant to K.A.R. 115-18-12, a trout permit shall be required for each individual who wants to fish for and possess trout on the following waters from November 1 through April 15:

- (1) Atchison City Lake No. 1;
- (2) Belleville City Lake (Rocky Pond);
- (3) Cameron Springs, located on Fort Riley;
- (4) Cherryvale City Lake (Tanko);
- (5) Cimarron Grasslands Pits;
- (6) Colby-Villa High Lake;
- (7) Great Bend Veterans Memorial Park Lake;

- (8) Great Bend Stone Lake;
- (9) Holton-Elkhorn Lake;
- (10) Hutchinson Dillon Nature Center Pond;
- (11) Kanopolis State Park Pond;
- (12) Lake Shawnee, located in Shawnee County;
- (13) Moon Lake, located on Fort Riley;
- (14) Salina Lakewood Lake;
- (15) Scott State Fishing Lake;
- (16) Scott State Park Pond;
- (17) the following Sedgwick County Park waters:
 - (A) Moss Lake; and
 - (B) Horseshoe Lake;
- (18) Sherman County Smoky Gardens Lake;
- (19) Solomon River between Webster Reservoir and Rooks County #2 Road; and
- (20) Syracuse-Sam's Pond.

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

<u>Species</u>	<u>Creel Limit</u>	<u>Size Limit</u>
Black bass: largemouth, spotted, or smallmouth	5*	15"
Channel catfish or	10*	--

blue catfish		
Trout	5*/2****	--
Flathead catfish	5	--
Walleye, sauger, saugeye	5*	15"
Pike family: northern pike, tiger, or muskellunge	2*	30"
Striped bass	2	--
Wiper: striped bass hybrid	2	--
Paddlefish	2**	--
Crappie: white or black	50*	--
All other species	No limit	--

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

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

*** The two-trout-per-day creel limit shall be applicable to individuals under 16 years of age not in possession of a valid trout permit.

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

(f) Special size limits, creel limits, and bait restrictions for designated waters shall be those limits and restrictions specified in the department's "Kansas special size limits, creel limits, and bait restriction tables," dated July 31, 2012, which is hereby adopted by reference.

All fish caught from these designated waters that are of a size or number that is illegal to possess shall be released unrestrained to the water immediately.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This exempt regulation establishes statewide limits and open seasons for fishing in Kansas. The proposed amendments relate to trout waters and updates to the reference document related to length and creel limits for specific bodies of water.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

Kansas Department of Wildlife, Parks, and Tourism

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

Dated: July 31, 2012

Blue Catfish Creel Limits

5 fish daily creel limit

Cheney Reservoir, El Dorado Reservoir, Glen Elder Reservoir, Kanopolis Reservoir, Lovewell Reservoir, Milford Reservoir, Perry Reservoir, Wilson Reservoir

Blue Catfish Length Limits

35 inch minimum. Blue catfish of a length less than thirty-five (35) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir, El Dorado Reservoir, Perry Reservoir, Wilson Reservoir

Channel Catfish Creel Limits

2 fish daily creel limit

Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Blue Mound City Lake, Bonner Springs - North Park Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Buhler City Pond, Butler State Fishing Lake, Chanute City Lake, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Columbus - VFW Pond, Colwich City Lake, Emporia - Jones Park Ponds, Emporia - Peter Pan Park, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Gardner City Lake, Garnett City Lake North, Garnett City Lake South, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Haysville - Riggs Lake, Impounded F.I.S.H. Waters, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, Lansing City Lake, Lansing City Lake #2-Kenneth W. Bernard Community Park Pond, Lawrence - Mary's Lake, Lawrence Pat Dawson Billings N & S, Leavenworth - Jerry's Lake, Leavenworth State Fishing Lake, Leawood - Tomahawk Parkway Middle, Leawood - Tomahawk Parkway North, Leawood - Tomahawk Parkway South, Lebo City Lake, Lebo Kid's Pond, Lenexa - Mize Blvd. Lake, Lenexa - Rose's Pond, Linn Co. - Critzer Reservoir, Linn Co. Strip Pits, McPherson State Fishing Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, Mound City Lake, Mt. Hope - Oak Street Park Pond, Mulberry City Park Lake, Mulvane - Cedar Brook Pond, Nebo State Fishing Lake, New Strawn City Lake, Olathe - Black Bob Park Pond, Olathe - Cedar Lake, Olathe - Frisco Lake, Olathe - Mahaffie Farmstead

Pond, Olathe - North Waterworks Park Lake, Olathe-Oregon Trail Park Pond, Olathe-Prairie Center Park Pond, Olathe - Prairie Center Pond, Olathe - Waterworks Lake, Olpe - Jones Park Pond, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Overland Park - Amesbury Lake, Overland Park - Kingston Lake, Overland Park - Regency Lake, Overland Park - South Lake, Overland Park - Summercrest Lake, Overland Park - Wilderness Lake, Parker City Lake, Pittsburg - Lincoln Park Pond, Pittsburg - Lakeside Park Lake, Pittsburg - Wilderness Pond, Pleasanton City Lake - East, Pleasanton City Lake - West, Pratt County Lake, Richmond City Lake, Rose Hill – School Street Pond, Shawnee Co. Shawnee Jr., Spring Hill Woodland Ridge Pond, Topeka-Auburndale Park Stream, Topeka - Cedar Crest Pond, Topeka - Central Park Lake, Topeka - Clarion Lake, Topeka - Freedom Valley Lake, Topeka - Governor's Ponds East & West, Topeka-Horseshoe Bend Park Pond, Topeka - West Lake, Uniontown School Pond, Valley Center - McLaughlin Pond, Wichita - Harrison Park Lake, Woodson State Fishing Lake, Wyandotte Co. Big 11, Wyandotte Co. Bonner Lake, Wyandotte Co. Pierson Park Lake, Yates Center - South, Yates Center Reservoir – New

5 fish daily creel limit

Altamont City Lake, Arkansas City - Knebbler #2, Arkansas City 6th Street Pond, Arkansas City, Knebbler #1, Atchison City Lakes 1-4, 6-9, 23, 24, Atchison County Lake, Atwood Lake, Barber Lower, Barber Upper, Belleville City Lake (Rocky Pond), Benton - Poling Lake, Black Kettle State Fishing Lake, Bone Creek Reservoir, Carbondale East Lake, Centralia City Lake, Chase State Fishing Lake, Cherryvale City Lake (Tanko), Cimarron Grasslands Fishing Pits, Clark State Fishing Lake, Clearwater - Chisholm Ridge Lake, Coffeyville-LeClere Lake, Colby - Villa High Lake, Coldwater City Lake, Concannon State Fishing Lake, Council Grove City Lake, Cowley State Fishing Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Dodge City - Mariah Hills Golf Course, Douglas State Fishing Lake, Edna City Lake, Ellis City Lake, Eureka City Lake, Finney State Fishing Lake, Ford State Fishing Lake, Fort Scott - Rock Creek Lake, Garnett - Cedar Valley Reservoir, Geary State Fishing Lake, Goodman State Fishing Lake, Graham County - Antelope Lake, Great Bend Stone Lake, Great Bend Veteran's Park, Hain State Fishing Lake, Hamilton State Fishing Lake, Harvey County East Lake, Harvey County West Lake, Herington - Father Padilla Pond, Hiawatha City Lake, Hodgeman State Fishing Lake, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Horsethief Reservoir, Horton Little Lake, Horton Mission Lake, Howard - Polk Daniels Lake, Hutchinson - Carey Park Lagoon & Pond, Hutchinson - Dillon Nature Center, Independence Community College-Campus Pond, Jackson County - Banner Creek , Jeffrey Energy Center, Jetmore City Lake, Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Junction City-Bluffs, Junction City - Rim Rock Lake, Junction City-Riverwalk, Junction City - Wetland Park, Kiowa State Fishing Lake, LaCrosse Warren Stone Memorial , Liberal-Arkalon Recreation Area, Logan City Lake, Logan State Fishing Lake, Louisburg - Middle Creek, Lyon State Fishing Lake, Madison City Lake, Marion County Lake, Meade State Fishing Lake, Miami State Fishing Lake, Milford State Park Pond, Mined Land Wildlife Area, Moline New City Lake, Moline Old City Lake, Montgomery State Fishing Lake, Neosho State Fishing Lake, Neosho Wildlife Area Pond, Newton-Sand Creek, Ogden City Lake, Olathe – Lake Olathe, Olpe City Lake, Osawatอมie - Beaver Lake, Osawatอมie City Lake, Ottawa State Fishing Lake, Park City - Chisholm Pointe, Parsons City Lake, Plainville Township Lake, Pottawatomie 1, Pottawatomie 2, Pottawatomie Co. Cross Creek Lake, Prescott City Lake,

Rooks State Fishing Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Salina - Lakewood Lake, Saline State Fishing Lake, Sandsage Bison Range & Wildlife Area, Scott State Fishing Lake, Sedan New City Lake, Sedan Old City Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Severy City Lake, Shawnee State Fishing Lake, Sheridan State Fishing Lake, Sherman County - Smoky Gardens, Sherman State Fishing Lake, St. Francis - Keller Lake, St. Francis Sand Pits, Syracuse-Sam's Pond, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Ulysses City Lake, Washington State Fishing Lake, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Wilson State Fishing Lake, Wyandotte Co. Lake

Channel Catfish Length Limits

15 inch minimum. Channel catfish of a length less than fifteen (15) inches are protected and must be returned to the water immediately when taken from the following waters:

Altamont City Lake, Arma City Lake, Atchison City Lakes 1-4, 6-9, 23, 24, Atchison County Lake, Atchison State Fishing Lake, Atwood Lake, Belleville City Lake (Rocky Pond), Black Kettle State Fishing Lake, Blue Mound City Lake, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Butler State Fishing Lake, Centralia City Lake, Chanute City Lake, Chase State Fishing Lake, Cherryvale City Lake (Tanko), Coffeyville-LeClere Lake, Columbus - VFW Pond, Cowley State Fishing Lake, Crawford State Fishing Lake, Douglas County - Lonestar Lake, Douglas State Fishing Lake, Edgerton - Bridgewater Lake, Edna City Lake, Emporia - Jones Park Ponds, Emporia - Peter Pan Park, Eureka City Lake, Fall River State Park Kid's Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Gardner City Lake, Garnett City Lake North, Garnett City Lake South, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Harvey County West Lake, Hiawatha City Lake, Holton Elkhorn Lake, Holton City Prairie Lake, Horton Little Lake, Horton Mission Lake, Howard - Polk Daniels Lake, Independence Community College-Campus Pond, Jackson County - Banner Creek Reservoir, Jewell City Lake (Emerson Lake), Jewell State Fishing Lake, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kingman State Fishing Lake, Leavenworth State Fishing Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Linn Co. Strip Pits, Logan City Lake, Louisburg-Middle Creek SFL, Lyon State Fishing Lake, Madison City Lake, Marion County Lake, McPherson State Fishing Lake, Melvern River Pond, Miami State Fishing Lake, Mined Land Wildlife Area, Moline New City Lake, Moline Old City Lake, Montgomery State Fishing Lake, Mound City Lake, Mulberry City Park Lake, Nebo State Fishing Lake, Neosho State Fishing Lake, Neosho Wildlife Area Pond, New Strawn City Lake, Olathe-Stagecoach Park Pond, Olpe City Lake, Olpe - Jones Park Pond, Osage City Lake, Osage State Fishing Lake, Osawatอมie - Beaver Lake, Osawatอมie City Lake, Overbrook City Lake, Overland Park - Amesbury Lake, Overland Park - Summercrest Lake, Overland Park - Wilderness Lake, Parker City Lake, Parsons City Lake, Pittsburg - Lincoln Park Pond, Pittsburg - Lakeside Park lake, Pittsburg - Wilderness Pond, Pleasanton City Lake - East, Pleasanton City Lake - West, Pottawatomie 1, Pratt County Lake,

Prescott City Lake, Richmond City Lake, Rose Hill – School Street Pond, Sabetha City Lake, Sabetha - Pony Creek Lake, Sedan New City Lake (South), Sedan Old City Lake (North), Severy City Lake, Sherman County – Smoky Gardens, Spring Hill Woodland Ridge Pond, Thayer City Lake (New), Thayer City Lake (Old), Troy 4-H Lake, Uniontown School Pond, Wellington – Hargis Creek Lake, Wellington City Lake, Wilson State Fishing Lake, Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir – New

Crappie Creel Limits

10 fish daily creel

Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Holton - Elkhorn Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Melvern River Pond, Milford Hatchery Water Supply Pond, New Strawn City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Pleasanton City Lake – West, Troy - 4-H Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - South Lake, Wichita - Watson Park Lake, Wichita - West KDOT, Woodson State Fishing Lake, Yates Center - South, Yates Center Reservoir – New

20 fish daily creel

Atchison State Fishing Lake, Bone Creek Reservoir, Brown State Fishing Lake, Clinton Reservoir, Council Grove City Lake, Council Grove Reservoir, Frontenac City Lake, Garnett - Cedar Valley Reservoir, Glen Elder Reservoir, Hillsdale Reservoir, Jackson County - Banner Creek, Melvern Reservoir, Perry Reservoir, Sabetha - Pony Creek Lake, Thayer City Lake (New), Thayer City Lake (Old), Wellington City Lake, Winfield City Lake

Crappie Length Limits

10 inch minimum. Crappie species of a length less than ten (10) inches are protected and must be returned to the water immediately when taken from the following waters:

Frontenac City Lake, Cheney Reservoir, Clinton Reservoir, Garnett City Lake North, Garnett City Lake South, Hillsdale Reservoir, LaCygne Reservoir, Lebo City Lake, Linn Co. - Critzer Reservoir, Melvern Reservoir, Melvern River Pond, Overbrook City Lake, Perry Reservoir, Pleasanton City Lake – West, Yates Center - South, Yates Center Reservoir – New

Largemouth Bass Creel Limits

2 fish daily creel limit

Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Benton - Poling Lake, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Buhler City Pond, Carbondale East Lake, Chanute City Lake, Clearwater - Chisholm Ridge Lake, Columbus - VFW Pond, Colwich City Lake, Concannon State Fishing Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone

Creek, Dodge City - Lake Charles, Emporia-Jones Park Ponds, Emporia-Peter Pan Park, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Garnett City Lake North, Greenbush Community Lake, Gridley City Lake, Harvey Co. Camp Hawk, Harvey County West Lake, Hiawatha City Lake, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Horton Little Lake, Horton Mission Lake, Impounded F.I.S.H. Waters, Jackson County - Banner Creek , Johnson Co. - Kill Creek Park Lake, Johnson Co. - Shawnee Mission Park , Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South , Kanopolis State Park Pond, Kechi Lake, Lansing City Lake, Lebo City Lake, Lebo Kid's Pond, Linn Co. - Critzer Reservoir, Linn Co. Strip Pits, Louisburg - Middle Creek, Melvern River Pond, Miami State Fishing Lake, Milford Hatchery Water Supply Pond, Mt. Hope - Oak Street Park Pond, Mulberry Park Lake, Mulvane – Cedar Brook Pond, Nebo State Fishing Lake, New Strawn City Lake, Olpe-Jones Park Pond, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Overland Park - Kingston Lake, Overland Park - Regency Lake, Overland Park - South Lake, Park City - Chisholm Pointe, Parker City Lake, Pittsburg - Lincoln Park Pond, Pittsburg - Lakeside Park lake, Pittsburg - Wilderness Pond, Pleasanton City Lake - East, Pleasanton City Lake - West, Pratt County Lake, Richmond City Lake, Rose Hill – School Street Pond, Sabetha - Pony Creek Lake, Sabetha City Lake, Sandsage Bison Range & Wildlife Area, Sedgwick Co. Park Lakes, Sherman County - Smoky Gardens, Uniontown School Pond, Valley Center-Arrowhead Park Lake, Valley Center - McLaughlin Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Woodson State Fishing Lake, Wyandotte Co. Bonner Lake

Largemouth Bass Length Limits

13 -18 inch slot limit. Largemouth bass between the lengths of thirteen (13) and eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Altamont City Lake, Bone Creek Reservoir, Brown State Fishing Lake, Chase State Fishing Lake, Council Grove City Lake, Douglas County - Lonestar Lake, Douglas State Fishing Lake, Garnett City Lake North, Garnett City Lake South, Goodman State Fishing Lake, Graham County - Antelope Lake, Gridley City Lake, Harvey County East Lake, Jetmore City Lake, Jewell State Fishing Lake, Leavenworth State Fishing Lake, Linn Co. Strip Pits, Lyon State Fishing Lake, Madison City Lake, McPherson State Fishing Lake, Meade State Fishing Lake, Melvern River Pond, Mined Land Wildlife Area, Moline New City Lake, Moline Old City Lake, Montgomery State Fishing Lake, Mound City Lake, Osage State Fishing Lake, Osawatomie - Beaver Lake, Osawatomie City Lake, Overbrook City Lake, Paola - Lake Miola, Parker City Lake, Pottawatomie Co. Cross Creek Lake, Richmond City Lake, Sedan New City Lake, Sedan Old City Lake, Thayer City Lake (New), Thayer City Lake (Old), Troy - 4-H Lake, Woodson State Fishing Lake, Yates Center Reservoir – New

18 inch minimum. Largemouth bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Alma City Lake, Andale-Renwick USD 267 Pond, Andover - Lake George, Arma City Lake, Atchison State Fishing Lake, Atwood Lake, Benton - Poling Lake, Black Kettle State Fishing Lake, Brown State Fishing Lake, Buhler City Pond, Carbondale East Lake, Centralia City Lake, Cherryvale City Lake (Tanko), Clearwater - Chisholm Ridge Lake, Clinton Reservoir, Clinton State Park - Lake Henry, Clinton State Park - Picnic Area Pond, Colwich City Lake, Crawford State Fishing Lake, Derby - High Park, Derby - Rainbow Valley, Derby - Stone Creek, Dodge City - Lake Charles, Douglas State Fishing Lake, Edna City Lake, El Dorado Reservoir, Emporia-Jones Park Ponds, Emporia-Peter Pan Park, Eskridge - Lake Wabaunsee, Eureka City Lake, Fall River State Park Kids Pond, Fort Scott - Gunn Park Lake Fern, Fort Scott - Gunn Park Lake West, Fort Scott - Lake Fort Scott, Fort Scott Community College Lakes, Frontenac City Lake, Garnett - Cedar Valley Reservoir, Glen Elder Park Pond, Glen Elder Reservoir, Greenbush Community Lake, Harvey County West Lake, Harveyville City Lake, Herington City Lake - New, Herington City Lake - Old, Herington - Father Padilla Pond, Hillsdale Reservoir, Holton - Elkhorn Lake, Holton City (Prairie) Lake, Horton - Mission Lake, Horton Little Lake, Impounded F.I.S.H. Waters, Jackson County - Banner Creek, Jewell City Lake (Emerson Lake), Johnson Co. - Kill Creek North Pond, Johnson Co. - Kill Creek Park Lake, Johnson Co. - Kill Creek South Pond, Johnson Co. - Shawnee Mission Park, Johnson Co. - Shawnee Mission Pond, Johnson Co. Antioch North & South, Kanopolis State Park Pond, Kechi Lake, Kingman State Fishing Lake, LaCygne Reservoir, Lebo City Lake, Lebo Kid's Pond, Logan City Lake, Louisburg - Middle Creek, Marion County Lake, Marion Reservoir, Melvern Reservoir, Miami State Fishing Lake, Mt. Hope - Oak Street Park Pond, Mulvane - Cedar Brook Pond, Nebo State Fishing Lake, Neosho State Fishing Lake, Olathe - Cedar Lake, Olathe - Lake Olathe, Olpe-Jones Park Pond, Osage City Lake, Park City - Chisholm Pointe, Perry Reservoir, Pratt County Lake, Rooks State Fishing Lake, Rose Hill - School Street Pond, Sabetha - Pony Creek Lake, Sabetha City Lake, Salina - Indian Rock Pond, Salina - Lakewood Lake, Sedgwick Co. Lake Afton, Sedgwick Co. Park Lakes, Shawnee Co. Lake Shawnee, Sherman County - Smoky Gardens, Tuttle Creek Reservoir, Tuttle Creek Willow Lake, Uniontown School Pond, Valley Center-Arrowhead Park Lake, Valley Center - McLaughlin Pond, Wellington - Hargis Creek Lake, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Cruiser Lake, Wichita - Dillon's Pond, Wichita - East KDOT, Wichita - Emery Park Pond, Wichita - Harrison Park Lake, Wichita - South Lake, Wichita - SP1, Wichita - SP2, Wichita - Watson Park Lake, Wichita - West KDOT, Yates Center - South

21 inch minimum. Largemouth bass of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Big Hill Reservoir, Big Hill Wildlife Area, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Harvey Co. Camp Hawk, Linn Co. - Critzer Reservoir, New Strawn City Lake, Pleasanton City Lake - East, Pleasanton City Lake - West

Smallmouth Bass Creel Limit

2 fish daily creel limit

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

Smallmouth Bass Length Limit

18 inch minimum. Smallmouth bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Alma City Lake, Atchison State Fishing Lake, Big Hill Reservoir, Douglas County - Lonestar Lake, El Dorado Reservoir, Eskridge - Lake Wabaunsee, Fort Scott - Lake Fort Scott, Garnett City Lake North, Glen Elder Park Pond, Glen Elder Reservoir, Jackson County - Banner Creek , Johnson Co. - Kill Creek Park Lake, LaCygne Reservoir, Leavenworth State Fishing Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Marion County Lake, Melvern Reservoir, New Strawn City Lake, Osage State Fishing Lake, Overbrook City Lake, Perry Reservoir, Sabetha - Pony Creek Lake, Shawnee Co. Lake Shawnee, Woodson State Fishing Lake, Wyandotte Co. Lake

Spotted Bass Creel Limit

2 fish daily creel limit

Chanute City Lake, Fort Scott - Lake Fort Scott, Melvern River Pond, Milford Hatchery Water Supply Pond

Spotted Bass Length Limit

18 inch minimum. Spotted bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

El Dorado Reservoir, Eureka City Lake

Walleye Creel Limits

2 fish daily creel limit

Atchison State Fishing Lake, Bone Creek Reservoir, Bourbon Co. Cedar Creek, Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Brown State Fishing Lake, Carbondale East Lake, Cheney Reservoir, Crawford State Fishing Lake, El Dorado Reservoir, Fort Scott - Lake Fort Scott, Garnett – Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Gridley City Lake, Harvey County East Lake, Jackson County - Banner Creek , Jeffery Energy

Center, Johnson Co. - Kill Creek Park Lake, Leavenworth State Fishing Lake, Lebo City Lake, Linn Co. - Critzer Reservoir, Marion County Lake, Melvern River Pond, Milford Hatchery Water Supply Pond, Mound City Lake, New Strawn City Lake, Osage City Lake, Osage State Fishing Lake, Overbrook City Lake, Paola - Lake Miola, Pleasanton City Lake - East, Pratt County Lake, Richmond City Lake, Sabetha - Pony Creek Lake, Sabetha City Lake, Sedgwick Co. Lake Afton, Shawnee Co. Lake Shawnee, Wichita - Chisholm North Lake, Woodson State Fishing Lake, Wyandotte Co. Lake, Yates Center - South, Yates Center Reservoir – New

Walleye Length Limits

18 inch minimum. Walleye of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

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

21 inch minimum. Walleye of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir, El Dorado Reservoir, Sedgwick Co. Lake Afton

Sauger Creel Limit

2 fish daily creel limit

Jackson County - Banner Creek, Milford Hatchery Water Supply Pond

Sauger Length Limits

18 inch minimum. Sauger of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Jackson County - Banner Creek, Perry Reservoir

Saugeye Creel Limits

2 fish daily creel limit

Bourbon Co. Elm Creek Lake, Bourbon State Fishing Lake, Carbondale East Lake, Chanute City Lake, Crawford State Fishing Lake, Douglas State Fishing Lake, Gardner City Lake, Graham County - Antelope Lake, Harvey County East Lake, Harvey County West Lake, Louisburg - Middle Creek, Marion County Lake, Milford Hatchery Water Supply Pond, Nebo State Fishing Lake, Pleasanton City Lake - East, Sabetha City Lake, Sedgwick Co. Lake Afton, Sherman County - Smoky Gardens, Wellington - Hargis Creek Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - Watson Park Lake

Saugeye Length Limits

18 inch minimum. Saugeye of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

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

21 inch minimum. Saugeye of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Sedgwick Co. Lake Afton

Striped Bass Length Limits

18 inch minimum. Striped bass of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Crawford State Fishing Lake, LaCygne Reservoir, Pleasanton City Lake – East

21 inch minimum. Striped bass of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir

Wiper Creel Limits

5 fish daily creel limit

Coldwater City Lake, Douglas County - Lonestar Lake, Leavenworth State Fishing Lake, Marion Reservoir, Paola - Lake Miola, Shawnee Co. Lake Shawnee

Wiper Length Limits

18 inch minimum. Wipers of a length less than eighteen (18) inches are protected and must be returned to the water immediately when taken from the following waters:

Atchison City Lake #7, Carbondale East Lake, Chanute City Lake, Clinton Reservoir, Council Grove Reservoir, Douglas County - Lonestar Lake, El Dorado Reservoir, Garnett - Cedar Valley Reservoir, Garnett City Lake North, Garnett City Lake South, Great Bend Stone Lake, Gridley City Lake, Horton Little Lake, Jetmore City Lake, Kiowa State Fishing Lake, LaCygne Reservoir, Leavenworth State Fishing Lake, Lebo City Lake, Louisburg - Middle Creek, Marion County Lake, Melvern River Pond, Mined Land Wildlife Area, New Strawn City Lake, Olathe - Cedar Lake, Olathe - Lake Olathe, Osage City Lake, Osage State Fishing Lake, Ottawa State Fishing Lake, Overbrook City Lake, Plainville Township Lake, Pleasanton City Lake - East, Pomona Reservoir, Pratt County Lake, Sabetha - Pony Creek Lake, Shawnee Co. Lake Shawnee, Wellington City Lake, Wichita - Buffalo Park Lake, Wichita - Chisholm North Lake, Wichita - East KDOT, Wichita - Watson Park Lake, Wichita - West KDOT, Winfield City Lake, Woodson State Fishing Lake, Wyandotte Co. Lake, Yates Center - South, Yates Center Reservoir – New

21 inch minimum. Wipers of a length less than twenty-one (21) inches are protected and must be returned to the water immediately when taken from the following waters:

Cheney Reservoir, El Dorado Reservoir, Sedgwick Co. Park Lakes

Paddlefish Length Limits

34 inch minimum length limit. Measured from eye to middle of fork of tail.

Marais des Cygnes River

Brown Trout Length Limits

20 inch minimum. Brown Trout of a length less than twenty (20) inches are protected and must be returned to the water immediately when taken from the following waters:

Mined Land Wildlife Area

Brown Trout Creel Limits

1 fish daily creel limit

Mined Land Wildlife Area

Length and Creel Limits for the Missouri River (Kansas-Missouri Boundary Waters which includes the Browning Oxbow):

Length limits on that portion of the Missouri River which bound the Kansas-Missouri state boundary (Kansas-Missouri Boundary Waters and the Browning Oxbow): Black bass (largemouth, spotted and smallmouth bass) of a length less than twelve (12) inches, Channel Catfish, Sauger, and Walleye of a length less than fifteen (15) inches, and only paddlefish of a length less than twenty-four (24) inches are protected and must be returned to the water immediately.

Daily creel limits on that portion of the Missouri River which bound the Kansas-Missouri state boundaries (Kansas-Missouri Boundary Waters and the Browning Oxbow): Catfish (Blue and Flathead) daily creel limit of five (5) fish each; Channel Catfish daily creel limit of ten (10) fish; Crappie (white and black; single species or in combination) daily creel limit of thirty (30) fish; Walleye, Sauger and their hybrids (single species or in combination) daily creel limit of four (4) fish; *Morone* spp. (Yellow bass, Striped bass, White bass and their hybrids; single species or in combination) daily creel limit of fifteen (15) fish; Paddlefish daily creel limit of two (2) fish; Black Bass (Largemouth, Spotted, and Smallmouth; single species or in combination) daily creel limit of six (6) fish; all other species (excluding T&E and SINC species) daily creel limit of fifty (50) fish.

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

Kanopolis Seep Stream (Sand Creek)

Artificial bait only (lures or fly fishing) at power poles number 9 through number 16.

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

Pratt Centennial Pond: Fishing hours shall be from 6 a.m. to 10 p.m. All species of fish caught shall be immediately returned to the waters of Centennial Pond, except there shall be a daily creel limit of two (2) rainbow trout.

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

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

Length and Creel Limits for Coffey County Lake:

Length limits on Coffey County Lake: Wipers of a length less than twenty-one (21) inches, largemouth bass of a length less than eighteen (18) inches, smallmouth bass of a length less than eighteen (18) inches, walleye of a length less than twenty-one (21) inches, and crappie (black and white species) of a length less than twelve (12) inches are protected and must be returned to the water immediately.

Daily creel limits on Coffey County Lake: Wiper creel limit of one (1), largemouth bass creel limit of two (2), smallmouth bass creel limit of two (2), crappie, black and white species (single species or in combination) creel limit of five (5), walleye creel limit of two (2), and channel catfish and blue catfish (single species or in combination) creel limit of ten (10) per day.

No trotlines or setlines allowed.

Paddlefish Snagging Locations:

Locations open to paddlefish snagging during the paddlefish season (March 15-May 15): Posted areas inside the city parks at Burlington and Chetopa on the Neosho River, Neosho River at Iola downstream from dam downstream to posted Iola city property boundary, Marais des Cygnes River below Osawatomie Dam downstream to posted boundary, Marais des Cynes River on the upstream boundary of the Marais des Cygnes Wildlife Area downstream to Kansas-Missouri state line, and the Browning Oxbow Lake of the Missouri River.

At the posted area inside the city park at Chetopa on the Neosho River, each individual fishing for paddlefish shall use barbless hooks while fishing. "Barbless hook" shall mean a hook without barbs or upon which the barbs have been bent completely closed.

Float Fishing Locations:

Locations open to float fishing during the float fishing season (July 15-September15): Council Grove Reservoir, Hillsdale Reservoir, John Redmond Reservoir, Kanopolis Reservoir, Pomona Reservoir, Toronto Reservoir, Tuttle Creek Reservoir, Wilson Reservoir.

Tallgrass Prairie Preserve F.I.S.H. Properties:

All species of fish are protected and must be returned to the water immediately when taken from this property.

Wichita – Chisholm Island Pond:

All fishing shall be with artificial flies and lures only and shall be the only tackle allowed on such person while fishing this water, except for during KDWP-sponsored fishing clinics. All species of fish caught shall be immediately returned to the waters of Wichita - Chisholm Island Pond.

Sedgwick County - Slough Creek:

All fishing during trout season (October 15-April 15) will be done with flies only. A fly is defined as: a device constructed on a single-pointed hook from feather, chenille, yarn, silk, rayon, nylon thread or floss, with or without a spinner. The following are not flies and are not allowed in your possession while fishing this area: Molded plastic or rubber baits; foods and organic baits such as worms, grubs, crickets, leeches, minnows and fish eggs; and manufactured baits, including imitation fish eggs, dough baits and stink baits.

Length and Creel Limits for Grand Osage Wildlife Area:

Length limits on Grand Osage Wildlife Area: Largemouth bass of a length less than eighteen (18) inches, and channel catfish of a length less than fifteen (15) inches are protected and must be returned to the water immediately.

Daily creel limits on Grand Osage Wildlife Area: Largemouth bass creel limit of two (2), and channel catfish creel limit of two (2).

115-7-3. Fish; taking and use of ~~bait fish~~ baitfish or minnows. (a) ~~Bait fish~~ Baitfish may be taken for noncommercial purposes by any of the following means:

(1) A seine not longer than 15 feet and four feet deep with mesh not larger than 1/4 inch;

(2) a fish trap with mesh not larger than 1/4 inch and a throat not larger than one inch in diameter;

(3) a dip or cast net with mesh not larger than 3/8 inch; or

(4) a fishing line.

(b) Each fish trap shall be tagged with the operator's name and address when the fish trap is in use.

(c) ~~Bait fish~~ Baitfish taken, except gizzard shad, shall not exceed 12 inches in total length.

(d) The possession limit shall be 500 ~~bait fish~~ baitfish.

(e) ~~Wild-caught bait fish may be used as live bait only within the pool of a lake or impoundment where taken. If taken on a flowing stream or river, the wild-caught bait fish shall be used on that flowing stream or river and shall not be transported upstream across any dam or natural barrier.~~ Live baitfish, except for bluegill and green sunfish from non-designated aquatic nuisance waters and baitfish from designated aquatic nuisance waters, may be caught and used as live bait only within the common drainage where caught. However, live baitfish shall not be transported and used above any upstream dam or barrier that prohibits the normal passage of fish. Bluegill and green sunfish collected from non-designated aquatic nuisance waters may be possessed or used as live bait anywhere in the state. Live baitfish collected from designated aquatic nuisance waters shall be possessed or used as live bait only while on that water and shall not be transported from the water alive.

(f) No person shall import live baitfish that does not meet the requirements of K.A.R. 115-17-2 and K.A.R. 115-17-2a.

This regulation shall be effective on and after January 1, ~~2012~~ 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Sept. 10, 1990; amended Nov. 20, 2009; amended Jan. 1, 2012; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-7-3. Fish; taking of bait fish or minnows.

DESCRIPTION: This permanent regulation establishes provisions applicable to taking and use of bait fish in Kansas. The proposed amendments would allow taking and use of live baitfish within a drainage except from a designated aquatic nuisance species water, allow the taking and use of bluegill and green sunfish to be used as baitfish anywhere in the state except if taken from a designated aquatic nuisance species water, and restrict importation of out of state baitfish unless they meet the same criteria as Kansas commercial baitfish sales. The purpose of proposed amendments is to attempt to prevent the further spread of aquatic nuisance species.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are not anticipated to have any substantive economic impact to the department, other state agencies, small businesses, or the public.

ALTERNATIVES CONSIDERED: No alternative amendments are being considered at this time.

Kansas Department of Wildlife, Parks, and Tourism

Kansas Designated Aquatic Nuisance Waters Tables

Dated: October 2, 2012

Designated waters containing select prohibited species

Kansas River

Missouri River

El Dorado Reservoir

Walnut River from El Dorado Reservoir dam to Oklahoma

Winfield City Lake

Timber creek from Winfield City Lake dam to confluence of the Walnut River

Cheney Reservoir

North Fork Ninescah River from Cheney Reservoir dam to confluence of the Arkansas

River

Arkansas River from confluence of North Fork Ninescah River to Oklahoma state line

Perry Reservoir

Delaware River from Perry Reservoir dam to confluence of the Kansas River

Marion Reservoir

Cottonwood River from Marion Reservoir dam to confluence of the Neosho River

John Redmond Reservoir

Milford Reservoir

Republican River from Milford Reservoir dam to confluence of the Smoky Hill River

Jeffery Energy Center Make-up Lake

Jeffery Energy Center Auxiliary Lake

Council Grove City Lake

Council Grove Reservoir

Neosho River from Council Grove Reservoir dam to Oklahoma state line

Kanopolis Reservoir

Smoky Hill River from Kanopolis Reservoir dam to confluence of the Republican River

Melvern Reservoir

Marais des Cygnes River from Melvern Reservoir dam to Missouri state line

Melvern Reservoir River Pond

Melvern Reservoir Rearing Pond

Wilson Reservoir

Saline River from Wilson Reservoir dam to confluence of the Smoky Hill River

Lake Afton

Clearwater Creek to confluence of the Ninescah River

Coffey County Lake (Wolf Creek Nuclear Operating Corporation Lake)

Kingman Hoover Pond

Kingman State Fishing Lake

Camp Minnescah dam, South Fork Ninescah River to confluence of the North Fork

Ninescah

Chase County State Fishing Lake

Sedgwick County Park Lakes

Vic's Lake, Horseshoe Lake, Tom Scott Lake, Moss Lake and Kids Pond at Sedgwick

County Park

Hutchinson Carey Park Pond

Lagoon and Fishing pond

Wakarusa River from Clinton Reservoir dam to confluence of the Kansas River

Big Blue River from Rocky Ford dam to confluence of the KS River

Browning Oxbow

Spirit/Boeing Employee Association Lake

Atchison County

Independence Creek from Atchison SFL to confluence of MO River

Walnut Creek to confluence of MO River

Lang Hollow to confluence of MO

Owl Creek to confluence of MO

Little Walnut Creek to confluence with MO

Brown County

Terrapin Creek to confluence of Walnut Creek

Mulberry creek to confluence of Walnut Creek

Walnut Creek to Nebraska state line

Doniphan County

Squaw creek to confluence of the MO

Spring Creek to confluence of MO

Mill Creek to confluence of MO

Mission creek to confluence of MO

Wolf River

Brush Creek to confluence of the MO

Mosquito Creek to confluence of the MO

Smith Creek to confluence of the MO

Peters Creek to confluence of the MO

Douglas County

Mud Creek to confluence of the KS

Nemaha County

S Fork Big Nemaha River to Nebraska State Line

Burger Creek to confluence of Turkey Creek

Turkey Creek to confluence of the S Fork Big Nemaha River

Clear Creek to confluence of Turkey Creek

Negro Creek to confluence of Clear Creek

Manley Creek to confluence of Pole Creek

Pole Creek to confluence of Turkey Creek

Harris Creek to Confluence of the S Fork Big Nemaha River

Wildcat Creek to confluence of Harris Creek

S Fork Wildcat Creek to confluence of Wildcat Creek

N Fork Wildcat Creek to confluence of Wildcat Creek

Fisher Creek to confluence of S Fork Big Nemaha River

Tennessee Creek to confluence of S Fork Big Nemaha River

Illinois Creek to confluence of the S Fork Big Nemaha River

Deer Creek from Sabetha City Lake to confluence of the S Fork Big Nemaha River

Wolf Pen Creek to confluence of Deer Creek

Four Mile Creek to Nebraska State Line

Rock Creek to Nebraska State Line

Johnson County

Coffee Creek to confluence of Wolf Creek

Wolf Creek to confluence of the Little Blue River

Little Blue River to Big Blue River

Big Blue River to Missouri State Line

Leavenworth County

Stranger Creek to confluence of the KS

115-7-10. Fishing; special provisions. (a) A person who takes any fish from a body of water shall not tag, mark, brand, clip any fin of, mutilate, or otherwise disfigure any fish in a manner that would prevent species identification, examination of fins, recovery of tags, or determination of sex, age, or length of the fish before releasing the fish back into the body of water, unless a permit authorizing this activity has been issued to that person by the department.

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament. During a department-permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament.

Designated aquatic nuisance waters shall be those specified in the department's "Kansas designated aquatic nuisance waters tables," dated ~~August 25, 2011~~ July 31, 2012, which is hereby adopted by reference.

(c) Each person who purchases live baitfish from a commercial bait dealer shall possess the receipt while fishing with the live baitfish.

This regulation shall be effective on and after January 1, ~~2012~~ 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Nov. 20, 2009; amended Jan. 1, 2012; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-7-10. Fishing; special provisions.

DESCRIPTION: This permanent regulation establishes special provisions related to fishing.

The proposed amendments would allow transporting live fish from designated waters containing aquatic nuisance species during permitted fishing tournaments for weigh-ins, update the reference document designated aquatic nuisance waters, and require persons fishing with baitfish purchased from a commercial bait dealer to possess the purchase receipt while fishing.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: It is anticipated that there would be no substantive economic impact to the department, other state agencies, small businesses, or the public.

ALTERNATIVES CONSIDERED: None.

K.A.R. 115-7-10.
Fishing; special provisions.
POSSIBLE AMENDMENT

As a result of internal Department comment on the proposed regulation, the Department suggests that the following amendment be made to the version of the regulation submitted for public comment.

K.A.R. 115-7-10. Fishing; special provisions.

1. Amend proposed subsection (b) as follows:

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament.

During a department- permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic nuisance waters shall be those specified in the department's "Kansas designated aquatic nuisance waters tables," dated ~~August 25, 2011~~ July 31, 2012 October 2, 2012, which is hereby adopted by reference.

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

~~April 1 through September 30:~~

One-day temporary motor vehicle permit	\$2.70
Annual motor vehicle permit	22.20

~~October 1 through March 31:~~

One-day temporary <u>Daily</u> motor vehicle permit.....	\$2.20 <u>\$3.50</u>
<u>Senior or disabled daily motor vehicle permit</u>	<u>1.75</u>
Annual motor vehicle permit	17.20 <u>22.50</u>
<u>Senior or disabled annual motor vehicle permit</u>	<u>11.25</u>
<u>Easy pass annual motor vehicle permit</u>	<u>15.00</u>

(b) Each ~~one-day temporary~~ daily motor vehicle permit shall expire at 2:00 p.m. on the day following its effective date.

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

This regulation shall be effective on and after January 1, ~~2012~~ 2013. (Authorized by and implementing K.S.A. 8-134, as amended by L. 2012, Ch. 164, Sec. 1, K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 32-901, as amended by L. 2012, Ch. 164, Sec. 2; effective Jan. 22, 1990; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Jan. 1, 2001; amended Jan. 1, 2003; amended Jan. 1, 2005; amended Jan. 1, 2007; amended April 8, 2011; amended Jan. 1, 2012; amended P-_____.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This regulation establishes daily and annual permit prices for vehicles entering and using state parks and other areas requiring a motor vehicle permit. This is a user fee for entering and using state parks. The proposed amendments, as a result of the 2012 legislative session, would decrease permit prices for individuals purchasing permits when registering vehicles as an incentive to purchase at that time and increase permit costs for walk up customers.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: Based on the experiences of other states, it is estimated that if 10% of the motor vehicles registered also obtained park motor vehicle permits, the department would increase park fee fund receipts by approximately \$900,000 in FY 13 and \$1,800,000 in FY 14. Otherwise, the amendments are not anticipated to have any other appreciable economic impact on the department, other agencies, individuals or small businesses.

ALTERNATIVES CONSIDERED: None.

115-8-19. Personal conduct on department lands and waters; provisions, restrictions and penalties.

(a) The conduct, actions, or activities of persons on department lands and waters shall be subject to provisions and restrictions as established by posted notice. The following general provisions and restrictions shall apply:

(1) No person shall advertise, engage in, or solicit any business, or make a charge for any event or service except as authorized by the department.

(2) Quiet hours shall be observed between the hours of 11:00 p.m. and 6:00 a.m. Except as authorized by the department, ~~actions which~~ each action that will alarm, anger, or disturb others shall be prohibited during quiet hours. ~~Individuals with~~ Any individual who has knowledge or probable cause to believe that ~~their~~ the individual's actions will alarm, anger, or disturb others or who ~~engage~~ engages in noisy conduct during quiet hours may be subject to the provisions of subsection (b) ~~of this regulation.~~

(3) Subject to the provisions of K.A.R. 115-8-21 and K.A.R. 115-8-1 and to other posted provisions or restrictions, ~~individuals~~ any individual may possess, consume, or drink ~~cereal malt beverages with no more than 3.2% alcohol by weight, as defined in K.S.A. 41-2701~~ alcoholic liquor, as defined in K.S.A. 41-102 and amendments thereto.

~~(4) The consumption or possession of alcoholic liquor as defined in K.S.A. 41-102 and amendments thereto, shall be prohibited.~~

(b) In addition to penalties prescribed by law or ~~rule and~~ regulation, failure to comply with laws, ~~rules and~~ regulations, permit conditions, or posted restrictions by an individual may result in ~~such~~ the individual or equipment of the individual being removed from departmental lands or waters.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and L. 2012, Ch. 144, Sec. 29; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective Jan. 30, 1995; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-8-19. Personal conduct on department lands and waters; provisions, restrictions and penalties.

DESCRIPTION: This permanent regulation establishes provisions and restrictions for personal conduct on department lands and waters. The proposed amendments related to a legislative change from this past session that allows the possession of alcohol on department lands and waters.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

115-4-15. Restitution scoring system; white-tailed deer; mule deer; elk; antelope. (a) For the purpose of establishing restitution values, each of the following terms shall have the meaning specified in this subsection:

(1) "Abnormal point" means a point that is nontypical in shape or location.

(2) "Antler burr" means the elevated bony rim around the antler base of a deer or elk that is just above the skin of the pedicle.

(3) "First normal point" means the longest, first point immediately above, but not part of, the antler burr. If this point is branched, the longest and straightest portion of the point shall be used for measurement. All other points branching from this point shall be considered abnormal points.

(4) "Gross score" means the number derived by totaling certain measurements taken from the antlers or horns of a big game animal in accordance with this regulation.

(5) "Inside spread of the main antler beams" means the measurement at right angles to the center line of the skull at the widest point between main antler beams.

(6) "Length of the main antler beam" means the measurement from the lowest outside edge of the antler burr over the outer curve to the most distant point of what is or appears to be the main antler beam beginning at the place on the antler burr where the center line along the outer curve of the beam intersects the antler burr.

(7) "Normal point" means a point that projects from the main antler beam in a typical shape or location.

(8) "Point" means a projection on the antler of a deer or elk that is at least one inch long as measured from its tip to the nearest edge of the antler beam and the length of which exceeds the width of its base by one inch or more. "Point" shall not include an antler beam tip.

(b) All measurements shall be made to the nearest 1/8 of an inch using a flexible steel tape that is 1/4 inch wide.

(c) The gross score of an antlered whitetail deer shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the deer's right side;

(3) the length of the main antler beam on the deer's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the antler burr and the first normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(B) the circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(C) the circumference taken at the smallest place between the second normal point and the third normal point on the main antler beam; and

(D) the circumference taken at the smallest place between the third normal point and the fourth normal point on the main antler beam. If the fourth normal point is missing, the circumference shall be taken halfway between the third normal point and the tip of the main antler beam.

(d) The gross score of an antlered mule deer shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the deer's right side;

(3) the length of the main antler beam on the deer's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the antler burr and the first normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(B) the circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(C) the circumference taken at the smallest place between the main antler beam and the third normal point; and

(D) the circumference taken at the smallest place between the second normal point and the fourth normal point. If the fourth normal point is missing, the circumference shall be taken halfway between the second normal point and the tip of the main antler beam.

(e) The gross score of an antlered elk shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the elk's right side;

(3) the length of the main antler beam on the elk's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam;

(B) the circumference taken at the smallest place between the second normal point and the third normal point on the main antler beam;

(C) the circumference taken at the smallest place between the third normal point and the fourth normal point on the main antler beam; and

(D) the circumference taken at the smallest place between the fourth normal point and the fifth normal point on the main antler beam. If the fifth normal point is missing, the circumference shall be taken halfway between the fourth normal point and the tip of the main antler beam.

(f) The gross score of an antelope shall be determined by adding together all of the following measurements:

(1) The length of the right horn measured along the center of the outer curve from the tip of the horn to a point in line with the lowest edge of the base, using a straight edge to establish the line end;

(2) the length of the left horn measured along the center of the outer curve from the tip of the horn to a point in line with the lowest edge of the base, using a straight edge to establish the line end;

(3) the circumference of the base of each horn, measured at a right angle to the axis of the horn, not to follow the irregular edge of the horn. The line of the measurement shall be entirely on horn material;

(4) three circumference measurements on each horn based on the criteria specified in this paragraph. The length of the longest horn shall be divided by four. Starting at the base, each

horn shall be marked at these quarters, even though the other horn may be shorter. The circumference shall be measured at these marks at a right angle to the axis of the horn. If the prong of the horn interferes with the first measurement from the base, this measurement shall be taken immediately below the swelling of the prong. If the second measurement from the base falls in the swelling of the prong, this measurement shall be taken immediately above the swelling of the prong; and

(5) the length of the prong measured from the tip of the prong along the upper edge of the outer side to the horn, then continuing around the horn, at a right angle to the long axis of the horn, to a point at the rear of the horn where a straight edge crossing the back of both horns touches the horn. If there is a crack where the prong extends from the horn, the length of the prong shall be taken passing over the entire crack. Once the initial prong length is taken, the width of the crack shall be measured and deducted from the initial prong length. The adjusted length shall be the recorded length of the prong.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 2011 Supp. 32-1032, as amended by L. 2012, Ch. 154, Sec. 9; effective P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-4-15. Restitution scoring system; white-tailed deer; mule deer; elk; antelope.

DESCRIPTION: This new regulation establishes scoring systems for restitution for unlawful take of big game animals in Kansas. This restitution scoring system results from legislation from the 2012 legislative session and restitution values increase as the size of the antlers or horns of the animals increase.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: There will be some restitution ordered to the department by the court as a result of convictions for unlawfully taken big game animals but to estimate would be purely speculative at this time. Otherwise, the amendments are not anticipated to have any other appreciable economic impact on the department, other agencies, individuals or small businesses.

ALTERNATIVES CONSIDERED: None.

115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms.

(a) Subject to provisions and restrictions as established by posted notice or as specified in the document adopted by reference in subsection (e), the following activities shall be allowed on department lands and waters:

(1) Hunting during open seasons for hunting on lands and waters designated for public hunting;

(2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;

(3) target practice in areas designated as open for target practice; and

(4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a), the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles.

(e) The department's "KDWPT fisheries and wildlife division public land special use restrictions," dated July 18, 2011 31, 2012, is hereby adopted by reference.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; implementing K.S.A. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010; amended Nov. 14, 2011; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-8-1. Department lands and waters; hunting, furharvesting, and discharge of firearms.

DESCRIPTION: This permanent regulation establishes certain requirements for and restrictions on certain activities on department lands and waters, including hunting, furharvesting, and other discharge of firearms. Over a period of many years, posted notice has been used to restrict access to certain properties and enhance recreational opportunities. Many of those posted notice restrictions have become long-term policies and to better inform the public as well as enforce the posted notices, the department has consolidated many of those notices into a reference document for adoption by reference. This is an update to that reference document, particularly related to the possession of alcohol and a recent legislative change.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies, small businesses or the public.

ALTERNATIVES CONSIDERED: None.

Kansas Department of Wildlife, Parks and Tourism

KDWPT Fisheries and Wildlife Division Public Land Special Use Restrictions

Dated: July 31, 2012

Access Restrictions

The following properties have access restrictions (curfews) during specific times during a 24 hour period.

Region 1

Saline SFL-open to vehicle traffic sunrise to sunset daily from 3/1 to 9/30

Region 2

Benedictine WA-use of parking lot ½ hour after sunset to ½ hour before sunrise restricted to individuals authorized by permit

Pillsbury Crossing WA-open 6 a.m. through 10 p.m.

Region 3

Hain WA & SFL-no vehicle access during waterfowl seasons

Greeley WA-Closed to all activities February 1 through August 31

Playa Lakes (Herron, Stein & Wild Turkey) Closed to all activities from February 1 through August 31. Open till noon for migratory bird seasons from September 1 through November 22. Open all day during designated youth upland bird season. Open to all hunting all day November 23 through January 31.

Sandsage Bison Range & WA-any pasture where Bison are present

Pratt Backwater Channel-open 6 a.m. through 10 p.m.

Region 4

Maxwell Wildlife Refuge-access restricted to main road, area closed to all activities, except during special events

Region 5

Grand Osage WA-Access by special permit or Army authorization only

Age Restrictions

Portions of the following properties restrict hunting to specific age groups

Region 1

Cedar Bluff WA – North Dam area, youth/mentor area – all species, all seasons, archery & shotgun equipment only

Cedar Bluff WA – Threshing Machine Canyon (west) area, youth/mentor area – all species, all seasons

Jamestown WA- Ringneck & Puddler Marshes, mentor area- all species, all seasons

Glen Elder WA- Walnut Creek area, mentor area-all species, all seasons

Region 2

Hillsdale WA-Big Bull wetland area, mentor area-all species, all seasons
Kansas River WA – Fitzgerald Tract, youth/mentor – all species, all season by special permit
Milford WA-West Broughton area, mentor area hunting-all species, all seasons
Perry WA-designated area, youth/mentor hunting-all species, all seasons

Region 3

Cheyenne Bottoms WA-Mitigation Marsh, youth/mentor-all species, all seasons

Region 5

Melvorn WA-designated area, youth/mentor hunting/fishing-all species, all seasons
Neosho WA- Pool 8, mentor waterfowl hunters on weekends and holidays, all other days open to general public
Neosho SFL kids pond-youth/mentor

No alcohol

Region 1

Rooks SFL & WA

Region 2

Atchison SFL
Benedictine WA
Burr Oak WA
Dalbey WA
Douglas SFL & WA
Elwood WA
Jeffery Energy Center WA Area 2
Kansas River WA – K18 River Access
Leavenworth SFL
Middle Creek Lake Area
Miami SFL
Pillsbury Crossing WA
Pottawatomie SFL's 1 & 2
Rising Sun River Access
Rocky Ford Fishing Area
Shawnee SFL & WA
Osawatomie Dam and Parking Area

Region 3

Pratt Backwater Channels

Region 4

Black Kettle SFL
Butler SFL

Byron Walker Wildlife Area Archery Range
Cheney Reservoir at shooting range
Cowley SFL
Chase SFL & WA
Kingman SFL
Maxwell Wildlife Area at shooting range
McPherson SFL

Region 5

LaCygne Lake
Lyon SFL & WA
Montgomery SFL & WA
Mined Land WA-Unit 1 only
Shoal Creek WA

All Non-Toxic Shot

Region 1

Jamestown WA
Talmo Marsh WA

Region 2

Benedictine WA
Burr Oak WA
Dalbey WA
Elwood WA

Region 3

Cheyenne Bottoms WA
Isabel WA
Playa Lakes (Heron, Stein, Wild Turkey)
Texas Lake WA

Region 4

McPherson Wetlands
Slate Creek Wetlands

Region 5

John Redmond Reservoir-Otter Creek WA
Marais des Cygnes WA
Neosho WA

Boating Restrictions

No Motorized Boats

Region 1

Jamestown WA- Pintail and Buffalo Creek Marshes

Region 2

Milford WA-no motorized boats are allowed in any wetland areas except Mall
Creek/Peterson Bottoms

Perry WA-no motorized boats are allowed in any wetland areas except East and West pools
of the Kyle marsh

Region 3

Cheyenne Bottoms WA-motorized watercraft permitted only during the waterfowl
season. From 4/15 through 8/15, no boats permitted from 10 a.m. through 5 p.m. No
out of water propeller driven watercraft permitted at any time.

Region 5

Elk City WA-Widgeon and Simmons Marshes.

Marais des Cygnes WA-no motorized boats except in Unit A (boat lane only) and Unit G

No Gasoline Engine Powered Boats

Jamestown WA-Marsh Creek Marsh

No Wake

The following lakes require all motorized vessels to be operated at no wake speeds.

Region 1

Jewell SFL

Ottawa SFL

Rooks SFL

Saline SFL

Sheridan SFL

Region 2

Pottawatomie SFL #1

Pottawatomie SFL #2

Region 3

Meade SFL

Scott SFL- in designated area

Region 4

Black Kettle SFL

Butler SFL

Cowley SFL

Kingman SFL

McPherson SFL

Region 5

Marais des Cygnes WA

Wilson SFL

Woodson SFL

Closed to All Hunting

Properties could be included in the STWD special hunts program.

Region 1

Saline SFL

Region 2

Green WA-(8 mi. West of Topeka)

Pillsbury Crossing WA

Pottawatomie SFL # 2

Rocky Ford Fishing Area

Region 3

Big Basin Prairie Preserve

Ford SFL

Kiowa SFL

Pratt Backwater

Region 4

Maxwell Wildlife Refuge

Region 5

Montgomery SFL

Neosho SFL

Equipment Restrictions (Hunting)

Archery Only

Region 4

McPherson SFL-deer and turkey only

Region 5

Mined Land WA Unit 1, Unit 21, Unit 23, a portion of Unit 22 and Unit 47

No Center fire Rifles

Region 2

Douglas SFL

Kansas River WA - Urish, Macvicar & K-18 tracts

Leavenworth SFL

Shawnee SFL

Region 5

La Cygne WA

Shotgun & Archery Only

Region 1

Cedar Bluff WA – North Dam Youth/Mentor area

Lovewell WA-designated area below the dam

Ottawa SFL

Sheridan SFL

Region 2

Douglas SFL-deer hunting

Kansas River WA-no firearms deer hunting, Urish, Macvicar & K-18 tracts

Leavenworth SFL-deer hunting

Shawnee SFL-deer hunting

Region 3

Sandsage Bison Range & WA-north pasture units only

Region 5

Berentz/Dick WA

Osage SFL

Shoal Creek WA

Wilson SFL

Shotgun, Archery & Muzzleloader Only

Region 2

Elwood WA

Jeffery Energy Center WA Area #2 (except for special draw youth hunts)

Middle Creek Lake Area

Rutlader WA

Region 5

Otter Creek WA at John Redmond Reservoir

Disabled Accessible Hunting

The following properties have specific areas designated for disabled access hunting. Specific locations are posted at the wildlife area and can be found on the area brochures and web sites. Special permit is required and available from the Area Manager.

Region 1

Glen Elder WA

Lovewell WA
Norton WA
Webster WA
Wilson WA

Region 2

Clinton WA
Milford WA
Perry WA
Tuttle Creek WA

Region 3

Cheyenne Bottoms WA-disabled hunting blind restricted to disabled only use. Assistants allowed to hunt if they accompany disabled hunter.

No Shooting from Dikes or Levees

Region 3

Cheyenne Bottoms WA

Region 5

Marais des Cygnes WA
Neosho WA-no shooting from designated dikes & levees

No Swimming

Waters in addition to the state fishing lakes that are closed to swimming

Region 2

Pillsbury Crossing WA

Region 3

Big Basin Prairie Preserve
Pratt Backwater
Sandsage Bison Range & WA Sandpit

Region 4

El Dorado WA-jumping bridge located at the Junction of the Walnut River and NE
Chelsea Road

Region 5

Mined Land WA
Melvern WA-Quarry Pond

Refuges

The following properties have portions of the area designated as a refuge during specific periods of the year, or year-round. Access and activity restrictions are for refuge management, special hunts, or special permits.

Refuge Area Closed to Hunting Year Round Open to All Other Legal Activities

Region 1

Rooks SFL
Sheridan SFL
Ottawa SFL

Region 4

Kingman WA-waterfowl refuge

Refuge Area Closed to Hunting, Open to all other legal activities 11/1 to 1/31

Region 1

Cedar Bluff WA – Cove 1, designated water area
Lovewell WA – designated water area

Refuge Area Closed to Hunting Year Round Open to all other legal activities 3/1 to 9/30

Region 4

Cheney WA
Marion WA

Refuge Area Closed to Hunting Year Round Closed to all activities 9/1 – 3/31

Region 5

Elk City WA
Neosho WA

Refuge Area Closed to All Activities Year Round

Region 1

Cedar Bluff WA

Region 2

Benedictine WA
Jeffery Energy Center-Area #3
Milford WA-Steve Lloyd refuge area

Region 3

Cheyenne Bottoms WA-Pool 1

Region 4

McPherson Wetlands - South Refuge

Region 5

Fall River WA
Marais des Cygnes WA

Mined Land WA Bison Pen located on Unit 1
Mined Land WA-portions of Units 28 & 29

Refuge Area Closed to All Activities 10/1 through 1/15

Region 2

Clinton WA
Perry WA
Hillsdale WA

Region 5

Melvern WA

Refuge Area Closed to All Activities 9/1 to 1/31

Region 1

Cedar Bluff WA – west refuge

Refuge Area Closed to All Activities 10/1 to 1/31

Region 1

Lovewell WA
Jamestown WA
Brzon WA
Smoky Hill WA
Ottawa SFL

Refuge Area Closed to All Activities 10/1 – 3/31

Region 4

McPherson Valley Wetlands WA

Refuge Area Closed to All Activities 11/1 to 1/31

Region 1

Norton WA
Webster WA
Wilson WA
Cedar Bluff WA – Church Camp Cove
Glen Elder WA

Seasonal Closures

Access by Permit 10/1 through 3/31

Region 2

Benedictine WA

Open to Hunting Thursday, Saturday and Sunday 9/10 through 3/31

Region 2

Brown SFL

Open to Shotgun Hunting 12/1 through 1/31

Region 2

Shawnee SFL

Open to Hunting Tuesday, Thursday and Saturday

Region 5

Berentz/Dick WA

Open to Upland Bird Hunting Tuesday, Thursday and Sunday

Region 2

Burr Oak WA

Dalbey WA

Elwood WA

Closed to fishing 9/15 through 4/15

Region5

Marais des Cygnes WA (marshes only)

Shooting Area (Ranges)

The following properties have designated firearm or archery ranges. Shooting hours are posted at the facility and available on area brochures and web sites.

Region 1

Glen Elder WA

Region 2

Shawnee SFL (firearms & archery)

Region 4

Cheney Res. & WA (firearms)

Byron Walker WA (archery)

Maxwell Wildlife Refuge (firearms)

Region 5

Hollister WA (firearms)

Shooting Hours Restrictions

The following properties have shooting hour restrictions that are more restrictive than statewide regulations. These restrictions may be species specific and regulated only on portions of the property.

Shooting Hours End 1 PM

Region 5

Neosho WA-South Unit for waterfowl

Special Permits (Daily/ Use* Hunt Permits) Daily hunt permits are available on the property at select parking lots and informational kiosks. Designated (*) properties require a permit for all activities.

Region 1

Glen Elder WA
Jamestown WA
Lovewell WA

Region 2

Clinton WA- waterfowl only
Elwood WA
Jeffery Energy Center WA Area # 2
Kansas River WA
Milford WA-waterfowl only

Region 3

Cheyenne Bottoms WA-In addition to daily hunt permit, trapping permit is required from the manager to trap
Isabel WA
Texas Lake WA

Region 4

McPherson Wetlands
Slate Creek Wetland

Region 5

Berentz/Dick WA*
Marais des Cygnes WA-waterfowl only
Neosho WA-waterfowl only

115-25-6. Turkey; spring season, bag limit, permits, and game tags. (a) The open season for the taking of turkey by archery equipment only shall begin on the first day of April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season for use with archery equipment only.

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

(c)(1) The season for designated persons for the taking of turkey shall begin on the first day of April and shall continue through the day before the opening day of the open season specified in subsection (b) in all turkey management units. All turkey permits and second turkey game tags issued for the open season shall be valid during this season.

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

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

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

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

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

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

(1) Unit 1. Unit 1 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-183 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 1.

(2) Unit 2. Unit 2 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with the Nebraska-Kansas state line, and then east along the Nebraska-Kansas state line to its junction with federal highway US-183, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 2.

(3) Unit 3. Unit 3 shall consist of that area bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-135, then south on interstate highway I-135 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its

junction with Nebraska-Kansas state line, and then west along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 3.

(4) Unit 4. Unit 4 shall consist of that portion of the state bounded by a line from the Kansas-Colorado state line east on interstate highway I-70 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, and then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries. A total of 500 permits shall be authorized for unit 4, and all youth permits shall also be valid in unit 4.

(5) Unit 5. Unit 5 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with federal highway US-56, then west on federal highway US-56 to its junction with state highway K-96, then west on state highway K-96 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to the Oklahoma-Kansas state line, and then east along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 5.

(6) Unit 6. Unit 6 shall consist of that portion of the state bounded by a line from the Oklahoma-Kansas state line north on interstate highway I-35 to its junction with federal highway

US-56, then east on federal highway US-56 to its junction with state highway K-150, then east on state highway K-150 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, and then west along the Oklahoma-Kansas state line to its junction with interstate highway I-35, except federal and state sanctuaries. An unlimited number of permits and an unlimited number of second turkey game tags shall be authorized for unit 6.

(f) Turkey permits and second turkey game tags shall be valid only for the unit or units designated on the turkey permit or second turkey game tag, except that youth turkey permits shall be valid in all units and unit 4 turkey permits shall also be valid in adjacent units.

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

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

(i) This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 2011 Supp. 32-969.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This proposed exempt regulation establishes hunting unit boundaries, bag limits and season dates for the spring turkey hunting season. The proposed changes would change management units from 4 units to 6 units to coincide with changes previously made in the fall turkey season, would increase the bag limit in Unit 1 and would allow the use of Unit 4 permits in adjoining units.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: It is anticipated that approximately 41,875 permits and 22,052 turkey game tags will be issued in 2012, based on 2011 permit allocation data. The estimated 41,875 permits include 23,125 regular resident permits (of which 4,525 are resident youth permits), 5,476 landowner-tenant permits, and 13,174 non-resident permits. The estimated 22,052 turkey game tags include 13,027 resident game tags and 9,025 nonresident game tags. Estimated revenue if the above number of permits and tags are issued would be \$1,131,675.00. Administrative costs associated with the season are borne by the department.

Approximately 320,000 recreational days of hunting could occur, thus providing economic benefit to businesses providing goods and services. No other economic impact on the department, general public, small businesses, or on other state agencies is anticipated.

ALTERNATIVES CONSIDERED: None.

Figure 1. Current spring wild turkey hunting units for Kansas.

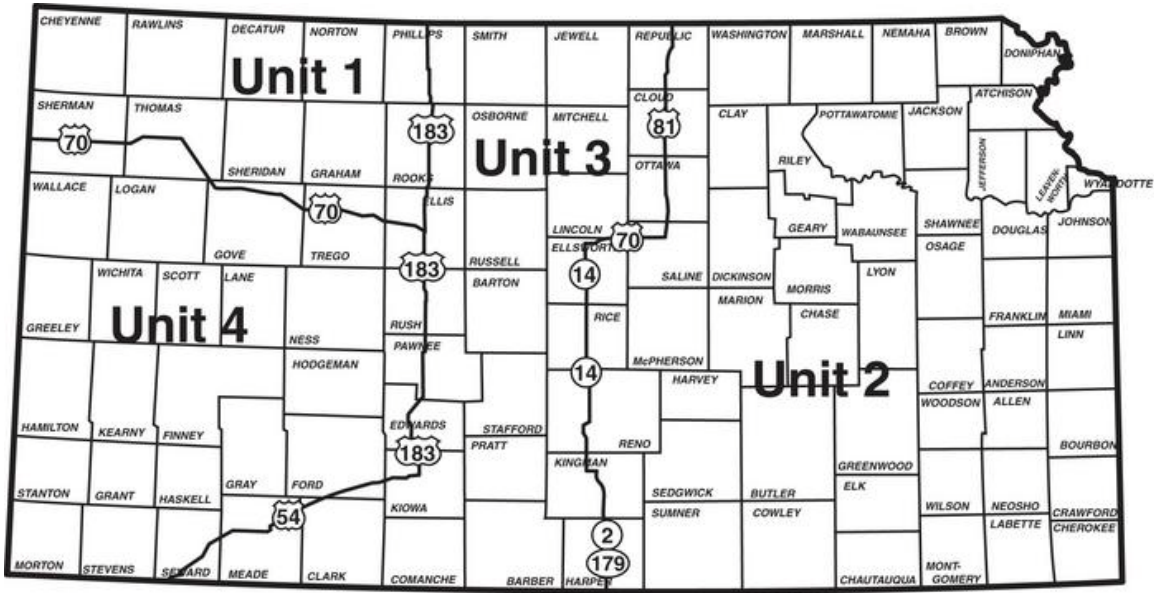


Figure 2. Regional indices (birds/100 mi.) to Kansas' wild turkey population derived from the April rural mail carrier survey, 1986-2012.

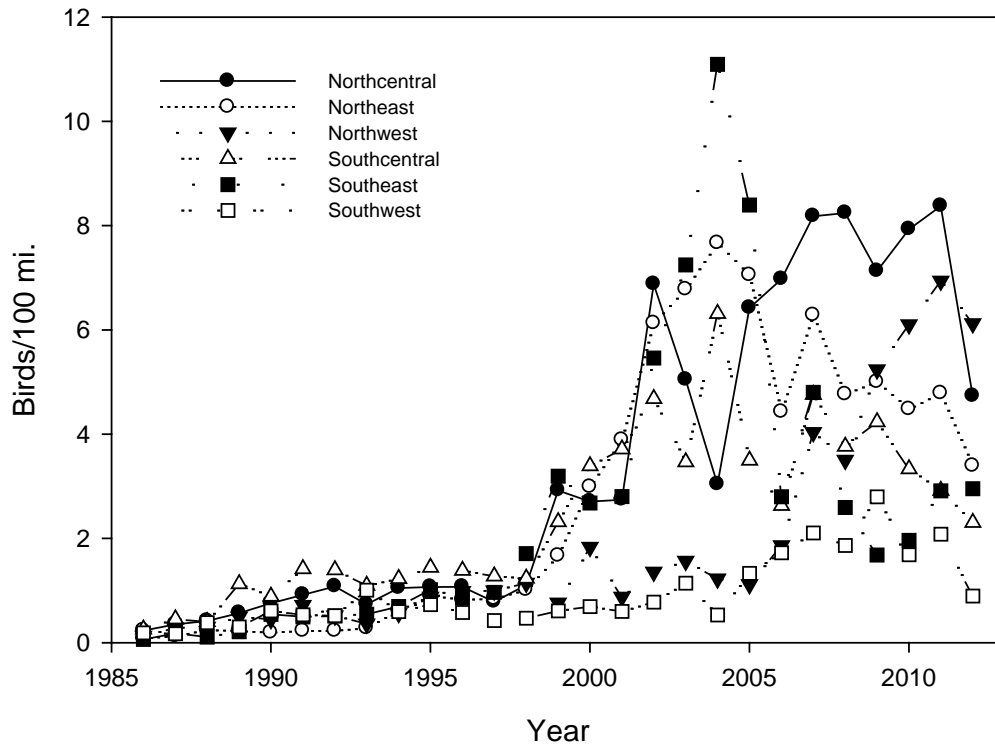
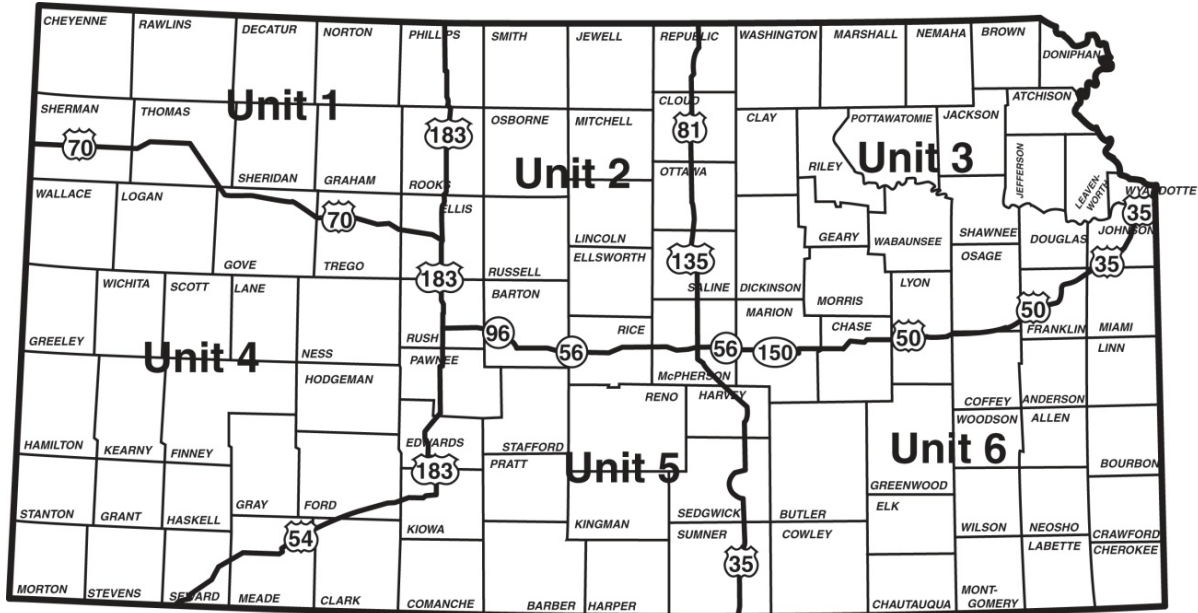


Figure 3. Proposed spring wild turkey hunting units for the 2013 season.



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

(1) Resident hunting license	\$18.00
<u>Resident senior hunting license (annual purchase, 65 years of age through 74 years</u>	
<u>of age)</u>	<u>9.00</u>
(2) Resident hunting license (one-time purchase, valid from 16 years of age through 20	
years of age)	40.00
(3) Nonresident hunting license	70.00
(4) Nonresident junior hunting license (under 16 years of age)	35.00
(5) Resident big game hunting permit:	
General resident: either-sex elk permit	250.00
General resident: antlerless-only elk permit	100.00
General resident youth (under 16 years of age): either-sex elk permit.....	125.00
General resident youth (under 16 years of age): antlerless-only elk permit	50.00
Landowner/tenant: either-sex elk permit	125.00
Landowner/tenant: antlerless-only elk permit	50.00
Hunt-on-your-own-land: either-sex elk permit.....	125.00
Hunt-on-your-own-land: antlerless-only elk permit	50.00
General resident: deer permit	30.00
General resident youth (under 16 years of age): deer permit	15.00
General resident: antlerless-only deer permit	15.00
General resident youth (under 16 years of age): antlerless-only deer permit	7.50
Landowner/tenant: deer permit	15.00

Hunt-on-your-own-land: deer permit	15.00
Special hunt-on-your-own-land: deer permit	30.00
General resident: antelope permit	40.00
General resident youth (under 16 years of age): antelope permit	20.00
Landowner/tenant: antelope permit	20.00
Hunt-on-your-own-land: antelope permit	20.00
Antelope preference point service charge	5.00
Any-deer preference point service charge	5.00
Application fee for elk permit.....	5.00

~~(6)~~ Wild turkey permit:

General resident: turkey permit (1-bird limit)	20.00
General resident youth (under 16 years of age): turkey permit (1-bird limit)	10.00
Landowner/tenant: turkey permit (1-bird limit)	10.00
Nonresident: turkey permit (1-bird limit)	30.00
Resident: turkey preference point service charge	5.00

~~(7)~~ Wild turkey game tag:

Resident: turkey game tag (1-bird limit)	10.00
Nonresident: turkey game tag (1-bird limit)	20.00

~~(8)~~ Spring wild turkey permit and game tag combination (2-bird limit, must be purchased

before April 1 of year of use):

General resident: turkey permit and game tag combination (2-bird limit)	25.00
General resident youth (under 16 years of age): turkey permit and game tag combination (2-bird limit)	15.00

Landowner/tenant: turkey permit and game tag combination (2-bird limit)	15.00
Nonresident: turkey permit and game tag combination (2-bird limit)	45.00
(9) Nonresident big game hunting permit:	
Nonresident hunt-on-your-own-land: deer permit	75.00
Nonresident: deer permit (antlered deer)	300.00
Nonresident: deer permit (antlerless only)	50.00
Nonresident: antelope permit (archery only)	200.00
Nonresident: deer permit application fee	20.00
Nonresident: mule deer stamp	100.00
(10) 48-hour waterfowl hunting permit	25.00
(11) Field trial permit: game birds	20.00
(12) Lifetime hunting license	440.00
or eight quarterly installment payments of	60.00
(13) Migratory waterfowl habitat stamp	5.00
(14) Special dark goose hunting permit	5.00
(15) Sandhill crane hunting permit: validation fee	5.00
(16) Disabled person hunt-from-a-vehicle permit	0
(b) Fishing licenses and permits.	
Resident fishing license	18.00
<u>Resident senior fishing license (annual purchase, 65 years of age through 74 years</u>	
<u>of age)</u>	<u>9.00</u>
Resident fishing license (one-time purchase, valid from 16 years of age through 20	
years of age)	40.00

Nonresident fishing license	40.00
24-hour fishing license	3.00
Three-pole permit.....	4.00
Tournament bass pass	10.00
Paddlefish permit (six carcass tags).....	10.00
Paddlefish permit youth (under 16 years of age) (six carcass tags).....	5.00
Hand fishing permit	25.00
Floatline fishing permit.....	0
Lifetime fishing license	440.00
or eight quarterly installment payments of	60.00
Five-day nonresident fishing license	20.00
Institutional group fishing license	100.00
Special nonprofit group fishing license	50.00
Trout permit	10.00

(c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license	36.00
<u>Resident senior combination hunting and fishing license (annual purchase, 65 years of age</u> <u>through 74 years of age)</u>	<u>18.00</u>
Resident combination hunting and fishing license (one-time purchase, valid from 16 years of age through 20 years of age)	70.00
Resident lifetime combination hunting and fishing license	880.00
or eight quarterly installment payments of	120.00
<u>Resident senior lifetime combination hunting and fishing license (one-time purchase, valid</u>	

<u>65 years of age and older)</u>	40.00
Nonresident combination hunting and fishing license	110.00

(d) Furharvester licenses.

Resident furharvester license	18.00
Resident junior furharvester license	10.00
Lifetime furharvester license	440.00
or eight quarterly installment payments of	60.00
Nonresident furharvester license	250.00
Nonresident bobcat permit (1-bobcat limit per permit)	100.00
Resident fur dealer license	100.00
Nonresident fur dealer license	400.00
Field trial permit: furbearing animals	20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license	15.00
Resident mussel fishing license	75.00
Nonresident mussel fishing license	1,000.00
Mussel dealer permit	200.00
Missouri river fishing permit	25.00
Game breeder permit	10.00
Controlled shooting area operator license	200.00
Commercial dog training permit	20.00
Commercial fish bait permit	20.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license)	20.00

Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from this license requirement)5.00

Commercial prairie rattlesnake dealer permit.....50.00

Prairie rattlesnake round-up event permit25.00

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

Scientific, educational, or exhibition permit10.00

Raptor propagation permit0

Rehabilitation permit0

Wildlife damage-control permit0

Wildlife importation permit10.00

Threatened or endangered species: special permits0

(g) Falconry.

Apprentice permit75.00

General permit75.00

Master permit75.00

Testing fee50.00

(h) Miscellaneous fees.

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

Special departmental services, materials, or supplies At cost

Vendor bond

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

For bond amounts of more than \$5,000.0050.00

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

This regulation shall be effective on and after January 1, ~~2011~~ 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, L. 2012, Ch. 154, Sec. 1, and K.S.A. ~~2009~~ 2011 Supp. 32-988, as amended by L. 2012, Ch. 154, Sec. 7; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2007; amended Jan. 1, 2008; amended Jan. 1, 2009; amended Jan. 1, 2010; amended Aug. 1, 2010; amended Jan. 1, 2011; amended P-_____.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This permanent regulation establishes fish and wildlife-related license and permit fees. The proposed amendments would establish license options for individuals 65-74 based on legislative action this past session. Options would include hunting or fishing licenses at \$9.00 respectively, a combination hunting and fishing license at \$18.00 or a lifetime senior pass for hunting and fishing at \$40.00.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: It is difficult to speculate as to which license option individuals will choose to purchase and as such, it would be purely speculative to estimate any amount that may accrue to the wildlife fee fund as a result of any purchases. There will be some revenue and one may presume that individuals would likely choose the senior pass as the most affordable option. It is estimated that at least 33,000 individuals in Kansas age 65-74 hunt or fish. No other appreciable negative economic impact is anticipated for the department, other agencies, small businesses, or the public.

ALTERNATIVES CONSIDERED: None.

115-18-22. Senior pass valid for hunting and fishing; requirements, restrictions, and permit duration. (a) Any Kansas resident age 65 and older may apply to the secretary for a senior pass valid for hunting and fishing.

(b) For the purposes of this regulation, the term “resident” shall have the meaning specified in K.S.A. 32-701, and amendments thereto, except that a person shall have maintained that person’s place of permanent abode in this state for not less than one year immediately preceding that person’s application for a senior pass valid for hunting and fishing.

(c) A senior pass valid for hunting and fishing shall not be made invalid because the holder of that senior pass subsequently resides outside of the state.

(d) Each nonresident holder of a senior pass valid for hunting and fishing shall be eligible under the same conditions as those for a Kansas resident for a big game or wild turkey permit upon proper application to the secretary.

(e) A senior pass shall not be transferable.

(f) Each senior pass shall be valid during the life of the holder and shall expire upon the death of the holder.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and L. 2012, Ch. 154, Sec. 1; effective P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-18-22. Senior pass valid for hunting and fishing; requirements, restrictions, and permit duration.

DESCRIPTION: This new permanent regulation establishes the senior lifetime pass as a result of the 2012 legislative session. The regulation would allow residents 65 and older to purchase the pass, not invalidate the pass if the holder moves out of state, allow the purchase of deer and turkey permits at resident prices if the holder move out of state, and have the license expire on the death of the holder.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: No substantial economic impact to the department, other state agencies, small businesses, or members of the public is anticipated.

ALTERNATIVES CONSIDERED: None.