

**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**

Approved Subject to
10/18/12 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. Their 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)