

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, April 17, 2014
Great Plains Nature Center
6232 E 29th St N, Wichita, Kansas**

Approved Subject to
6/19/14 Commission
Approval

I. CALL TO ORDER AT 1:00 p.m. CDT

The April 17, 2014 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at the Kansas History Center, Topeka. Chairman Lauber and Commissioners Don Budd, Tom Dill, Randy Doll, Gary Hayzlett, 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).

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Agenda revised to reflect 6:30 PM evening schedule instead of 7:00 PM

IV. APPROVAL OF THE January 9, 2014 MEETING MINUTES

Commissioner Hayzlett moved to approve the minutes as presented, Commissioner Wilson second. Approved. (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Kenny Bock, Kingman – The Corvette Club would like to do a photo shoot at Cheney Lake and make a donation to KDWPT so each car does not have to have a sticker on it. The event is planned for Sunday April 27 and will take about one hour with 30-35 corvettes. Craghead – Park manager from Cheney is here, Ryan Stucky, he will be happy to work with you on that.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Linda Craghead, assistant secretary, presented this update to the Commission (Exhibit C). Robin unable to be here on time and asked me to present fiscal status to you. Park revenue, protocols, policies and business changes have had a significant effect, 36.22 percent increase from the prior year; overall 5.92 percent positive change from prior year. Key is, cash balances will be more important, moving completely away from state general

fund (SGF), now only EDIF (lottery funds); hope to move away from support with operations, but not sure we can totally. Cabin Fee Fund and Park Fee Fund, projections little less than last year, hope marketing campaign will help with that. Things are moving in right direction in respect to agency. Chairman Lauber – What about negative months? Cindy Livingston – That is just when money hits the accounts and when it showed up in accounts. Craghead – Also, had note with all cabins through Wildscape and we still have an agreement with them and they receive a small amount because of assistance setting up this program; pleased administrators and legislature worked with us then. Chairman Lauber – Will we build up surplus if we don't build any more cabins? Craghead – Not set up to pay operating expenses so coming out of CFF. Commissioner Marshall – Why so far behind in WFF? Sexson – Holding our own, no large increases, no fear of falling back. License sales begin to show because of decrease in upland game numbers. Chairman Lauber – Decrease in gun sales from last year. Sexson – These figures are not federal funds, these figures come from license sales; had 75 percent reimbursement from federal funds not shown here. Falling behind on those because in the process of getting those drawn down. Craghead – Federal revenue not reflected in this report. Commissioner Marshall – EDIF funds down? Craghead – That money was a onetime proviso to pay off cabins to Wildscape, now strictly an apportionment from the legislature. Commissioner Marshall – It changes year to year? Craghead – Yes.

2. 2014 Legislative Update – Chris Tymeson, chief legal counsel, presented this update to the Commission. We are about 10 days from the legislature coming back, April 30, back for 10 days for veto session; authorized 90 days every year, have run over in the past, 108 days, but anticipate 90 days. Nothing is done until final bell rings. Few bills still alive from last year: SB50 on boater education. SB94, classify muzzleloaders the same on federal and state level. SB223 on crossbows, no bill needed as they are allowed by all hunters during big game archery hunting. SB272, new this year, controlled shooting areas and removed cap by county on number of acres, one county bumping against cap and one 2/3 up, currently limit is 3 percent, passed and signed by Governor and is now 5 percent. SB276, LPC, basically says USFWS has no ability to manage lesser prairie chickens in the state; passed out 30-10 in Senate, amended in House about arresting federal officers and other items, House committee passed and is on House calendar. SB281, on removing redbelly snake and smooth earth snake from T&E list. We opposed this bill and it did not pass out, but another bill popped out because of this. There is a process we use to add and remove species. SB323, conservation easements, 50-year lifespan instead of perpetuity, started hearing from some of our partners, grassroots of sportsmen and women and that is how this was made, failed April 4, died on final action in the Senate 23-16. SB357, hunter education bill allowing more than one deferral, started with one-year program to take someone out hunting, at minimum felt like should be two-year program, three deferrals requested, passed Senate, House debated and passed it out at two deferrals, has to go to conference, that is how LPC could get back in there. A lot of bills out there that might or might not happen in this conference committee, two meetings and one more possible, expect this one to happen. SB366, purchase of ground 397 acres in Cherokee County, has to have NRDA funding would pay 100 percent of land, Senate passed, House has done nothing on it. SB370 another purchase of land, considered conferenceable item. SB447, gun bill, amended section on forfeiture of firearms that would come to the agency, passed in House as HB2473, amended in House, passed in Senate in conference in now in HB2578, originally class C firearm licenses bill. Senate substitute for HB2118, would have repealed Kansas Nongame and Endangered Species Act, was amended, put in House,

stricken from calendar. HB2422, technical cleanup bill on boat taxation, signed April 4. HB2538 (antler bill), change ownership of wildlife, and grant first refusal to wildlife unlawfully hunted on their property, passed House and is conferenceable. HB2595, two fossils, tylosaurus and pteranodon, are now official state fossils and can be used to promote western Kansas. Couple bills tabled: HB2626, use of dogs to track wounded/dead deer, looking at regulatory process rather than statute; HB 2627, hunter education test, didn't go anywhere. HB2694 had hearing, didn't go anywhere. Late bill, HB2737, dangerous wildlife bill from years ago, most recent bill would have added primates and wolves to that list. Chairman Lauber – Where is that bill? Tymeson – Didn't go anywhere. Chairman Lauber – Impassioned primate owners out there. Do you think antler bill will stay where it is? That is a dangerous precedent. Tymeson – A balance, have to see where it goes. Commissioner Budd – Opinion of legislative session? Tymeson – Proud of sportsmen (conservation orgs, etc) that have stepped up this year and had a cohesive crowd this year. Legislature on two-year budget cycle so had time to look at bills they wouldn't normally look at. SB272, SB357, HB2422, and HB2595 still out there, if get hunter education bill out we would feel good, hope to get land bills out too. Chairman Lauber – What about two snakes? Tymeson – Jason will talk to you about that.

B. General Discussion

1. Tourism Update – Linda Craghead, Assistant Secretary of Tourism and Parks, presented this update to the Commission (Exhibits D, E). Busy timeframe from leisure time frame and turkey hunting standpoint. Did any of commissioners see coverage of launch in Wichita on April 9? Logan Mies is out promoting Kansas, credit to Ryan Stucky, Mike Satterlee and Brian Haug who helped get that event kicked off on April 8 at Cheney State Park. Hosted Heartland Byway conference last week. Nineteen byways and people from 11 states met in Manhattan. Sending e-blast for marketing to all licensed hunters and fisherman, important to capture emails, 200,000 people first target, hopefully it will passed on and shared from there. From earlier report, WFF is \$50,000 ahead from last year. Feedback appreciated. Insert handed out that will be delivered in several newspapers. Entered into two agreements for media coverage, Scott Linden's rooster road trip ends up in November at Cabela's; and Jeff Fuller focusing on waterfowl and turkey hunting and some fishing. Go look at archery range at El Dorado state park, three people here who would be happy to host you, Seth Turner, Randy Just and Tyler Burt. Serving as host to first capital campground at Cedar Crest with Governor and his family, working with Coleman and looking for other corporate sponsors. Sand Hill State Park, near Hutchinson, ready soon – paving roads, etc, hoped to open Memorial Day weekend but not going to make it. Went to Chicago to work with international travel agents, looking for new and unique trips (met by appointment only every 20 minutes), beginning to fill itineraries for several countries. Significant opportunities out there, put information out there and they come to us. Michael Pearce – Date on capitol campground? Craghead - May 30 and 31. Pearce – Surprised to see how many races there are in the state. Have all of the races been compiled in one place so people can find them? There is a growing interest. Craghead – Working to do that, last week in May, Dirty Kanza 200 will be held in Emporia. Kansas is drawing people from other countries; go to TravelKS.com, trying to get out there. Pearce – Forgot Theresa Vail's media event. Craghead – Miss Kansas got her turkey at Gov's turkey hunt. Working with farmers and landowners along the byways, asking them to put emblem in driveways to show bikers are welcome to come in and get water from the hydrant; organized in Wabaunsee County already.

Biking opportunities more impressive and gaining notoriety. Bike trail at Wilson SP is up for national nomination and Scott SP for historical significance. At launch showed we have a great state to visit, itinerary out on TravelKS.com sight. Commissioner Marshall – Where are itineraries for countries? Craghead – Worked out individually for those countries, like Nickerson. New itineraries every week for domestic travelers.

2. Fishing Regulations – Kyle Austin, hatchery supervisor, presented this report to the Commission (Exhibit F). Handful of changes: Glen Elder and Lovewell, add 35-inch minimum length limit on blue catfish, first stocked in 2010, seeing 20-23 inch fish being caught, want them to get sexual maturity. Glen Elder also has zebra mussels now want to give more protection to blue catfish there. Changed Lenexa Lake to 13- to 18-inch slot limit on bass, stockpiling. LeClere Lake in Coffeyville removed minimum length limits on largemouth and channel catfish. Three locations new on CFAP program: Hays Vineland Park Pond, Hutchinson North Pond and Scott State Fishing Lake, regulations to protect them from a lot of pressure in the beginning. Crappie population expanding so protecting walleye and saugeye. Critzer Reservoir in Linn County online for four to five years, want to remove minimum length on crappie. Change to a 5/day creel limit on blue catfish at Coffey Lake (Wolf Creek), zebra mussels established and blue cats tend to eat zebra mussels, hope will start to reproduce naturally several fish at 35 inches. Change 115-25-14 to include a new trout stocking location: Herington Father Padilla Pond will be added to the list of Type 2 Waters, which require a trout permit only for trout anglers from November 1 through April 15. Revoke 115-18-21 that requires floatline fishing permit (\$2.50) was established so that the Department could evaluate the program by sending out a survey to all permittees. We would like to remove the requirement to possess a permit while floatline fishing because program evaluation is no longer necessary. Commissioner Dill – I had a question from the Glen Elder area, asked if during walleye spawn we could not fish for 2-3 weeks, I said I would ask. Austin – I have seen that and I did night time creel survey for a couple of years back to back; no impact, less than five percent of fish are being caught during the spawn and the vast majority are males. Could close memorial weekend and have better luck. Commissioner Dill – He said it was literally shoulder to shoulder fisherman. Austin – That is one of the times of year fisherman can catch walleye off the shore, not everyone has a boat.

3. Park Regulations – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit G). New handout on six regions (Exhibit H). In anticipation of the completion of a campground construction project at Sand Hills State Park, this park needs to be added to a portion of the current regulation 115-2-3 and added to the list of recreational vehicle seasonal camping permits, with El Dorado, Milford, and Tuttle Creek State Parks (includes utilities) per month, per unit (annual camping permit and annual vehicle permit required); \$272 for 1 utility, \$332 for 2, \$392 for 3 and annual camp permit, want \$432 for 3 and \$372 for 2 utilities and have 64 sites going in there. In Reno County north of Hutch and is going to popular. What makes it appealing is it is close to Hutchinson and is popular for equestrian traffic; want to manage right and needs to be at higher rate. State cabins, bring to you when we want increases in cabin fees, ran numbers and occupancy rate, when renting weekend have to rent for two days, running 70 percent to 80 percent capacity; want to raise rate \$10 per weekend night, \$20 for weekend; average rate would be \$105 and \$120 for two-bedroom cabins in prime season. Move traffic to week days, difficult to schedule weekends. Worked on cabins to keep them upgraded and need to manage those and bring occupancy rate to manageable rate and spread it out a little.

Looked at neighbors and clearly need to increase. Commissioner Dill – What cabins are you looking? Lanterman – Hillsdale SP, adding 50 campsites and within that looking at 8-10 cabins, just have to get funding right. Commissioner Dill – Adding new locations rather than more cabins at existing areas? Lanterman – Added two new at Wilson, not open yet; added five at Clinton, the last of Corrections cabins. Commissioner Marshall – When will they open? Lanterman – Not sure. Commissioner Dill – What is approximate cost of cabins? Craghead – Not sure, were built by Corrections in the past, have to factor in site prep. Todd Workman - About \$180,000 to \$200,000, moving them in was expensive. Looking at private construction options and building in clusters. Onsite stick building is a newer concept, but hasn't solicited bids yet. Commissioner Dill – What about high schools who build houses? Craghead – Always looking for sponsors. Commissioner Budd – What kind of promotion could you make with Corvette club, or something like that? Parks moving nationwide on campaign, on national front where we haven't been before because of Tourism. Kansas is only state who has facilities mapped and sent to national database. We are thin and at times a lot of work. Craghead – Manage business like a business, request is \$10 increase for weekend nights. Chairman Lauber – Can we vote on this today? Tymeson – Yes. **Commissioner Budd moved to increase cabin fee by \$10 per weekend night (all cabins except Wilson and Perry that were increased last year, during prime season), Commissioner Hayzlett second to approve increase (Exhibit I).** Ron Klataske – Preserve natural character of state parks and what we can do for restoration. Restore grasslands on Sand Hills SP to natural condition and remove the trees; conservation community has mentioned this over the years, started out with grassland resource that is quite unique. Lanterman – Ryan is here today and he is manager, started to do that a year ago, look at manager's plans and take those ideas and take it up through the chain of command. Klataske – At Lovewell, noticed observation area, same thing has happened, it has grown up in trees. Prairie dog colonies important, other species reliant on them. Chairman Lauber – Is it our issue that the trees grow up or naturally occurring? Klataske – Grasslands don't survive without some management, mowing, burning and cutting. Commissioner Budd – Has Audubon ever thought about coming forward with proposals to participate in partnerships. Klataske – Could be. Like at Lovewell, people with chainsaws. Missouri spends time on preserving habitat in their state parks. Lanterman – We would need that, for many years Sand Hills was a satellite area, but will have people there and was used for trails only. We do manage areas on our state parks. Chairman Lauber – Prairie dogs, we do manage for those species. Klataske – One of most eastern-most colonies. Neighbors have never had trouble with those prairie dogs. Kill off brome and reintroduce native grass.

Break

Chairman Lauber – Gave permission to gentleman to speak. Martin Grimes, Wichita – Resident all my life, bird hunting in 1995, friend talked me into deer hunting in 1998, work for Coleman so travel a lot. Time limited when I could hunt deer, Thursday or Friday after opening season, change time a little, allows rifle hunters time in rut, having trouble seeing deer right now, hunt out by Cheney. Can't bird hunt anymore because of knees, I'm 68 years old. When windy in Kansas don't see deer, working people don't have time to get out on opening day, extend time period to thanksgiving. Asking for opportunity in earlier time, thinking about giving it up because of opportunity. Appreciate your time. A lot of poaching in this state, hard for private individuals to get place to hunt. Glad law enforcement is there but would like to see more of

them. Chairman Lauber – There is a lot of factors involved with that.

4. Late Migratory Bird Seasons - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit J). Annual U.S. Fish And Wildlife Service (USFWS) frameworks establish maximum bag and possession limits, season lengths, as well as earliest opening and latest closing dates. States must operate within the frameworks when establishing state-specific waterfowl seasons. Late migratory game bird frameworks are published in August, after results from the May Breeding Duck Survey and other population and harvest data are available and recommendations from the various Flyway Councils are reviewed at the USFWS Service Regulation Committee (SRC) Meeting (July 31, 2014). I will cover in more detail at future meetings. Chairman Lauber – Waterfowl survey is yours? Bidrowski – Yes, it will be available in upcoming weeks (Exhibit K). Chairman Lauber – Results at June meeting? Bidrowski – Preliminary results but not final results until August meeting. Commissioner Marshall – Walk us through this. Bidrowski – Sampling base will come from Kansas waterfowl hunting stamp, 36,000; 26,000 from Kansas, which will be our base, residents. If we ran survey 10 times, nine out of 10 times would expect same results; based on 40 percent response rate we are mailing out about 7,400 random surveys and there is a 23 percent chance of being selected to complete the survey. Commissioner Marshall – Can you tell where they are from? Bidrowski – Where they live or where they hunt, question 2 will tell us that. Commissioner Marshall – Biggest concern is methodology, person who returns this is different. If Fox asks question and CBS, two different answers. Two different clienteles. Chairman Lauber – There are 28,000 people, randomly picking 7,400 out of that, will get more inspired hunter to take the time to fill out the survey. Commissioner Marshall – More biased. Bidrowski – Around 64 percent hunt less than five days. All we have is addresses of the people who have purchased a waterfowl stamp. Chairman Lauber – If I get a survey I tend to think of it as an obligation to fill it out. Bidrowski – If not responding I guess they don't care when waterfowl season is. Commissioner Doll – It is considered bias if you require action on their part, the way to get accurate survey is to call them on the phone, not as much bias that way. What Commissioner Marshall is saying is accurate. Commissioner Budd – When politicians do a poll they do it by phone because they want it accurate. Bidrowski – Have luxury of having licensed hunters. Commissioner Budd – Being you are doing it this way; SE season, read through options A-F, similar to 2012 or 2013 season in bold. Do you see problems with that? Bidrowski – Canada geese don't line up as well. Chairman Lauber – I looked at that, didn't see bias, saw way to not have to look back at calendar. Commissioner Budd – If I go to McDonalds I have to get a Big Mac the way it is or ask for it special. Couldn't we make it the same? Chairman Lauber – Dramatically different than past years? Bidrowski – Looking at season dates, six best options. Commissioner Budd – Wanted to know how we were going to do this survey, but letting us see this beforehand helpful; just trying to save August grief. Chairman Lauber – You used last year's survey to get the dates you wanted. Marshall – Didn't agree survey said the same thing. Look at Low Plains SE zone, pretend I like F, but my hunch is B is my favorite if I get friends to score B low than I can bias that. Bidrowski – Sample size will overcome that. Commissioner Budd – Who is on waterfowl committee? Bidrowski – One from each public land region, one from each region of private lands, two federal refuge managers, one from DU; I serve as chair. Chairman Lauber – Review recommendations made by that committee, who will use their best efforts to gather information from this survey and have thoughts, suggestions and insights to come up with recommendations. Works for every other season we have because we don't have control of bird's migration, more

controversial, don't think we want to have a major change in the way the agency provided information to what you want to do. Don't want survey committee to use same as in the past? Commissioner Doll – Same level of bias as in the past, not suggesting we do true survey by doing phone call, but what I am hearing from Commissioners, some tweaking for data to be more accurate; what is in best interest of sportsmen; reworded presentation would get more accurate data, a low cost alternative. Bidrowski – You have survey for two months, never questioned where used; standard survey based on national survey and is one of three legs we use to make regulations. Commissioner Dill – Would you be opposed to taking boldface out and “similar to” out? Bidrowski – Sure, most know when they are going to go hunt without looking back at the calendar, those that don't respond are mostly opening day hunters. Commissioner Budd – I can gauge my season on last season because I know whether I had success or not. My confusion in all of this, if we are going to have a survey and staff is going to recommend against it, have to do one of two things, get rid of staff or get rid of survey. Bidrowski – This is one of ways to set regulations. Commissioner Budd – My ways seem way out there to you, but yours do to me too. Just because we have done things for 50 years doesn't mean it is right. Chairman Lauber – Saying staff didn't follow the survey, and it is one of three factors, realistic approach and staff takes other two factors and they may or may not use this, not surveys fault. Don't want to encourage a particular outcome. Commissioner Doll – Tom does good job getting data best they can, my only point is we have a biased survey and we could tweak this a little bit and get a better result. That could be accomplished simply, more accurate with little cost. Bidrowski – Can you provide that tweak? Commissioner Doll – I'm not on waterfowl committee. Sexson – Tom is not out there alone. If commissioners have some idea on how they could tweak this, provide written comments. Commissioner Doll – Not in the next five minutes. Sexson – Not in five minutes but in the next couple of days, got a survey that is reliable from statistical standpoint, asking us to make survey to meet expectation of Commission, I don't want to put my biologists in that position. Commissioner Doll – Not what I am saying. Chairman Lauber – Send suggestions to Keith so that it can go to the committee, other than that I don't believe we will agree on survey. Go with standard methodology and what we got, let Keith know what you want and they may or may not go with it. Commissioner Doll – Wouldn't you rather have more accurate data than less accurate? Chairman Lauber – We don't make decisions based on the survey, a factor that you use. Commissioner Doll – No one is making that assumption. Commissioner Budd – Where we get into discrepancy is bold print, and makes options consistent. Bidrowski – Based on what has happened in the past. Commissioner Budd – The perfect survey is an accurate one. We will talk about it in Great Bend. Bidrowski – Survey will repeat itself 9 out of 10 times, around 40 percent. Commissioner Dill – Not all going to agree, pass comments on, eliminate boldface to eliminate prejudice or bias, eliminate them all or just leave last year's. Commissioner Marshall – Simplest is always the best, rank one, two or three. Bidrowski – Use Likert scale, rather than ranking. Commissioner Marshall – Too many choices. Bidrowski – Picks up small nuances. Chairman Lauber – Send changes to Keith to be passed on to committee, get survey done and move on. Not trying to discourage this, but we have more meetings. Commissioner Wilson – What is the third part of this? Bidrowski – Migration chronology, past harvest and human dimensions, when people want to hunt comes from survey. Come through me and up chain of command and then to you. Commissioner Wilson – Do waterfowl managers look at this? Bidrowski – One from each region on committee. Michael Pearce – Will harvest figures be available for next meeting? Bidrowski – Looking at 1996-2013. Pearce – Was commission presented last year's survey or just results? What power does commission have with surveys?

Tymeson – Advise and vote on the regulations. Leading into some personnel, but this is advice. Pearce – Can I speak to Roger later? Pearce – Fair to say that no matter what survey says you are going to set the dates for ducks as late as you can? Commissioner Budd – No. Commissioner Doll – How is this personnel related? Tymeson – Staff has right to not accept this. Chairman Lauber – Don't feel we have gotten into personnel. Commissioner Doll – Advise, not personnel. Commissioner Budd – Advise relative to information you give me, if chose not to, take information you give me the same.

5. Lesser Prairie Chicken Federal Listing Update - Keith Sexson, Assistant Secretary, presented this report to the Commission (Exhibit L). On March 27, 2014 the USFWS announced that the Lesser Prairie-Chicken (LPC) was to be listed as threatened under the Endangered Species Act (ESA). The final listing and 4(d) rules for the lesser prairie chicken were published in the Federal Register on April 10. The effective date of these final rules will be May 12, 2014. Also announced was a final special rule under section 4(d) of the ESA that will “limit regulatory impacts on landowners and businesses from this listing.” Diving into 4(d) rule to see how plan can be applied. FSA and NRCS had conference opinions that have been released, how affected or managed under natural resource programs (primarily farm bill and CRP), trying to understand what is covered under those opinions. There were 17,000 birds in 2013, indications that rangewide populations are increasing. With listing didn't take very long for suit to be leveled against USFWS from petitioners, those out there who feel it should be endangered. One side of Service will be dealing with law suits and our plan will come under scrutiny. Other side of equation, Kansas joined law suit with Oklahoma Attorney General; in beginning as a result to take care of backlog of species; warranted but not precluded was not one of the choices the USFWS was given for these 250 species. Industry to enroll property, 4.3 million acres signed up, 45 companies, another 13 companies in process of signing up. CCAA not applicable after May 13, 2014, however landowners and industry can continue to take protection under the rangewide plan. Obtaining impact credits, realized by various industries out on the landscape; had enrollment from eight landowners to develop management plans for their property for credits, funded by fees from impacting industries. Continue to study documents that are there now. Jim will present that during upland bird presentation and continued hunting of greater prairie-chickens (GPC), have work to do there. I provided the news release in briefing book from USFWS, when they announced the listing. Commissioner Budd – I think you and Jim put up a good fight and did what you could do. Sexson – Five states are still working together to enlist these management programs with a goal to get them delisted and will be challenged from the side, to find holes in the management plans. Have resources to deal with these issues as they come. Robin and Chris can talk about this better, LPC, but rangewide plans are well understood by legislators this session. When you go from 37,000 birds to 17,000 it is hard to go with not-warranted status. Commissioner Dill – If listed is there specific amount of time to get them delisted? Sexson – Open-ended, rangewide goal for 10 years is 67,000 birds; USFWS needs to consider where we need to be to consider delisting.

C. Workshop Session

1. Upland Bird Regulations – Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit M). Because of listing no longer able to take LPC after June 12. In 4(d) rule did recommend incidental take when hunting GPC. Have to implement parts collection,

similar to waterfowl on federal level; provide envelopes to get wings or other parts to see what part is LPC, GPC or hybrids. Continue GPC hunt in NW Kansas with incidental take. Commissioner Doll – Ballpark number of hunters? Pitman – Around 1,500 in NW Kansas, differs greatly in harvest numbers; ballpark of hundreds. If numbers return to 2010 numbers could be thousands. Chairman Lauber – How will you send out survey? Pitman – Just talked to geneticist, depending on numbers, may have to sample everyone. Chairman Lauber – Cost of genetic study? Pitman - \$61 each. Chairman Lauber – Expensive surcharge. Pitman – Can use PR funds for 75 percent of that. Chairman Lauber – I have a lot of contact in SE region, Woodson County used to have a lot of prairie chickens, want to know why do we allow hunting if there are so few of them? Could you or your staff write an article on why we still allow hunting in some of these fringe areas; will be burning and other factors, but as a non-biologist, would help us with public? Pitman – Got phone call from landowner, where he implemented conservation plans in the Flint Hills, I encouraged him to write an article himself and can incorporate some of my own information with that. Chairman Lauber – Would like to educate people on that. Pitman – Thinking along the right lines. Ron Klataske – Relative to LPC think one of things that has hurt the agency, as population of LPCs was going down, we were increasing hunting opportunity and adding brood season. Look at credibility of department. One of things you alluded to is having hunting seasons where there are few birds, some counties have none. On SW region, take northern line, Highway 96, extend to Highway 56 and down to I-35, why have open season when there are none. Not reduce hunter opportunity, did with turkey and deer, population numbers match conditions; look at that in the future for eastern two counties in Kansas, with possible exception of Anderson County, rest of have none or very few. Could take out the few you have for genetic diversity. If populations disappear people will say the department didn't take care of them, it doesn't jive with what you want to project. Chairman Lauber – Same as constituent said to me. Klataske – Objective should be clear. Commissioner Marshall – Would you change all hunting in NE unit? Klataske – No, not north of I-70. Commissioner Marshall – Okay.... perception issue? Klataske – I don't think so, people understand core habitat. I see it as adapting to the reality. Pearce – Jim, when you said every bird shot or sample? Pitman – Sample. Pearce – Ballpark? Pitman – About 1,500 hunters, a few hundred or everybody who shoots one in that area, it will be voluntary.

2. Public Land Regulations – Brad Simpson, public lands section chief, presented this report to the Commission (Exhibit N). I need to bail out Linda; prairie dogs at Lovewell are on public land, not state park. Public land regulations are adopted by reference in KAR 115-8-1, same as we went over in March and we will go over these in June when we vote.

Keith Sexson – Introduced Jason Luginbill, new ecological services section supervisor, now in Topeka office; as well as spending some time in Pratt.

3. Kansas Threatened and Endangered Species Five-year Review of Lists – Jason Luginbill, ecological services section chief, presented this report to the Commission (Exhibit O). We're in the midst of five-year review of Kansas threatened and endangered species and are reviewing ten species. The Threatened and Endangered (T&E) Task Committee seeks the best science available to assist in the formulation of final recommendations to the KDWP Secretary and Commission regarding the status of those species under review. Scientific experts were sent a numerical rating form and asked to comment regarding the proposed listing changes and have

until April 30 to respond to the T&E Task Committee. They have until the first week of June to have to have recommendations to Secretary Jennison for his review and then to the Commission. The required informational meetings are occurring; have met in Galena, Shawnee Mission and Topeka and have meetings scheduled for Garden City and Hays. Chairman Lauber – Three species moving from threatened to not listed, are they extirpated? Luginbill – Not located in state for some time, viable petitions; many-ribbed salamander turned out to be Oklahoma salamander and had not been found for some time.

4. Webless Migratory Birds - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit P). Although webless migratory bird hunting regulations are subject to the same federal framework process with the U.S. Fish and Wildlife Service as waterfowl, stability in season dates and bag limits allows the inclusion of crows, doves, sandhill crane, snipe, rail and woodcock; bag limits and season dates are also part of the permanent regulations. Summary in first table is species and regulations, second table is season dates and bag/possession limits No changes recommended to the webless game birds regulations. Commissioner Wilson – Crow season in all 50 states? Bidrowski – Maybe some states along the Mexican border don't; under depredation order since the 1950s. I will have to look it up and send you an email. Tymeson – Protected under migratory bird treaty. Commissioner Hayzlett – Set seasons or set by federal regulations? Bidrowski – Federal regulations and commission sets regulations, not sure why the November 10 date was chosen.

5. Early Migratory Bird Seasons - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit Q). The U.S. Fish and Wildlife Service (USFWS) annually develops the frameworks for states to establish migratory game bird hunting seasons which establish maximum bag, possession limits and season lengths, earliest opening and latest closing dates; defines teal population thresholds for which September teal season can be held. Final federal frameworks will not be set until June 26, 2014 USFWS Service Regulatory Committee meeting, will adopt at our June 19 meeting. We expect no changes in frameworks which would allow a 16-day season. Last year there was an increase in the daily bag limit from four to six and possession limits is now three times the daily bag limit.

Ron Klataske – I actually want to skip back to last item. Relative to crows, come to Riley County in the wintertime near Tuttle Creek reservoir; crows compete with upland game birds. Comment on sandhill crane season. Audubon of Kansas has three requests: return to afternoon closure until 2012, wise closing and from ecological standpoint allows cranes to go back to roosting areas. Believe it would increase hunter opportunity and allow birds to stay, don't give them rest and may in fact be pushing them onto Oklahoma and Texas. These birds have longest migration of any migratory birds we hunt (coming from Siberia and Alaska). Other request is to reestablish the onset of shooting hours a half hour after sunrise, impact on take and safe guard of whooping cranes warrants that. Third, roosting areas are limited and important to sandhill cranes; if nobody hunts them at wetlands, then close roosting area at Cheyenne Bottoms. Pearce – Asked for Commissioner Marshall's opinion, what percentage of hunting happened on roosting areas, happens in fields? Where do you think most of cranes come from? Commissioner Marshall – Both areas, 15 miles from both is where we hunt. Don't know anyone who has hunted cranes off the wetlands. Klataske – Federal frameworks are there for reference, but not the gospel. Not everybody understands the difference between cranes and other wading birds, including

whooping cranes. If you have seasons on roost sites, like at Cheyenne Bottoms, people will shoot another long necked bird. Non-hunters are not necessarily anti-hunters. Commissioner Marshall – Quivira is closed. Klataske – Cranes seem to be using Quivira more than Cheyenne bottoms.

VII. RECESS AT 4:27 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

XI. DEPARTMENT REPORT

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Michael Pearce – Kevin, regarding antler bill, what is the department policy if someone finds deer dead under the policy? Tymeson – Have a directive. Jones – Policy concerning salvage of deer parts, taken under permit of some type, during season or with salvage permit. Shed antlers are okay to take, find deer skull proper procedure would be to leave deer there to call officer and see if that animal was poached, and decide whether to seize as evidence or turned back to owner. Pearce – Have had complaints on inequality on deer taken. Do they have to proof the deer was taken? Jones – Some indication animal was unlawfully taken, on a case-by-case basis. Pearce – Several reports through the years. Jones – No evidence of wrongdoing my opinion would be to give it back. Pearce – Lloyd, reduced opportunity to shoot antlerless deer in Unit 17 and at same time added tags, seems like double standard? Fox – Trying to increase antlerless deer take and even out where the demand for permits was high and success was high.

Jason Wenzel, Wichita – Burden of proof is whose responsibility? Jones – On law enforcement officer. Wenzel – No size restriction? Jones – No. Wenzel – If deer is confiscated what happens to the deer? Jones – If held for a case two options to get rid of evidence: would be sold (antlers at auction) or can be used for educational, scientific or department objective. Have used for stop poaching program. Wenzel – In situation where you might hit a deer, how does that protocol go because we could be dealing with a sheriff, highway patrol on getting salvage tag? Jones – All law enforcement officers have them and some biologists. Wenzel – If we find a deer, what do we do? Jones – Look for indication of potential crime scene. Wenzel – coyote hunting during deer season is that coming up? Chairman Lauber – Not coming around for a while.

XI. DEPARTMENT REPORT

C. Workshop Session (continued)

6. Fort Riley Deer and Other Considerations - Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit R). We have reviewed Fort Riley's input on deer seasons and will vote on this in June.

7. Use of dogs to track dead or wounded deer - Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit S). Working on this regulation at this time,

have information from surveys from deer hunters and have given description of what deer hunters have said from 2010/11 (Exhibit T). We have mapped out where it is legal, trailing dog would be remain on a leash, require tracker and hunter to contact local law enforcement to let them know this is going on. Tracker would be required to have a hunting license, similar to what is required of people who assist a hunter. Chairman Lauber – Is there a procedure where you could go in with flashlight to find that deer? Mark Rankin – Most of conservation officers will go out and assist in recovery of an animal under those circumstances. Chairman Lauber – Lost a few deer over the years because it got too dark. Johnny Delmont – If I understood, can I pursue animal after dark if I don't have a dog? Rankin – If you don't have a weapon. Pearce – Does buddy who helps you find deer have to have a hunting license? Rankin – If helping during the hunt they would. Pearce – Most common complaint is you can't find a conservation officer. Rankin – Contact Operation Game Thief. Pearce – Talked to four or five other states and got photos of people tracking. Not aware of state where it is illegal, understand no weapon, but dog seems okay. Don't want to waste the meat and if you leave it overnight it is wasted. Commissioner Marshall – People who object, what is their concern? Fox – Use of dogs during hunting, may decrease fair chase, changes the parameters and a host of other reasons. Commissioner Marshall – Would Pope and Young disqualify you if you got your deer with a dog? –No. Commissioner Hayzlett – Are comments coming from public? Fox – Yes, coming from use of free ranging dogs, where dogs hunt deer. Commissioner Hayzlett – Even though not hunting they still don't like it? Fox – Yes, new to us, looking at what other states have done. In past opposition to using dogs at all; not an alternative way to detect a deer or to get in a position to shoot a deer. Commissioner Dill – Call in to Operation Gamethief would that satisfy that requirement? Rankin – Ideal to reach conservation officer, but realize you can't always reach them. Pearce – When voted on? Tymeson – August, not in effect until June.

8. Hunting on same day of deer or turkey permit purchase – Mark Rankin, law enforcement assistant director, presented this report to the Commission (Exhibit U). Just omitting one line from existing deer regulation. Provided handout with numbers of when permits were purchased (Exhibit V). Had some concerns of irresistible urge to take a buck and then go to town and buy a permit; from law enforcement perspective want to leave it the way it is. Commissioner Dill – Many going to buy it ahead? Rankin – About 82 percent had permit before the opening. Concern of losing sale, when they don't have to buy them until they hunt, used to have a cutoff date. Commissioner Budd – Don't think it is going to make it any easier to get the permits. Know 95 percent of people are going to buy ahead of time. Commissioner Dill – Are other states allowing same day hunting? Rankin – Don't have any data on that. Tymeson – Nebraska has same day hunt, don't know what Missouri has. Commissioner Dill – Doesn't make sense to make them wait. Chairman Lauber – I want you to check on Missouri and Oklahoma and bring back that data Commissioner Budd – Don't feel this is a big deal. Rankin – I have to represent my officer's opinion. Pearce – Is it 24 hours or next calendar day? Rankin – Next calendar day. Pearce – Have you ever had a case where someone shot the deer and then went and bought the tag? Rankin – Yes. Commissioner Wilson – Whitetail antlerless season may change to where you have to shoot antlerless before you shoot a buck. Think you can get from outfitter and shoot a deer. At some point may be forced to shoot a doe before a buck, foresee that? Fox – Some states have that, hard sell in state like this. Commissioner Wilson - Have to eliminate does somehow. Fox – This is one of the reasons, still have many tools in our tool chest. Cutting back on intensity of hunting antlerless deer; opposite seems to be the case in some areas, they feel we

have gone too far with the harvest. This is the art of management, finding balance.

D. Public Hearing

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

1. KAR 115-25-7. Antelope; open season, bag limit and permits. - Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit Y). Archery season will be September 20-28 and reopens October 11-31. Archery permits are available to residents and nonresidents. Firearm season is from October 3-6 with 140 firearms permits are proposed in the three management units as follows: Unit 2 – 98 firearms permits; Unit 17 – 34; Unit 18 – 8. Muzzleloader season is from September 29-October 2 with 40 permits proposed in the three management units as follows: Unit 2 – 26 muzzleloader permits; Unit 17 –8; Unit 18 – 6. Firearm and muzzleloader seasons are resident only.

Commissioner Wilson moved to approve KAR 115-25-7 before the Commission. Commissioner Dill seconded.

The roll call vote on KAR 115-25-7 as recommended was as follows (Exhibit Z):

Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Absent
Commissioner Hayzlett	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-25-7 passed 6-0.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

June 19, 2014 – Lamplighter Inn & Suites meeting room, Pittsburg
August 21, 2014 – Kansas Wetland Education Center, Great Bend
October 16, 2014 – Martinelli’s Restaurant meeting room, Salina
January 8, 2015 – Kansas City area (Bonner Springs community center)

XIV. ADJOURNMENT

The meeting adjourned at 7:15 p.m.

(Exhibits and/or Transcript available upon request)