

AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, January 17, 2019
Douglas County Fairgrounds, Flory Meeting Hall West
Lawrence, Kansas

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE December 13, 2018 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - A. Secretary's Remarks**
 - 1. Agency and State Fiscal Status (Linda Craghead)**
 - 2. 2019 Legislature (Chris Tymeson)**
 - B. General Discussion**
 - 1. Commissioner Permit Update and Drawing (Mike Miller)**
 - 2. Webless Migratory Bird Regulations (Richard Schultheis)**
 - 3. Waterfowl Regulations (Tom Bidrowski)**
 - 4. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley. (Levi Jaster)**
 - 5. CWD Update (Levi Jaster)**
 - 6. Birding Initiatives Update (Michael Pearce)**
 - C. Workshop Session**
 - 1. E-bicycles (Linda Lanterman)**
 - 2. Public Land Regulations (Stuart Schrag)**
 - 3. Squirrel Regulations (Kent Fricke)**
 - 4. Furbearer Regulations (Matt Peek)**
 - 5. Coast Guard Navigation Rules (Dan Hesket)**

6. Unmanned Aerial Vehicles (Rich Schultheis)

7. Electronic Licensing Update (Todd Workman)

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

B. General Discussion (continued - evening)

7. Track Chair Update (Jessica Rice)

C. Workshop Session (continued - evening)

8. Antelope Regulations (Matt Peek)

9. Elk 25-Series Regulations (Matt Peek)

10. Big Game Regulations (Levi Jaster)

11. Deer 25-Series Regulations (Levi Jaster)

D. Public Hearing

1. KAR 115-11-2. Controlled shooting areas; operational requirements. (Jason Ott)

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on January 17, 2019, to reconvene January 18, 2019, at 9:00 a.m., at the same location to complete their business. Should this occur, time will be made available for public comment.

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

The next commission meeting is scheduled for Thursday, March 28, 2019 at Capitol Plaza Hotel, Emerald Room, 1717 SW Topeka Blvd, Topeka, KS.

**Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, December 13, 2018
Great Plains Nature Center Auditorium
6232 E 29th St N, Wichita**

Subject to
Commission
Approval

The December 13, 2018 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at the Great Plains Nature Center Auditorium. Chairman Lauber and Commissioners Emerick Cross, Gary Hayzlett and Harrison Williams were present. Ward Cassidy resigned and has not been replaced; Aaron Rider and Tom Dill were unable to attend.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

The Commissioners and department staff introduced themselves (Attendance Roster – Exhibit A).

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

None. (Agenda – Exhibit B).

IV. APPROVAL OF THE November 15, 2018 MEETING MINUTES

Commissioner Gary Hayzlett moved to approve the minutes, Commissioner Harrison Williams second. *Approved* (Minutes – Exhibit C).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Kent Barrett, Outdoor Education supervisor – As you are aware hunting and fishing numbers are declining. In an effort to improve numbers, we instituted a hunter recruitment model and have added a recruitment retention and reactivation (R3) program coordinator, Tanna Fanshier.

Tanna Fanshier – I grew up in Lawrence, am a K-State graduate where I studied fisheries, Wildlife and conservation biology. I was also involved in communication programs like the science communication initiative in partnership with NPR radio. After chatting with other state representatives about the R3 model, one of greatest barriers reported was lack of agency buy-in and support in most states. I have received nothing but encouraging, positive feedback from everyone and want to make sure we continue to support R3. To further that message, we are putting together an R3 fact sheet for agency personnel to communicate the way R3 is applicable to all departments. We will be holding an education retreat where everyone can ask questions about the R3 Action Plan. We are looking to move forward in next 18 months to two years. The goal is to get boots on the ground and understand programs in place and see what we are doing well right now, what is working in other states and where we need improvement here. In the future we will have more of an update of what programs we have in place. Looking at doing some university gear rental programs and things of that nature. We want to ensure education is available within agency and we have support and partnership with NGOs and will continue to move forward.

Jacob Wareham, Kansas.gov – You have a way to get access to permits to state parks through your online vendor. We have, through Kansas.gov portal, a service we provide to all national parks, like Yellowstone and Glacier, who use this service to gain access and get permits to all of the parks across the country. We are trying to get that down to state level, so people can see local places, too. Convenient and handy in one place and keep people going to parks, too.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

Chairman Lauber – This is Keith's last meeting, he retires tomorrow. He has been a tireless servant for the agency, thank you. We will have cake later during break.

1. Agency and State Fiscal Status – Linda Craghead, interim secretary, presented this update to the Commission (Exhibit D). Continue Robin's tradition of giving financial update. Visited with Steve Adams, he indicated Pittman-Robertson (PR) funds expected to be down next year as a result of lower sales; Dingle-Johnson (DJ) expected to be up slightly. The good news the PR drop is less than they thought it was going to be. Agency funding in state parks, revenue down slightly from last year, negative .24 percent, but have maintained cash balance as in the past, try to keep \$5 million at all times, may ebb and flow some, want to have six months of operation money in the bank in case of catastrophic events. If we have to use it, we will but since we receive no state general fund we will be able to operate. The Wildlife Fee Fund (WFF) is up overall, but earnings are down slightly, negative .366 percent.

2. 2019 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission – As we talk about 2019/2020 legislature, January is beginning of new two-year cycle. All bills will start brand new. Based on elections, House is more conservative, not sure of exact makeup of the Senate but don't anticipate substantial change. Assuming new administration approval of legislative initiatives, we have five. Still working on: 1) dynamic pricing for cabins and campsites; 2) language for protection of endangered species data; 3) last year had increase in fee cap, statutes set a cap on hunting and fishing license prices and commission raises or lowers fees based upon regulation; in some cases we are hitting the cap, for example on hunting licenses, it is capped at \$25 and that is the current fee so we need to increase caps for future growth; 4) an affiliation with KPF for law enforcement officers in the agency; and 5) commission and council full pay, the last time those were amended was in 1975, applicable for the whole state and need to tread lightly there. There was a land transaction last year, which has not gone through and a possible of tweak on hunter education requirements.

Tymeson – I have appreciated working with Keith the last 20 years. About 10 years ago I was in Pratt and I got sick and Keith made me go to the hospital and my appendix ruptured, he extended hospitality to my family to come stay a week while I was in the hospital and I always appreciated that. Thanks Keith.

B. General Discussion

1. Furbearer Regulations – Matt Peek, biologist, presented this report to the Commission (Exhibit E). These are a series of regulations dealing with furbearers, which were last brought in

front of the Commission in 2013. Several regulations are included in furbearer regulations and we'll talk about them one at a time. Starting with 115-5-1, furbearers and coyote legal equipment, taking methods and general provisions. Three items under consideration: possibility of adding pellet guns as legal equipment to harvest furbearers, they have become increasingly popular in hunting certain species, and we have received a few requests to use them for hunting coyotes. Tymeson – Talking about equipment we saw here last time we met here? Peek – Air rifles, yes. The second item we have received a lot of comments on is using lights or night vision to hunt coyotes at night; can currently hunt at night but cannot use lights. Hunters would like to do that, there are some instances right now where people could do that but not open to general public; one example would be people who have a wildlife control permit could do this for damage. Every year with furbearer harvest survey we receive comments and receive letters requesting allowing night vision or lights. Handed out a list of regulation from other states (Exhibit F); you can see a variety of different options that other states do: may limit equipment type, limit season dates, limit where you can be relative to a vehicle; or who can hunt, landowners versus other individuals. At the last meeting Colonel Ott spoke for law enforcement (LE) on this issue and at current time LE is concerned about potential issues of poaching and increased time for field staff to manage this opportunity, so we don't support a change at this time. Also, looking at clarifying language on body-gripping traps with spread of eight inches or greater that may only be used in water sets, which means half submerged in water. Chairman Lauber – Is eight inches the size of the 330s we commonly think of? Peek – Less than eight inches is the 220s, if larger than that it has to be a water set. Chairman Lauber – Suggest instead of using the term pellet gun, change to air rifles. My opinion on hunting at night, I respect law enforcement's concern, but will see ever-increasing pressure to have this legalized. While that may be position now, see this not going away. Don't necessarily have to change it but getting more requests; predict legal within next 10 years. Commission Hayzlett – Always was legal for years in western Kansas; one of biggest controls for coyote problems was cattle people. There were more illegal hunters turned in by night hunters than you realize. I'm a firm believer in it. Last few years tremendous coyote problem, needs serious thought, not as big of issue in Kansas flat-land country as in other states. Jason Ott – Stand by what we stated in Russell. Point out that in hunter education we tell them to be sure what is beyond the target, can't do that with night vision unless you have separate optical. Peek – Fine with leaving off as department recommends right now? Chairman Lauber – Yes will have time to change later.

Peek – On 115-5-2, furbearer and coyote possession, disposal and general provisions; language clarification between 5-2(a) and 5-2(b) take out duplication language; eliminate requirement to surrender otter teeth to get them aged, don't have to do that anymore.

115-5-3 is furbearer and coyote management units, no changes to recommend, eliminated furbearer units years ago and manage at statewide level; continue to leave that.

115-5-4 is nonresident bobcat hunter permit, this is tagging and other provisions. There are a couple of other regulations with similar stipulations updated in recent years; this permit is not currently valid until the next calendar day. We have done away with that in big game and turkey and can do away with that here. Regulation also states that removal of the carcass tag from permit invalidates it, that is no longer valid with internet sales. Could also allow air rifles to be used under this permit type. Chairman Lauber – Not recommending use of air rifles, but we may be? Peek – Yes. Chairman Lauber - Still think we need to continue to discuss night hunting with lights, look at that more and air rifles in the future.

Peek - 115-6-1 is fur dealer's license, application, authority and possession. Current regulation says that bobcats, otter and swift fox may only be purchased by a fur dealer if they have a pelt tag from the state they originated. The problem is that not every state requires swift foxes to be tagged. This is something Kansas did when petitioned for listing under federal Threatened and Endangered Species Act. We want to allow untagged swift foxes to be purchased from states that do not require swift fox pelt tagging. Chairman Lauber – This is not the CITES tag? Peek – Right this is state requirement, CITES requirement is federal so bobcats and otters have to be tagged in order for there to be an international pet trade; done through U.S. Fish and Wildlife Service. Kansas implemented swift fox pelt tagging program to better monitor their harvest when the species was being considered for federal listing; they were listed as warranted but precluded. We maintained that because harvest is less than 100 animals and furbearer harvest survey doesn't reach out to enough furharvesters to accurately collect information. Chairman Lauber – Are there some bobcats that would have a state and federal tag? Peek – No, the tags we put on bobcats and otters are federal tags, sent to us by USFWS. There is no state tag for bobcats and otters, that is a federal CITES tag they send to us and we apply them to the pelts.

115-13-4, field trial permit for furbearers and coyotes; discussing with LE and asking them to take into consideration, based on requests from individuals. Currently requires map of specific areas where field trial is to occur, different than a night hunt. A field trial uses a captive animal and is a confined situation, not aware of any occurring; but there is a night hunt that is a competition hunt, three to four dogs going out together hunting wild raccoons on private landscape. Complaint was, might have five to six groups might go to three or four different locations and might end up with an extensive map, looking at whether or not we need to require that map, asked LE to review.

115-25-11, furbearer open season and bag limits; we recommend increasing bag limit on otters from two to five, population is healthy, reproducing well and gradually expanding into central Kansas. The greatest numbers are in southeast and eastern Kansas. That is where greatest push is to increase the quota related to damage. When they get into ponds where people live, they can bring in a trapper and he might catch two right away and then he is done. There is a lot of interest to help people removing problem otters. Doesn't exist in western Kansas or much in central Kansas, don't exist when run out of water. It doesn't make sense to wait until they become abundant, on edge of their territory. Current harvest is between 115 and 170 per year in far eastern counties and don't see this will affect dispersal or movement into central part of state. Chairman Lauber – Is this mostly intentional harvest or incidental trying to trap other species? Peek – Some of each. If there is a lot of beaver trapping, the number of incidentals goes up and that is how most are trapped in central part of state; where populations are smaller, less likely to intentionally trap. We also want to collect public comment on changing the furbearer season opener from noon to a calendar day, like most other species. Originally done as a compromise between trappers and houndsmen, competition between groups not as great. Trappers want to start setting traps on calendar day in the morning. Chairman Lauber – Looking at noon as opposed to 12:01 am. Peek – Yes.

C. Workshop Session

1. E-bicycles – Linda Craghead, interim secretary, presented this update to the Commission (Exhibit G). Motorized equipment is not currently allowed on any of our long trails or trails within our parks. Encourage public feedback on use of E-Bikes, which are battery powered “assisted” that comes with pedaling, making pedaling easier when going up grades for

long periods of time. Some being used on the trails and we need to move this forward. Chairman Lauber – Any downside to allowing them? Craghead – No. Commissioner Cross – Being used in other states. Craghead – Yes, in most states on long trails.

2. Controlled Shooting Area Operational Requirements – Jason Ott, Law Enforcement Division director, presented this update to the commission (Exhibit H). In 2018, HB 2558 extended the game bird hunting season, which was September 1 to March 31, bill established September 1 to April 30, a one-month extension, and was signed by the governor on April 4, 2018. Extended in order to allow game birds released during the month of April to be credited toward the allowable take, KAR 115-11-2 must be modified to reflect the new date. The department supported this change to the date for controlled shooting areas.

3. Public Land Regulations – Stuart Schrag, Public Lands Division director, presented this update to the commission (Exhibit I). Proposed changes to a couple of public land regulations. Under 115-8-1, subsection (e) covers special use restrictions. Under age restriction, Region 1, Jamestown Wildlife Area (WA), Ringneck and Puddler marshes, mentor areas for all species and all seasons; we want to remove Puddler marsh. Open to general public when season allows, so Ringneck marsh would be only mentor area. Under non-toxic shot, designated dove fields, under Region 1, Glen Elder, Jamestown and Ottawa we want to remove from designated dove fields for non-toxic shot only. The justification is that at Glen Elder those designated dove fields move around annually; at Jamestown the entire property is non-toxic shot because of development and expansion of wetlands there; and at Ottawa State Fishing Lake, those fields are not every year, they move around and are sporadic enough we no longer have the lead deposits and poisoning concerns we once had. Under boating restrictions, no motorized boat, Region 1 under Jamestown WA; currently Pintail, Puddler and Buffalo Creek marshes don't allow motorized boats and we would like to add Gamekeeper West marsh at Jamestown and also include Talmo marsh, northeast of Concordia. Under refuges, subsection (a) Refuge Area Closed to All Activities Year Round, under Region 3, we would like to include Byron Walker WA in Kingman County, posted for some time but with new four-lane highway we want to expand that area and post so more readily identifiable. Under 115-8-2, blinds, stands and decoys; after internal review, subsection (i) portable blinds shall not be left unattended overnight, department recommendation is to strike that subsection from this regulation. We felt not allowing portable blinds to be left overnight was a deterrent to our R3 program; youth mentor participants rely heavily on portable blinds. That also would alleviate concern addressed here in Wichita at Commission meeting about new elevated stands with portable, collapsible blind at the top.

4. Squirrel Regulations – Kent Fricke, small game biologist, presented this report to the Commission (Exhibit J). Staff was approached last year by law enforcement and made aware that calling squirrels was not allowed in our regulations. With 115-3-2, we want to make that legal with language highlighted at end of briefing item.

5. Antelope Regulations (KAR 115-25-7) – Matt Peek, biologist, presented this report to the Commission (Exhibit K). No changes recommended, including season structure, bag limit and number of permits, everything will remain the same. Proposing unlimited archery permits for residents and nonresidents. Firearm and muzzleloader permits are restricted to residents only with half assigned to landowner/tenants and remainder to general residents. Firearm and

muzzleloader permit allocations will be determined after the winter aerial surveys. I provided the season dates at the bottom of the page. Chairman Lauber – In deer hunting landowner/tenant gets discounted permit valid anywhere in the state, does that need to apply here? Does it need to be in the management unit? Peek – Statewide for deer is a landowner/tenant permit. There is no hunt-own-land permit allocated because those are over the counter, they are applying for landowner/tenant permit which is half price but is restricted to whatever unit they apply in. Chairman Lauber – If I am a landowner in the eastern part of state, I don't qualify? Peek – Correct, you have to have land in the unit you are applying for.

6. Elk 25-Series Regulations (115-25-8) – Matt Peek, biologist, presented this report to the Commission (Exhibit L). No changes to season structure, bag limit or permit type. Unit boundaries are defined in 115-4-6(b) and Units 2 and 3 are open to hunting. I have provided the season dates; they are standard. Elk permits are only available to residents and permit allocations for limited draw permits are divided between military and non-military applicants. Unit 2 permit recommendations will be determined closer to the end of the season with assistance and input of Fort Riley staff. An unlimited number of hunt-own-land and antlerless-only and either-sex permits are authorized in Units 2 and 3; and an unlimited number general resident and landowner/tenant antlerless and any-elk permits are authorized in Unit 3.

7. Big Game Regulations – Levi Jaster, big game research biologist, presented this report to the Commission (Exhibit M). Discussing permanent big game regulations, I will go through only the ones we are proposing change on. In 115-4-4, big game legal equipment, and taking methods; evaluating large bore air rifles and tumble-upon-impact centerfire ammunition. This required quite a bit of review; no proposed changes but currently looking at air rifles for big game. We will likely be proposing legalizing tumble-upon-impact ammunition, still open to comment on that. Chairman Lauber – What is that? Jaster – It is ammunition that is designed when it hits soft tissue the bullet goes end-over-end instead of mushrooming and creates a large wound channel; by a different method, rather than expansion. Relatively new and in evaluating autopsy reports from other locations it is perfectly capable of taking big game ethically. Chairman Lauber – Not recommending at this time? Jaster – I didn't get it into the briefing book, support for it came up after this book was published. Chairman Lauber – Does that include support for large bore air rifle? Jaster – Not at this time. Commissioner Williams – Where did that support come from? Jaster – Had internal support within the department and we visited manufacturer of this ammunition and got information from them. Commissioner Cross – Is type listed on the boxes? Jaster – Yes, it is. Chairman Lauber – Why, does it have technically superior features, or do they claim it has? Jaster – No, but it is nontoxic and don't want to discourage hunters from using that. I will have that in briefing book for next meeting. 115-4-11, big game and wild turkey permit applications, change deadlines for applications for both elk and any deer permits, in line with antelope permits. Instead of second Friday in July, change to second Friday in June to be sure people are getting their permits before opener since opening a month earlier and to simplify the application dates hunters need to remember.

8. Deer 25-Series Regulations – Levi Jaster, big game research biologist, presented this report to the Commission (Exhibit N). Dates for seasons, looking at sticking with traditional dates, proposal to include designated persons, youth/disabled, and muzzleloader season be able to hunt either-sex deer during the pre-rut season, October 12-14. That has received poor support,

but still like to hear more comments. Want to continue with three lengths of January seasons, one (to limit harvest, but give opportunity), five and twelve days. Chairman Lauber – Based on the recommendation you would be able to take a muzzleloader permit and shoot an antlered deer at the same time as the pre-rut antlerless-only time? Jaster – Yes. Chairman Lauber – Same thing for youth/disabled, a buck could be harvested? Jaster – Yes. Chairman Lauber – That might eliminate complaints from muzzleloader hunters that it is too hot, by giving another opportunity; same with the youth.

Break (for Keith's cake)

9. Coast Guard Navigation Rules – Dan Heskett, assistant Law Enforcement Division director, presented this update to the Commission (Exhibit O). Proposal is to adopt title 33 of code of federal regulation (CFR) Part 83 by reference into our regulations which governs inland navigation rules. Same discussion we have had numerous times. Chairman Lauber – Enjoy having you come, but how many times will we have to discuss this? Tymeson – Difficulty is getting this regulation through the process, hopefully soon, but this one is a lot more complicated because it has a lot of old adoptions by references that I have manually found back to the 1970s, my guess is March or April.

10. Unmanned Aerial Vehicles (UAV) – Rich Schultheis presented this update to the Commission (Exhibit P). Notice in briefing book we included FAQ (frequently asked questions) document that covers what we anticipate some questions the public may have. That same document is on the department website at ksoutdoors.com/uav under activities subheading. Since last meeting, we have a draft procedures manual we are reviewing as far as department employee use and what we are going to use unmanned aerial vehicles for. That process is ongoing through our UAV Task Force. Also, purchasing contract to buy them is in place now. So, looking at buying some to use in the field. We are still anticipating some clarifying language as far as the definition of aircraft to make sure everyone understands it and does include unmanned aerial aircraft. Chairman Lauber – Some of these questions I would have not thought off. Schultheis – We spent a little time thinking about it. Chairman Lauber - For instance, can a UAV be used for hunting and scouting, I guess it is just like any other airplane. Commissioner Cross – Can a UAV transport bait or a lure? Tymeson – If it is used to take the animal directly, there is an issue. Spent over a year trying to analyze scenarios and questions from the public and department staff. There is a fine line between take and scouting and causation of take, for example if you actually use the drone and transmit images and use those images to stalk and take the deer that is not an allowable method of take. Commissioner Cross – I am talking about transporting bait or lure for fishing over a dam. Schultheis – There is a section about fishing, it is not included in current definition of take for fishing, so not a legal method. Tymeson – It is not authorized. Chairman Lauber – Don't they use little motor boats to take bait out by a dam? Commissioner Cross – I have seen that before that is why I am asking this question. Chairman Lauber – Will be more of an issue because things are getting more affordable and technologically able in the future. Schultheis – Had stuff on the website a day before I got the first email. We will hear more about this and more inquiries about where they can be operated.

11. Electronic Licensing Update – Todd Workman, assistant secretary, presented this report to the Commission. Update for e-licensing, this was fourth item on licensing committee

strategy on need to reduce churn and increase license participation. Multi-year licenses and 365-day licenses and auto-renew are currently implemented and being measured. E-licensing will go off in two phases: initial phase is to produce a working application for cell phones, third party vendor, Aspira, is working on developing that and should have a working model to look at in the next 30 days; if ready to go we will present it to you so you can look at it. Chairman Lauber – Are licenses now a 365-day license? Workman – Yes, good from the day you purchase for 365 days. Chairman Lauber – People like it better and feel like they are getting a better bargain, especially this time of year? Workman – Not only that, but marketing research showed it was hurting license sales and participation level at the end of the year. We are still interested in reducing duplicate fees to \$0, we have to go through a statutory process with the commission to do that. That is part of the e-licensing strategy, after 48 hours you can't reproduce your license right now, so we have to get rid of that in order to make this work effectively. If you lose your phone or something like that they shouldn't have to buy a license again. It is antiquated legislation anyway that went back to the day when it was all paper licenses and you had to manually look things up and it took a lot of time. Now it is all electronic, not much sense to charge \$12.50 for a duplication now. Chairman Lauber – I concur, what do we have to do? Do we need a statute change? Tymeson – It is a regulation change and I am preparing that change now.

Chairman Lauber – We have several items for this evening, we will reconvene at 6:30. We have people coming for non-agenda presentation to talk about tumble-upon-impact bullets.

VII. RECESS AT 3:15 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Lauber – While we would have had an opportunity to address tumble-upon-impact information in the afternoon they were told the wrong time and we wanted to give them the opportunity now.

Ryan Kraft, Fort Scott Munitions – Ammunition has been the same for about 75 years. There have been some theories on F&Js originally that they would tumble. It was inconsistent because they were not designed to do that, they do tumble, but usually only once and they will either disintegrate or peter out into a small wound cavity. When we started it was with a manual lathe, so we couldn't play with lead so all we had to work with was copper and brass. We found out, by making a F&J shaped projectile that has more of a point, a solid monolithic material you would get more tumble out of it. We also discovered that we could change the shape of nose cone to get tumble when we wanted it to, so it tumbles at the precise moment it needs to for the specific game. It worked out far better than we ever thought it would. We are in all 50 states now. We have solid copper or solid brass in rifle only, solid brass in armor piercing for law enforcement only, we cannot sell that to civilians. What are the benefits of the tumble? We designed it to tumble and exit, but to exit with little to no energy. We put backstops behind the animals when we have gone out hunting and done many other things to make sure it depletes most of the energy in the animal. Also, on hunts we have taken a timer and started timer compared to competitors to make sure our ammunition beats everything on the market as far as ethically

dispatching the animal as soon as possible. If we are slower than another company, we don't sell it. Some of the great benefits it is extremely ethical and extremely effective. The solid copper you don't have to worry about lead on public hunting land. It wasn't just for, one of the benefits was that it was actually for the performance; people get confused that the copper was only for the EPA side of it, but on both sides of the aisle it performs better than standard lead. A lot of people didn't think this was true so we set out to prove it; we travel across the country, go to law enforcement and ask them to compare with their ammunition and over 95 percent of law enforcement we have shown our ammo to have switched and the other five percent don't have the funding and will actually go fill their mags privately with it. We also have law enforcement outside of that who are buying privately from stores because they don't know we can go direct and that we have specific LE rounds, they just get standard copper, which is just as effectively but doesn't have the armor piercing attributes. On hunting side, went on lots of hunts, especially on hogs, and used 556 and .223 and what ends up happening is they ask if they can sell ammo for us even if they don't have a store. It is extremely effective and ethical. We proved it with handgun rounds, lead is bad if you have to dispatch an animal because it can skate around the skull, horrible for the animal, and that is why in hunter education they teach you to do a body shot because it is safer, and you don't run that risk with. There is little to no risk with this ammunition. We went to Canada two years ago and we hunted black bear and the guide has been running that place for over 20 years and he said if he had known we were using anything less than a 168 grain .308 you would not have been allowed to hunt here. We were using 115 grain 300 blackout. He said that was too dangerous to shoot. After doing the autopsy he said we could bring pistol rounds next year; so, we did, we dropped a 150-pound black bear instantly, a non-head shot .388 cp out of a custom T&W rifle, a game changer. With laws the way they are it is extremely confusing on whether our ammo is legal or not legal. Based on talks with the department they are wanting to broaden that and vote towards that. With that confusion we are pushing business out of the state for other businesses to get their ammo used here and we would like it broadly used here in Kansas. Manufactured here in Kansas at Fort Scott, 100 percent Kansas residents. Chairman Lauber – What about pricing? Kraft – The same as with leading hollow point lead, it doesn't jump clear up into the barn section where you have high end really expensive copper; we took a little hit on the margins on purpose because we are wanting to provide a lead alternative at the same price as high-end lead. What your federal HST in 9mm would be priced identical to our copper 9mm would be priced at. Try to stay with lead pricing as it changes. Chairman Lauber – We are going to be workshopping this at several meetings. Will you have a representative there to answer any questions we may develop between now and then? Kraft – Yes. Is that in January? Chairman Lauber – Yes. Kraft – We will do our best to be there. Chairman Lauber – There seems to be a lot of advantages. Do law enforcement demos, break even or lose money because we care a lot about LE. Megan O'Grady owns company that gives "Blue Line Bear" (teddy bears) to fallen officers families, and if anyone purchase those it funds her. She started at 13 and goes around the country and does fallen officer's uniforms and branching out into military and EMTs as well, it is neat to be a part of that. The law enforcement community has been accepting. I would like to get information on how to do demonstrations for game wardens too. With lead run the risk of dispatching an animal, not anything better than this for that based on metal properties alone and add tumbling effect to that and you have quite a deal.

XI. DEPARTMENT REPORT

D. Public Hearing

Notice and Submission Forms, Attorney General letters dated October 3 and October 23 and two Legislative Research letters dated December 12 (Exhibit Q).

1. Free Park Entrance and Free Fishing Days by Secretary's Orders – Linda Craghead, interim secretary, presented this update to the Commission (Exhibit R). This document establishes free fishing days as June 1 and 2, 2019; no fishing license needed to fish anywhere in the state. Also, free park days at the various parks across the state; I will point out those that are for all parks, May 4 will be Let's Camp America day and Black Friday opt outside to get people outside instead of in the stores to encourage people to get outside and enjoy it before it gets too cold. Every park has determined another free day, whether Ok Kids or National Trails Day or whatever works out best for their park.

2. KAR 115-2-7. Backcountry access pass. – Linda Craghead, interim secretary, presented this update to the Commission (Exhibit S). This regulation adds additional permitting process for backcountry access. This has been reviewed by Joint Committee on Administrative Rules and Regulations and there is concern we need to address, on \$50 admission fee, feels it may limit the amount of people that have access to this portion of Little Jerusalem State Park. You can access Little Jerusalem just like you can any other park, the \$5 daily pass; \$15.50 annual with park passport. Important to remember this is a fragile park, we only have one chance to open it and \$50 sounds like a lot, but more for four people to go to the movie. Kids under 15 are free. It is a guided tour that takes you into the belly of the Badlands and will allow interpretation and allow us an opportunity to ensure if we see some type of an erosion issue we can address that immediately and utilize a different route, most like will access different ways each tour. It is easier to decrease permit cost than to increase. From agency perspective we feel \$50 is not a bad starting point. This cost is only if they want to get down into the belly of the badlands, if they just want to come in and go around the broad view of the badlands there is no extra cost. Chairman Lauber – My first reaction was \$50 was high, but I can see what the committee has. The problem is that part of the park cannot withstand unfettered access and we are using price to regulate. There has to be a cost to pay for the guide. It is a hefty price and may reduce down the road. Craghead – In final development of parking lot and restroom facilities. We will have staff with every person who goes down there, so cost for additional staff. We have no state general tax dollars coming into our agency, but we have to pay for this cost. Unique in that it is not going to be a large number of people and we anticipate each tour would last about two hours, a lot depends on the group.

Commissioner Gary Hayzlett moved to revoke KAR 115-2-7 as presented to the Commission. Commissioner Harrison Williams second.

The roll call vote on to approve was as follows (Exhibit T):

Commissioner Cross	Yes
Commissioner Hayzlett	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 2-7 passed 4-0.

3. KAR 115-7-1. Fishing; legal equipment, methods of taking, and other provisions. – Doug Nygren, Fisheries Division director, presented this report to the Commission (Exhibit U). Talked before about banning bow and arrow to take catfish in rivers and streams because of concerns of

law enforcement and staff had with illegal activities associated with illegal activity in southeast part of the state with small electrofishing devices that are being sold on eBay. It makes it easy for people to bring fish to the surface and take a fish with archery equipment undetected.

Commissioner Harrison Williams moved to approve KAR 115-7-1 as presented to the Commission. Commissioner Emerick Cross second.

The roll call vote on to approve was as follows (Exhibit V):

Commissioner Cross	Yes
Commissioner Hayzlett	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 7-1 passed 4-0.

4. KAR 115-7-4. Fish; processing and possession. – Doug Nygren, Fisheries Division director, presented this report to the Commission (Exhibit W). This regulation is in regard to possession of paddlefish eggs. Basically, talking about not having eggs from more than one paddlefish, no more than three pounds of eggs. No person can ship or transport out or have in possession with the intent to transport any raw unprocessed paddlefish eggs. Any paddlefish that are leaving the state has to be gutted, no internal organs before they cross the state line. The intent is to stop the illegal caviar trade. Chairman Lauber – Consistent with other states that have paddlefish? Nygren – Yes, states aren't all the same, but this is in line with what our neighboring states have been doing; closer to Oklahoma than some of the other states. Missouri has slightly different possession regulations.

Commissioner Gary Hayzlett moved to approve KAR 115-7-4 as presented to the Commission. Commissioner Emerick Cross second.

The roll call vote on to approve was as follows (Exhibit X):

Commissioner Cross	Yes
Commissioner Hayzlett	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 7-4 passed 4-0.

5. KAR 115-7-10. Fishing; special provisions – Doug Nygren, Fisheries Division director, presented this report to the Commission (Exhibit Y, Kansas Aquatic Nuisance Species Designated Waters – Exhibit Z). Update to Aquatic Nuisance Species Designated Waters. So far this year no new detections but this reference change will include some locations discovered in 2017 but too late to put them on the list, which includes Geary State Fishing Lake, Tuttle Creek Reservoir and Osage State Fishing Lake. Chris warns me the year is not over and there are a few samples out there, so can't say we won't have some. But so far, the first year in a long time with no new infestations of zebra mussels. Chairman Lauber – What is the name of the little crayfish that can reproduce itself? Nygren – Marbled Crayfish. Chairman Lauber – We haven't found one

yet? Nygren – No, but they are sold online and that was one reason we wanted to move to ban the sale of those.

Commissioner Harrison Williams moved to approve KAR 115-7-10 as presented to the Commission. Commissioner Gary Hayzlett second.

The roll call vote on to approve was as follows (Exhibit AA):

Commissioner Cross	Yes
Commissioner Hayzlett	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 7-10 passed 4-0.

6. KAR 115-18-8. Retrieval and possession of game animals, sport fish, and migratory game birds. – Doug Nygren, Fisheries Division director, presented this report to the Commission (Exhibit BB). Clean up in language to handle possession and transfer of fish from one person to another in a way that is similar to how we have done it with game fish, just a tweaking of the regulation and will refer back to authority in 115-7-4.

Commissioner Gary Hayzlett moved to approve KAR 115-18-8 as presented to the Commission. Commissioner Emerick Cross second.

The roll call vote on to approve was as follows (Exhibit CC):

Commissioner Cross	Yes
Commissioner Hayzlett	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 18-8 passed 4-0.

7. KAR 115-25-14. Fishing; creel limit, size limit, possession limit, and open season. – Doug Nygren, Fisheries Division director, presented this report to the Commission (Exhibit DD). Included with this is the Kansas Special Size Limits, Creel Limits and Bait Restriction Tables reference document (Exhibit EE). Adding two new trout stocking Type 1 lakes, which means anyone 16 and over would have to have a trout permit. Those are Eisenhower State Park Pond and Coffeyville LeClere Lake. On reference document where we list length and creel limits that are different than statewide regulations At Lovewell Reservoir, add a 10-inch minimum length limit and a 20/day creel limit on crappie; and Glen Elder Reservoir, add a 10-inch minimum length limit on crappie and Kanopolis Reservoir is another lake where we are trying to establish a blue catfish population and we have asked for 35-inch minimum length limit on blue catfish until such time as we are getting natural reproduction. There are a few other smaller lakes changes as well. In addition, we want to add five new Youth/Mentor Fishing Ponds at Elk City State Park Pond, Fall River State Park Pond, Kanopolis State Park Pond, Melvern Mentoring Pond and Wilson State Park Pond.

Commissioner Gary Hayzlett moved to approve KAR 115-25-14 as presented to the

Commission. Commissioner Harrison Williams second.

The roll call vote on to approve was as follows (Exhibit FF):

Commissioner Cross	Yes
Commissioner Hayzlett	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented on 25-14 passed 4-0.

8. KAR 115-25-5. Turkey; fall season, bag limits, and permits. – Kent Fricke, small game biologist, presented this report to the Commission (Exhibit GG). Statewide spring turkey hunter success decreased substantially in 2018 to 43 percent. Overall, declining rates in success in conjunction with declining populations and production indices are concerning. The department utilizes an adaptive harvest strategy to help guide staff recommendations on turkey permit allotments during both spring and fall season. The intent of the strategy is to maintain high hunter success, which is also related to population levels in each management unit maintaining relatively high populations. The strategy provides a consistent and transparent method of developing staff recommendations and includes a hierarchy of regulation packages for both spring and fall seasons as well as established figures for when and how changes to bag limits will be recommended. An analysis of the 2018 harvest data revealed that four of the six units have continued to experience resident hunter success below the stated threshold of the strategy for the last two spring seasons. This continued decline in hunter success activated a management trigger to reduce bag limits and/or season availability in Units 1, 3, 5 and 7. Staff recommending suspending the fall turkey season in those units for 2019. Chairman Lauber – Had discussion in the past and sentiment for a variety of reasons. It creates opportunity and tradition to continue to have a fall season. At this point there is no appreciable effect on the resource. That does not mean that if suddenly we had a lot of fall activity that we wouldn't want to review this. Sentiment is to keep the fall turkey season. Also, the Joint Committee on Administrative Rules and Regulations have concerns on economic impact of closing turkey units; I don't feel any impact on resources. Our tourism department has marketed this opportunity. Personally, I would like your group to consider benefit and negative features in abandoning or modifying the adaptive harvest strategy. It seems like it is going to continue to be controversial. It was set up and we got something in motion, a policy to take action whether we want to or not. You could continue to reduce threshold for success and reduces benefit of adaptive harvest strategy. Would like to have amendment to have areas that had a fall turkey season in 2018 still have fall turkey season in 2019 in those units as well. How can we do that? Tymeson – Two options, this is the department's proposal; if don't want to go with department's proposal, no motion and second to bring regulation before the Commission; or a "no" vote if brought before the Commission; then it remains the same as it was in 2018. Chairman Lauber – If we take no action it remains the same as what it was in 2018? Tymeson – Correct. Chairman Lauber - Does anyone on Commission want to eliminate fall turkey hunting? Motion?

No Motion (Exhibit HH). Season remains the same as 2018.

9. KAR 115-25-6. Turkey; spring season, bag limits, permits, and game tags. – Kent Fricke, small game biologist, presented this report to the Commission (Exhibit II). In 2013 the

Commission voted to the spring turkey season, which were implemented in 2015. The current season structure is: youth/disabled begins April 1 and gets its own weekend; early archery begins the Monday after the first full weekend in April, gets nine days; and regular season begins the Wednesday after the second full weekend in April. Therefore, as part of that regulation we recommend the 2019 spring season as indicated in the briefing book. At the June commission meeting staff were requested to examine the spring turkey season structure and make recommendations regarding the early archery season. Specifically, whether or not to retain the early archery season beginning with the 2020 season. That morphed into considering consolidating that into the youth/disabled season. Staff recommends keeping the season structure in its current form which provides one weekend for youth/disabled only, one weekend for early archery with youth/disabled and then begin the regular season on the following Wednesday; as it currently is. If this recommendation is not acceptable staff recommends moving the start date of the regular season to the second Wednesday in April, which provides earlier start date to the regular season in three of the six years. Early archery would then be provided two days in three of six years and nine days in three of six years. Staff specifically do not recommend combining the early archery with the youth/disabled season and do not recommend eliminating the early archery season. Chairman Lauber – There are two votes I wish I could have back since I have been on the Commission; one changed pheasant season opener and the 2013 vote back because I am not sure what possessed me, other than not understanding the calendar, to vote to eliminate what was a working system. Personally, I don't like the current structure. I have looked at Option 2 and Option 4. Staff does not like Option 4, but that is not from biological standpoint, it is from social opinions. Fricke – From hunter management, specifically on our public areas and concerns with mentored hunts and various things even on private property. Specifically, conflicts and opportunity for youth and disabled hunters and potential conflicts in competing for space and time turkey hunting along with the early archery season. Chairman Lauber – It is your opinion that the archery hunters will push out the youth? Fricke – Archery has become pretty popular method of taking a turkey in the spring season; there are up to 15,000 archery hunters and a large percentage of those hunt during early archery portion. Because of that and increasing conflicts before the switch was made to separate youth/disabled and early archery season, the increasing number of conflicts and opportunity in those areas. Chairman Lauber – Can I have examples of conflicts? Fricke – For example, stories relayed to me include, lining up department mentored youth hunts, getting out on a wildlife area; ready to go on April 1, and had an archery hunter already there two hours before and had to go to Option B or C. Of course, that is part of hunting, but frustrating in terms of trying to create opportunities for youth and disabled hunters. In another case, concern on private ground from staff and mentors to get youth out on the landscape and going to good turkey ground that is leased during the early archery season and concern that a lot of those areas would not be available to youth if archery changed back to overlap those seasons. Chairman Lauber – I prefer Option four because that is the way it was, it is the easiest way. We have 15,000 archery hunters and how many firearm hunters? Fricke – Approximately 40,000 hunters total, so about 25,000. Commissioner Hayzlett – On my end of the state we don't have any turkeys for the season. Commissioner Williams – Leave it the way it is. Have KBA people here. Like to hear from them.

Bob McCartney, Gorham – *(could not hear all comments)* Don't want competition of shotgun hunters but don't want to take away from the youth. Our stance is no change from last year where everybody has their own part of the season. Chairman Lauber – I understand what you are saying but that creates a proportionate disadvantage to shotgun hunters. Shotgun hunters and

archery hunters have a comparable range. My constituency I deal with are more gun hunters than archery and they are overwhelming in disapproval of having that, particularly on the years when spring season comes late in the third week, like it did recently. I think we need to move regular season to second Wednesday in April, issue is whether we use Option 4 to bring back to way it was before 2014 or Option 2 which allows some additional days for archers. Easier to explain to go back to combined youth/disabled. I understand what you are saying; not sure if that was more isolated occurrence. Fricke – From feedback from turkey committee, statewide biologists in both wildlife division and public lands, it was a major concern statewide. Chairman Lauber – Do I have any votes for Option 4? If you don't have votes for going back to the way it was prior to 2013, I am going to push Option 2. Commissioner Williams – If none for Option 2? Chairman Lauber – Be disappointed. I do care about the Governor's Turkey Hunt and I know it would be a better deal to be able to have that open like it used to. Somebody needs to vote something and get off dead center. Harrison, you don't like any change? Commissioner Williams – No, I like it the way it is. Chairman Lauber – We could have an informal poll, what do you think about Option 2? Limited early archery, from two to nine days. McCartney – Not against that option, downfall is blue collar worker that only gets a week off of work and has to take Monday and Tuesday off to have any time alone in the woods because three of the years out of six only get Monday and Tuesday, but better than other options. Chairman Lauber – Don't see a lot of traction on Option 4. Tymeson – In order to vote properly and move on this, first you will ask for motion and second to move forward on this; if it fails then we will not move forward.

No Motion (Exhibit JJ). Season remains the same as 2018.

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

Tymeson – Everyone look at calendar for August, and we will set at January meeting. We will also think about September, October, November and December.

January 17, 2019 – Lawrence – Douglas County Fairgrounds, Foley Meeting Room
(commissioner permit drawing at that meeting)

March 28, 2019 – Topeka – Capitol Plaza Hotel, Emerald Room

April 25, 2019 – Colby – Colby Community Building

June 13, 2019 – Salina – Rolling Hills Zoo

Chairman Lauber – Keith, it has been a pleasure, thank you. Jake is the interim acting assistant secretary; you have big shoes to fill. Keith Sexson – It has been a pleasure working with the commission and the number of years I have in I don't know how many commissioners I have worked with or how many directors and secretaries, but I can't say there has been any better commission than this one. A pleasure, we have a very good commission system. Chairman Lauber – Have great respect for you and hope you enjoy retirement and we want you to come back to see us.

XIV. ADJOURNMENT

Adjourned at 7:20 pm.

Secretary's Remarks

Agency and State Fiscal Status
No briefing book items – possible handout at meeting

2019 Legislature

No briefing book items – possible handout at meeting

General Discussion

Commission Permits Update

Background

In January 2006, the Kansas Wildlife and Parks Commission held the first drawing for Commission Big Game Permits when one elk and six deer permits were issued to applying conservation organizations. By statute, one elk, one antelope and up to seven deer permits may be issued with the limit of permits issued being seven.

Qualified applicants include local chapters of nonprofit organizations based or operating in Kansas that actively promote wildlife conservation and the hunting and fishing heritage. An organization or chapter is eligible to receive a permit only once in a three-year period.

In 2006, permits sold for \$49,000 with 59 applications being received; 2007, \$26,974 with 119 applicants; 2008, \$24,200 and 113 applicants; 2009, \$34,951 with 111 applicants; 2010, \$47,000 and 108 applicants; 2011, \$41,700.00 and 100 applicants; 2012, \$41,811 with 104 applications; 2013, \$53,200 with 93 applications; 2014, \$57,515 with 101 applications; 2015, \$53,826 with 164 applications; and 2016, \$64,550 with 138 applications being received; 2017, \$72,850 with 142 applications; 2018, \$77,600 with 154 eligible applications being received. For a total as of 2018 of \$645,247 total.

In 2018, one elk and six deer permits were issued to: Rocky Mountain Elk Foundation, Greater Kansas City Chapter (elk); three National Wild Turkey Federation Chapters, Dickson County, Ford County and Golden Plains Chapter (all three deer); Friends of NRA Heartland Chapter (deer); Ducks Unlimited Atchison Chapter (deer); and Pheasants Forever Waconda Ringnecks Chapter (deer) There were 162 applications with only 154 of those eligible and the permits sold for \$77,600.

After the permit is sold by the organization, the cost of the permit is subtracted and 85 percent of the proceeds are sent to KDWP to be used on approved projects. After the projects are approved, the money is sent back to the organization. The other 15 percent can be spent at the organization's discretion. Since the program began, \$527,772 has been raised for natural resource projects.

Over the program's existence in 2006, 1,519 applications have been received with 1,465 of those being eligible. The average price of deer permits sold in 2018 was \$11,433; the elk permit sold for \$9,000. The highest price ever spent on a deer permit was \$14,000 in 2010, and an elk permit sold for \$23,000 in 2006. Antelope permits have only been awarded in two drawings, and both were traded for a deer permits.

Kansas Department of Wildlife, Parks & Tourism Briefing Item
Webless Migratory Game Bird Regulations
 January 17, 2019

Background

The U.S. Fish and Wildlife Service (USFWS) develops frameworks annually, from which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state specific migratory game bird seasons. General stability in federal frameworks allows the inclusion of webless migratory bird regulations, bag limits, and season dates in KDWPT permanent regulations, summarized below.

Species	Regulation	Regulation Summary
Crow	KAR 115-25-16	Crows; open season, bag limit, and possession limit
Dove	KAR 115-25-19	Doves; management unit, hunting season, shooting hours, and bag and possession limits
	KAR 115-20-7	Doves; legal equipment, taking methods, and possession
Sandhill Crane	KAR 115-25-20	Sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation
Snipe, Rail, & Woodcock	KAR 115-25-21	Snipe, rail, and woodcock; management unit, hunting season, shooting hours, and bag and possession limits

Discussion

Federal frameworks for webless migratory game birds are unchanged for the 2019-20 season. Although staff does not anticipate any recommended changes to webless seasons, clarifications to the method of take regulation for migratory doves (115-20-7) are again being considered. Staff recommendations will be presented at the March commission meeting.

Proposed 2019-20 Webless Migratory Game Bird Bag Limits and Season Dates

Species	Bag/Possession Limits	Season Dates
Crow	no limit	November 10 - March 10
Migratory Dove	15/45	September 1 - November 29
Exotic Dove	no limit	year-round
Sandhill Crane	3/9	November 6 - January 2
Snipe	8/24	September 1 - December 16
Rail	25/75	September 1 - November 9
Woodcock	3/9	October 12 - November 25

KDWPT WATERFOWL SEASON BRIEFING

January 17, 2019

BACKGROUND

The U.S. Fish and Wildlife Service (USFWS) annually develop frameworks from which states are able to establish migratory game bird hunting seasons. These frameworks establish maximum bag and possession limits, season lengths, and earliest opening and latest closing dates. States must operate within these frameworks when establishing state-specific migratory game bird seasons. The following are background material and USFWS frameworks from which Kansas may establish Kansas' 2019-20 waterfowl hunting seasons.

SEPTEMBER TEAL SEASON - Blue-winged teal are one of the earliest migrating waterfowl, with most migrating through Kansas from late August through early October, often prior to the opening of general duck seasons. Green-winged teal are also early migrants but are commonly found in Kansas throughout the fall and winter, depending on weather conditions. Cinnamon teal are occasionally found mixed with flocks of blue-winged teal in Kansas. Special teal seasons were initiated to provide additional harvest opportunities for blue-winged and green-winged teal. States can offer a nine-day September teal season when the blue-winged teal breeding population index (BPI) is above 3.3 million and a 16-day season is permitted when the blue-winged teal BPI exceeds 4.7 million. The most recent blue-winged teal BPI was 6.4 million, allowing a 16-day season for 2019. In the High Plains Unit of Kansas (west of Highway 283), the liberal package framework allows for 97 days of general duck season. Coupled with two youth hunting days, the addition of a nine- or 16-day teal season would exceed the Migratory Bird Treaty Act's maximum allowance of 107 annual hunting days for any one migratory species. Thus, when the liberal package for the regular duck season is available and a teal season can be held, it is necessary to reduce the High Plains Unit teal season to eight days or reduce days in the High Plains Unit general duck season as not to exceed 107 hunting days. For the past eight seasons, a nine-day teal season coupled with a 96-day regular duck season has been selected in the High Plains Unit to satisfy this criterion.

DUCK, MERGANSER, AND COOT SEASONS - Since 1995, Adaptive Harvest Management (AHM) has been adopted for setting duck hunting regulations in the United States. The AHM approach provides the framework for making objective decisions through four regulatory packages listed below. Optimal AHM strategies are calculated using: (1) harvest-management objectives specific to each mallard stock; (2) regulatory alternatives; and (3) current population models and associated weights for midcontinent mallards. The four AHM regulatory alternatives are:

- **Liberal Alternative**
 - o Season Length: 74-day Low Plains Season, 97-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Moderate Alternative**
 - o Season Length: 60-day Low Plains Season, 83-day High Plains Season
 - o Daily bag limit: 6 birds with various species restrictions.
- **Restrictive Alternative**
 - o Season Length: 39-day Low Plains Season, 51-day High Plains Season
 - o Daily bag limit: 3 birds with various species restrictions.
- **Closed Alternative**

The final USFWS federal frameworks have not been released. However, it is anticipated the prescribed regulatory choice for the 2019-20 general duck season is the liberal alternative with the only species specific federal regulation change of reducing the northern pintail daily bag limit from 2 birds to 1 bird. It is also anticipated that the USFWS will extend general duck season framework closing date from the last Sunday in January to a fixed closing date of January 31.

GOOSE SEASONS - Harvest prescriptions for the Central Flyway's goose populations are based on population and harvest objectives as specified in population specific management plans. There are no changes in harvest prescriptions for geese from the 2019-20 season.

YOUTH WATERFOWL HUNTING DAYS - States may select two consecutive days per duck-hunting zone, designated as "Youth Waterfowl Hunting Days," in addition to their regular duck seasons.

EXTENDED FALCONRY SEASON - In addition to general waterfowl seasons, falconers may take migratory game birds during the special "extended" falconry season. The combined total number of days of take (i.e., teal season, general waterfowl season, and falconry) cannot exceed the Migratory Bird Treaty Act imposed maximum allowable 107 annual hunting days for any one species. This allows for additional 15 hawking days for waterfowl in Kansas Low Plain zones.

ANTICIPATED 2019-20 WATERFOWL USFWS FRAMEWORK

SEPTEMBER TEAL SEASON

Season Dates: Between September 1, 2019 and September 30, 2019
Season Length: 16 days
Daily Bag Limit: 6 daily (any combination of teal)
Possession Limit: 18 in possession (any combination of teal)
Shooting Hours: One-half hour before sunrise to sunset
Zones/ Split: No zones or splits options

DUCK, MERGANSER, AND COOT SEASONS

Season Dates: Between the September 21, 2019 and January 31, 2020
Season Length: *High Plains Unit:* 97 days. The last 23 days may start no earlier than December 07, 2019
Low Plains Unit: 74 days
Daily Bag Limit: *Duck:* 6 ducks, with species and sex restrictions as follows: 5 mallards (no more than 2 of which may be females), 3 scaup, 3 wood ducks, 2 redheads, 2 canvasbacks, and 1 pintail.
Merganser: 5 mergansers of which only 2 may be hooded mergansers. States have the option to include mergansers in the duck daily bag limit, in which case the daily limit of merganser would be the same as the duck bag limit (6), of which two may be hooded mergansers
Coot: 15 coots
Possession Limit: Three times the daily bag limit.

Shooting Hours: One-half hour before sunrise until sunset
Zones/ Split: *High Plains* – no zones and up to two segments
Low Plains – three zones with each having up to two segments
or no zones with three segments
Ducks zones are visited every five years. Next zone configuration window will be in 2021.

GOOSE SEASONS

Season Dates: *Dark Geese* (all geese except Ross's and snow geese): between September 21, 2019 and February 16, 2020
Light Geese (Ross's and Snow): between September 21, 2019 and March 10, 2020
Light Goose Conservation Order: between January 1, 2020 and April 30, 2020 (KAR 115-18-16). Must be held outside of all other waterfowl seasons

Season Length: *Dark Geese:*
Canada geese (or any other dark goose species except white-fronted geese) not to exceed 107 days
White-fronted geese - states may select either a season of:
Option A: 74 days with a bag limit of 3
Option B: 88-day season with a bag limit of 2
Light Geese: not to exceed 107 days
Light Goose Conservation Order: Must be held outside of all other waterfowl seasons

Daily Bag Limit: *Dark Geese:*
Canada geese (or any other dark goose species except white-fronted geese) 8 geese
White-fronted geese - states may select either a season of:
Option A: 74 days with a bag limit of 3
Option B: 88-day season with a bag limit of 2
Light Geese: 50 light geese
Light Goose Conservation Order: No daily bag limit

Possession Limit: *Dark Geese:* Three times the daily bag limit
Light Geese: No possession limit
Light Goose Conservation Order: No possession limit

Shooting Hours: *General Goose Seasons:* One-half hour before sunrise to sunset
Light Goose Conservation Season: One-half hour before sunrise to one-half hour after sunset

Zones/ Split: *General Goose Seasons:* No zones and up to two segments
Light Goose Conservation Season: No zones or splits

YOUTH WATERFOWL HUNTING DAYS

States may select two consecutive days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to their regular duck seasons, under the following guidelines:

1. The days must be held outside any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate.
2. 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.
3. The daily bag limits may include ducks, geese, mergansers, coots, moorhens, and gallinules and would be the same as those allowed in the regular season. Flyway species and area restrictions would remain in effect.
4. Shooting hours would be one-half hour before sunrise to sunset.
5. Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day.

EXTENDED FALCONRY SEASON

Season Dates: Between September 1, 2019 and March 10, 2020

Season Length: For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area.

Daily Bag Limit: No more than 3 migratory game birds, singly or in the aggregate

Possession Limit: Three times the daily bag limit

Hawking Hours: One-half hour before sunrise to sunset

Zones/ Split: Each extended season may be divided into a maximum of three segments

Table 1. Kansas September Teal Season Dates and September Teal Harvest from 1992 to 2018

Year	Low Plains Dates	Hunting Days	High Plains Dates	Hunting Days	Bag Limit	Green-winged Teal	Blue-winged Teal	Total Harvest
1992*	Sept 12-20	9	Sept 12-20	9	4	4,267	12,902	17,169
1993*	Sept 11-19	9	Sept 11-19	9	4	1,081	5,604	6,685
1994*	Sept 10-18	9	Sept 10-18	9	4	2,217	7,083	9,300
1995*	Sept 16-24	9	Sept 16-24	9	4	1,896	10,227	12,123
1996*	Sept 14-22	9	Sept 14-22	9	4	1,415	17,115	18,530
1997*	Sept 13-21	9	Sept 13-21	9	4	2,367	14,858	17,225
1998*	Sept 12-27	16	Sept 12-20	9	4	8,454	19,727	28,181
1999*	Sept 11-26	16	Sept 11-19	9	4	3,052	28,022	31,074
2000	Sept 9-24	16	Sept 9-16	8	4	4,621	27,724	32,345
2001	Sept 15-30	16	Sept 15-22	8	4	1,790	10,741	12,531
2002	Sept 21-29	9	Sept 21-28	8	4	3,783	8,723	12,506
2003	Sept 13-28	16	Sept 20-27	8	4	9,024	21,393	30,417
2004	Sept 18-26	9	Sept 18-25	8	4	2,901	19,173	22,074
2005	Sept 17-25	9	Sept 17-24	8	4	2,200	10,387	12,587
2006	Sept 9-24	16	Sept 16-23	8	4	4,733	23,664	28,397
2007	Sept 8-23	16	Sept 15-22	8	4	4,534	25,582	30,116
2008	Sept 13-28	16	Sept 13-20	8	4	7,200	15,120	22,320
2009	Sept 12-27	16	Sept 19-26	8	4	2,775	15,165	17,940
2010	Sept 11-26	16	Sept 18-26	9	4	1,812	16,829	18,641
2011	Sept 10-25	16	Sept 17-25	9	4	1,748	22,562	24,310
2012	Sept 8-23	16	Sept 15-23	9	4	4,298	19,420	23,718
2013	Sept 7-22	16	Sept 14-22	9	6	2,323	28,213	30,536
2014	Sept 13-28	16	Sept 20-28	9	6	2,806	36,736	39,542
2015	Sept 12-27	16	Sept 19-27	9	6	3,620	28,504	32,124
2016	Sept 10-25	16	Sept 17-25	9	6	3,172	22,910	26,082
2017	Sept 9-24	16	Sept 16-24	9	6	4,821	13,329	18,150
2018	Sept 8-23	16	Sept 15-23	9	6	N/A**	N/A**	N/A**
1999-2017 Average						3,748	20,757	24,495

* Years prior to 1999, harvest estimates are based on USFWS Mail Survey Questionnaire.
Harvest estimates from 1999 to current are based on Harvest Information Program (HIP).

** Harvest Data is not available until August.

Figure 1. Kansas Duck Hunting Zones

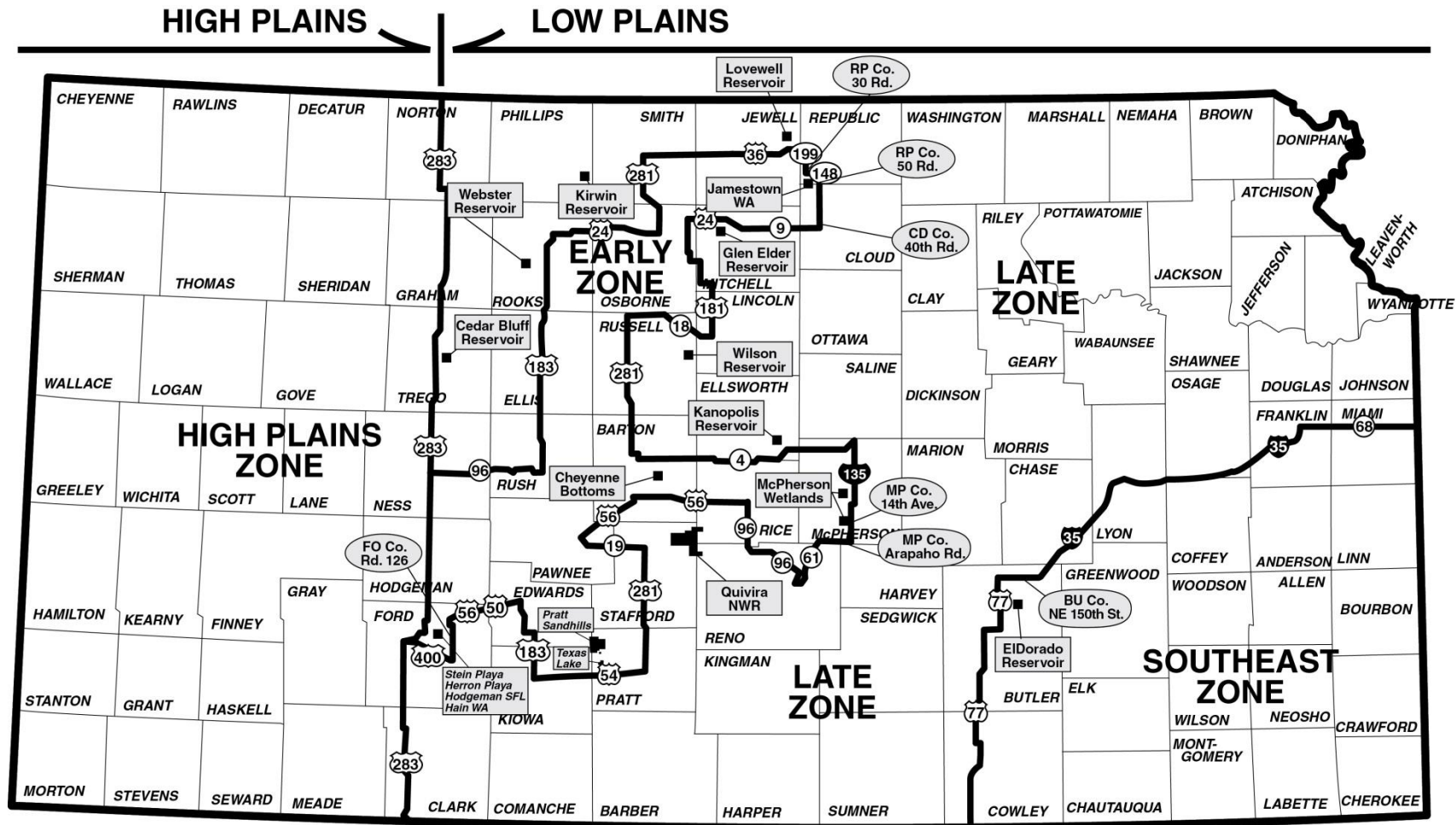


Table 2. Historic season dates by zone in Kansas from 1994 to 2018

Year	Season Days	High Plains (HP)	Low Plains Early	Low Plains Late	Low Plains Southeast
1995	60 +23HP	Sep 30 - Oct 3 Oct 14 - Dec 17 Dec 23 - Jan 5	Oct 21 - Oct 29 Nov 11 - Dec 17 Dec 23 - Jan 5	--	--
1996	60 +23HP	Oct 12 - Dec 1 Dec 7 - Jan 7	Oct 12 - Dec 1 Dec 21 - Dec 29	Nov 2 - Dec 15 Dec 21 - Jan 5	--
1997	74 +23 HP	Oct 4 - Jan 4 Jan 15 - Jan 18	Oct 4 - Dec 7 Dec 20 - Dec 28	Oct 25 - Dec 14 Dec 20 - Jan 11	--
1998	74 +23 HP	Oct 3 - Jan 3 Jan 14 - Jan 17	Oct 10 - Dec 13 Dec 26 - Jan 3	Oct 24 - Nov 1 Nov 7 - Jan 10	--
1999	74 +23 HP	Oct 2 - Jan 2 Jan 20 - Jan 23	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 23 - Oct 31 Nov 6 - Jan 9	--
2000	74 +23 HP	Sep 30 - Jan 1 Jan 19 - Jan 21	Oct 7 - Dec 10 Dec 23 - Dec 31	Oct 21 - Oct 29 Nov 4 - Jan 7	--
2001	74 +23 HP	Oct 6 - Jan 1 Jan 12 - Jan 20	Oct 13 - Dec 16 Dec 24 - Jan 1	Oct 27 - Nov 4 Nov 10 - Jan 13	--
2002	74 +23 HP	Oct 12 - Jan 7 Jan 18 - Jan 26	Oct 12 - Dec 15 Dec 24 - Jan 1	Oct 26 - Nov 3 Nov 9 - Jan 12	--
2003	74 +23 HP	Oct 11 - Jan 6 Jan 17 - Jan 25	Oct 11 - Dec 14 Dec 26 - Jan 3	Oct 25 - Nov 2 Nov 8 - Jan 11	--
2004	74 +23 HP	Oct 9 - Jan 4 Jan 22 - Jan 30	Oct 9 - Dec 12 Dec 25 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2005	74 +23 HP	Oct 8 - Jan 3 Jan 21 - Jan 29	Oct 15 - Dec 11 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	--
2006	74 +23 HP	Oct 7 - Jan 2 Jan 20 - Jan 28	Oct 14 - Dec 10 Dec 16 - Dec 31	Oct 28 - Dec 31 Jan 20 - Jan 28	--
2007	74 +23 HP	Oct 6 - Jan 1 Jan 19 - Jan 27	Oct 13 - Dec 9 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	--
2008	74 +23 HP	Oct 4 - Dec 30 Jan 17 - Jan 25	Oct 11 - Dec 7 Dec 20 - Jan 4	Oct 25 - Dec 28 Jan 17 - Jan 25	--
2009	74 +23 HP	Oct 10 - Jan 5 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 - Jan 3 Jan 23 - Jan 31	--
2010	74 +23 HP	Oct 9 - Jan 3 Jan 22 - Jan 30	Oct 9 - Dec 5 Dec 18 - Jan 2	Oct 30 - Jan 2 Jan 22 - Jan 30	--
2011	74 +23 HP	Oct 8 - Jan 2 Jan 21 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	Nov 5 - Jan 8 Jan 21 - Jan 29
2012	74 +23 HP	Oct 6 - Dec 30 Jan 19 - Jan 27	Oct 6 - Dec 2 Dec 15 - Dec 30	Oct 27 - Dec 30 Jan 19 - Jan 27	Nov 15 - Jan 27
2013	74 +23 HP	Oct 5 - Dec 2 Dec 21 - Jan 26	Oct 5 - Dec 1 Dec 21 - Jan 5	Oct 26 - Dec 29 Jan 18 - Jan 26	Nov 2 - Nov 3 Nov 16 - Jan 26
2014	74 +23 HP	Oct 11 - Dec 8 Dec 20 - Jan 25	Oct 11 - Dec 7 Dec 20 - Jan 4	Nov 01 - Jan 04 Jan 17 - Jan 25	Nov 8 - Nov 9 Nov 15 - Jan 25
2015	74 +23 HP	Oct 10 - Jan 4 Jan 23 - Jan 31	Oct 10 - Dec 6 Dec 19 - Jan 3	Oct 31 - Jan 3 Jan 23 - Jan 31	Nov 14 - Jan 3 Jan 9 - Jan 31
2016	74 +23 HP	Oct 8 - Jan 1 Jan 20 - Jan 29	Oct 8 - Dec 4 Dec 17 - Jan 1	Oct 29 - Jan 1 Jan 21 - Jan 29	Nov 12 - Jan 1 Jan 7 - Jan 29
2017	74 +23 HP	Oct 7 - Jan 1 Jan 20 - Jan 28	Oct 7 - Dec 3 Dec 16 - Dec 31	Oct 28 - Dec 31 Jan 20 - Jan 28	Nov 11 - Dec 31 Jan 6 - Jan 28
2018	74 +23 HP	Oct 13 - Dec 31	Oct 13 - Dec 16	Oct 27 - Dec 30	Nov 10 - Jan 6

	Jan 12 - Jan 27	Dec 22 - Dec 30	Jan 19 - Jan 27	Jan 12 - Jan 27
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Table 3. The 2018 duck population and pond estimates from the annual Waterfowl Breeding Population and Habitat Survey and comparison to 2017 and long-term average (1955-2017). Numbers are in millions. The 2019 population and pond estimates are not available until late July.

Species	2018	% Change from 2017	% Change Long-Term Average
Mallard	9.3	-12%	+17%
Gadwall	2.9	-31%	+43%
American Wigeon	2.8	+2%	+8%
Green-winged Teal	3.0	-16%	+42%
Blue-winged Teal	6.4	-18%	+27%
Northern Shoveler	4.2	-3%	+62%
Northern Pintail	2.4	-18%	-40%
Redhead	1.0	-10%	+38%
Canvasback	0.7	-6%	+16%
Scaup	4.0	-9%	-20%
Total Ducks	41.2	-13%	+17%
May Pond Counts	5.2	-14%	0%

Figure 2. Estimates of active duck hunters, duck hunting days and duck harvest in Kansas from 1999 to 2017 based upon the Harvest Information Program. The 2018 harvest data is not available until late July.

Kansas HIP Estimates of Duck Harvest and Duck Hunters

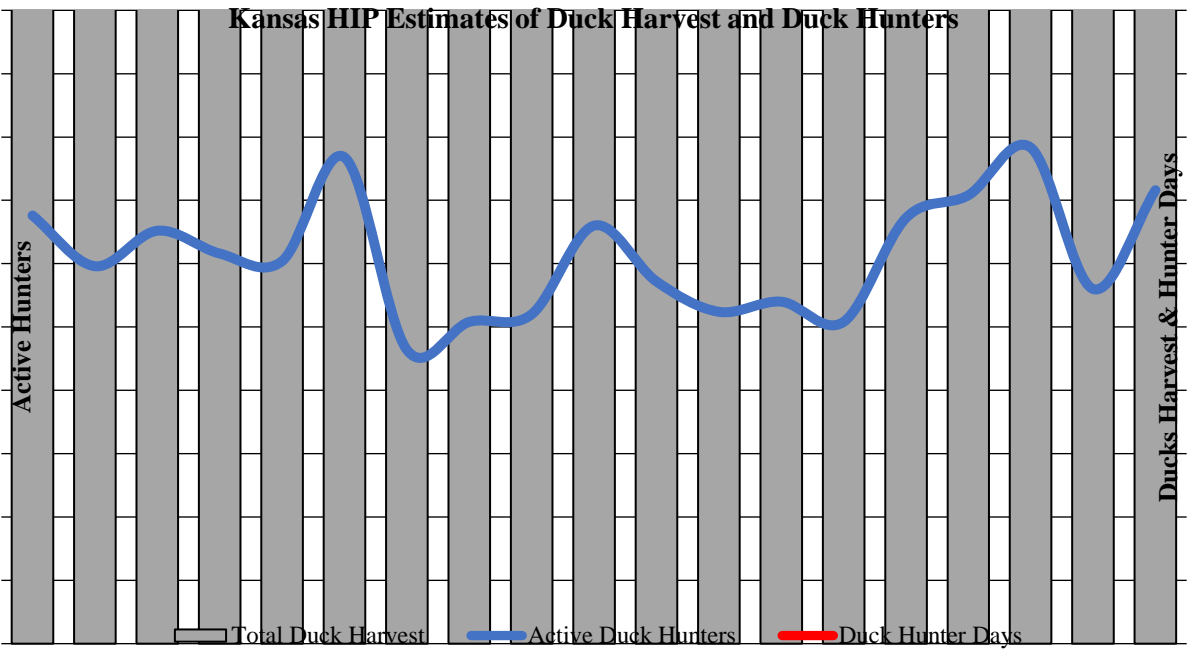


Table 4. All Seasons (teal and regular) estimates of active duck hunters, season duck harvest, and average duck per hunter, average seasonal bag per hunter, and total duck hunter days in Kansas from 1999 to 2017 as estimated by the Harvest Information Program. The 2018 harvest data is not available until late July.

Year	Active Duck Hunters	Duck Harvest	Average Duck Hunter Days	Average Seasonal Duck Bag	Duck Hunter Days
1999	16,900	234,300	7.5	13.9	126,800
2000	14,900	227,900	7.2	15.2	107,400
2001	16,344	180,800	6.2	11.1	100,989
2002	15,426	214,600	6.7	13.9	102,744
2003	15,100	233,600	7.1	15.5	107,600
2004	19,200	271,200	6.5	14.2	124,000
2005	11,600	158,000	7.6	13.7	87,700
2006	12,663	162,100	6.7	12.8	85,416
2007	13,021	165,800	6.3	12.7	82,149
2008	16,531	230,400	6.4	13.9	106,154
2009	14,259	194,400	6.5	13.6	92,081
2010	13,053	187,100	6.1	14.3	79,064
2011	13,534	202,400	7.1	15.0	96,138
2012	12,739	174,600	7.1	13.7	90,851
2013	16,847	265,900	6.3	15.8	105,344
2014	17,700	228,300	5.8	15.9	101,802
2015	19,600	236,200	5.0	12.1	98,300
2016	14,000	179,200	6.2	12.8	87,300
2017	17,900	156,100	3.7	8.7	66,100
1999-2016 Average	15,182	208,156	6.3	13.7	93,937
% Change from 2016	+28%	-13%	-41%	-32%	-24%
% Change from Avg.	+18%	-25%	-41%	-37%	-30%

Table 5. Duck species composition in the Kansas regular duck season harvest from 1999 to 2016 and as estimated by the Harvest Information Program. The 2017 harvest data is not available until late July.

Year	Total Duck Harvest	Mallard	Gadwall	Green-winged Teal	Blue-winged Teal	Pintail	American Wigeon	Northern Shoveler	Wood Duck	Diving Ducks*
1999	203,226	114,167	27,189	21,918	6,936	5,410	7,075	4,578	4,439	10,404
2000	195,555	102,846	29,363	27,872	2,385	7,453	12,520	1,789	2,683	7,154
2001	168,267	97,739	19,154	20,049	1,074	7,339	6,265	3,401	3,938	8,055
2002	202,093	93,112	36,572	31,423	3,468	4,624	13,032	3,783	3,153	10,614
2003	203,184	95,711	41,063	24,536	4,258	4,157	15,513	4,258	3,751	8,315
2004	249,126	133,582	41,374	29,012	6,812	3,280	13,371	5,298	3,027	10,595
2005	145,413	84,193	21,629	13,197	1,588	3,666	7,332	4,277	1,589	7,453
2006	133,701	55,780	30,594	11,156	1,183	2,704	7,944	6,254	2,874	14,198
2007	135,523	61,041	27,687	22,182	1,296	2,591	6,638	4,210	1,133	7,125
2008	208,056	98,160	34,080	22,560	3,840	6,872	17,760	2,400	3,600	16,864
2009	176,862	80,574	27,589	23,569	3,654	5,664	11,511	7,674	3,106	11,876
2010	168,422	76,639	30,940	15,276	3,366	5,437	8,415	9,321	3,366	14,369
2011	178,112	85,163	29,553	18,113	4,131	5,243	8,262	8,262	2,224	14,777
2012	150,901	78,157	32,473	9,232	1,910	6,367	7,959	2,706	1,114	9,869
2013	235,335	94,432	34,188	32,861	20,414	12,115	9,460	12,945	2,655	15,435
2014	188,655	114,417	13,648	22,067	11,225	4,847	4,975	4,592	1,531	10,716
2015	204,053	112,358	31,068	17,193	11,312	6,033	9,803	4,524	1,508	8,897
2016	153,083	95,986	13,981	16,566	4,699	5,169	3,760	3,290	1,645	6,578
2017	137,833	65,323	19,380	15,126	3,025	4,160	7,185	7,468	1,512	11,818
1999-2016 Average	180,916	93,160	28,501	20,732	5,083	5,428	9,409	5,317	2,571	10,983
% Change from 2016	-10%	-32%	+39%	-9%	+36%	-20%	+91%	+127%	-8%	+80%
% Change Average	-24%	-30%	-32%	28%	-42%	-24%	-24%	+43%	-42%	+8%

* includes redhead, canvasback, ring-necked duck, lesser scaup, greater scaup, goldeneye and ruddy duck

Table 6. Kansas goose seasons from 2006 to 2018.

Season	Canada Goose	Season Days/ Daily Bag Limit	Light Goose	Season Days/ Daily Bag Limit	White-fronted Goose	Season Days/ Daily Bag Limit
2006	Oct 28 - Oct 29 Nov 08 - Feb 18	105/3	Oct 28 - Oct 29 Nov 08 - Feb 18	105/20	Oct 28 - Oct 29 Nov 08 - Jan 07 Feb 10 - Feb 18	72/2
2007	Oct 27 Oct 28 Nov 07 - Feb 17	105/3	Oct 27 Oct 28 Nov 07 - Feb 17	105/20	Oct 27 - Oct 28 Nov 07 - Jan 06 Feb 09 - Feb 17	72/2
2008	Oct 25 - Oct 26 Nov 05 - Feb 15	105/3	Oct 25 - Oct 26 Nov 05 - Feb 15	105/20	Oct 25 - Oct 26 Nov 05 - Jan 04 Feb 07 - Feb 15	72/2
2009	Oct 31 - Nov 08 Nov 11 - Feb 14	105/3	Oct 31 - Nov 08 Nov 11 - Feb 14	105/20	Oct 31 - Nov 08 Nov 11 - Jan 03 Feb 06 - Feb 14	72/2
2010	Oct 30 - Nov 07 Nov 10 - Feb 13	105/3	Oct 30 - Nov 07 Nov 10 - Feb 13	105/20	Oct 30 - Nov 07 Nov 10 - Jan 02 Feb 05 - Feb 13	72/2
2011	Oct 29 - Nov 06 Nov 09 - Feb 12	105/3	Oct 29 - Nov 06 Nov 09 - Feb 12	105/20	Oct 29 - Jan 01 Feb 04 - Feb 12	74/2
2012	Oct 27 - Nov 04 Nov 07 - Feb 10	105/3	Oct 27 - Nov 04 Nov 07 - Feb 10	105/20	Oct 27 - Dec 30 Feb 02 - Feb 10	74/2
2013	Oct 26 - Nov 03 Nov 06 - Feb 09	105/3	Oct 26 - Nov 03 Nov 06 - Feb 09	105/20	Oct 26 - Dec 29 Feb 01 - Feb 09	74/2
2014	Nov 01 - Nov 09 Nov 12 - Feb 15	105/3	Nov 01 - Nov 09 Nov 12 - Feb 15	105/50	Nov 01 - Dec 14 Jan 17 - Feb 15	74/2
2015	Oct 31 - Nov 01 Nov 04 - Feb 14	105/6	Oct 31 - Nov 01 Nov 04 - Feb 14	105/50	Oct 31 - Jan 03 Jan 23 - Feb 14	74/2
2016	Oct 29 - Jan 01 Jan 04 - Feb 12	105/6	Oct 29 - Jan 01 Jan 04 - Feb 12	105/50	Oct 29 - Jan 01 Jan 21 - Feb 12	74/2
2017	Oct 28 – Oct 29 Nov 08 - Feb 18	105/6	Oct 28 – Oct 29 Nov 08 - Feb 18	105/50	Oct 28 – Dec 31 Jan 27 - Feb 18	88/2
2018	Oct 27 – Oct 28 Nov 07 - Feb 17	105/6	Oct 27 – Oct 28 Nov 07 - Feb 17	105/50	Oct 27 – Dec 30 Jan 26 - Feb 17	88/2

Figure 3. Estimates of active goose hunters, goose hunting days and goose harvest in Kansas from 1999 to 2017 based upon the Harvest Information Program. The 2017 harvest data is not available until late July.

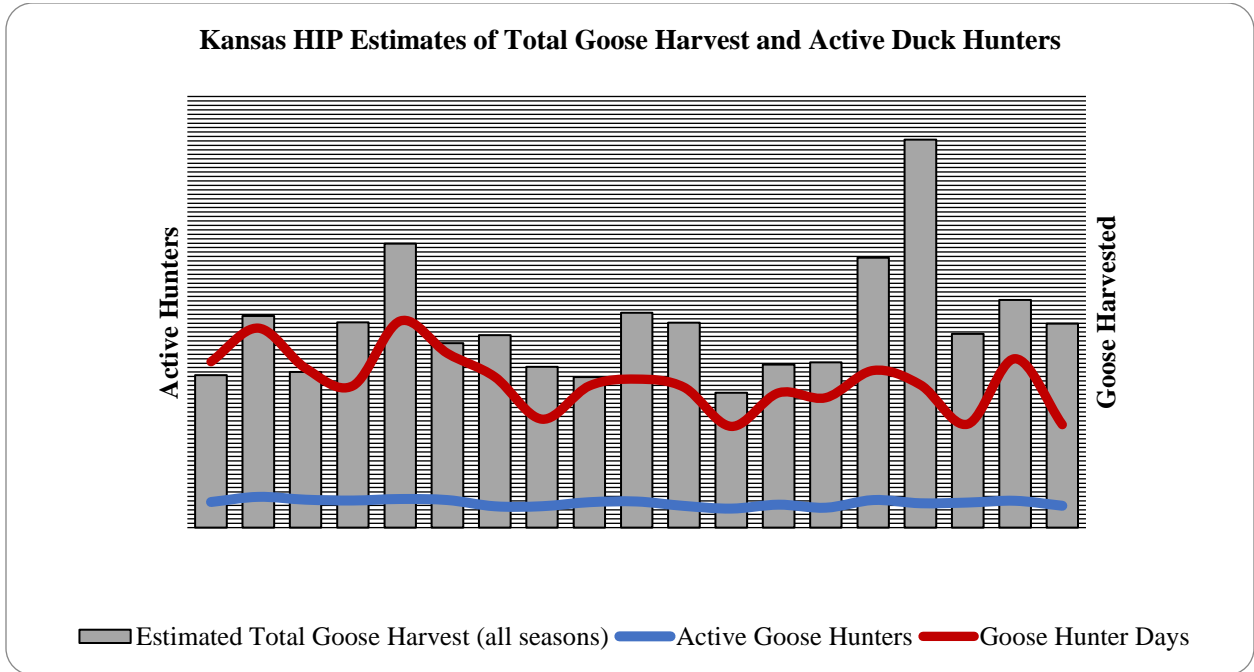


Table 7. Estimates of active goose hunters, goose harvest, average goose per hunter, average seasonal bag per hunter, total goose hunter days, and regular season harvest for Canada, light goose and white-fronted geese in Kansas from 1999 to 2017 based upon the by the Harvest Information Program. The 2018 harvest data is not available until late July.

Year	Active Goose Hunters	Total Goose Harvest	Avg. Goose Hunter Days	Avg. Goose Seasonal Bag	Goose Hunter Days	Canada Goose Harvest	Light Goose Harvest	White-fronted Goose Harvest	Light Goose Conservation Season
1999	14,400	85,700	6.5	5.9	93,300	66,255	12,048	5,476	11,165
2000	17,300	119,000	6.5	6.9	112,200	98,005	8,164	11,303	11,937
2001	15,715	87,499	5.7	5.6	89,663	72,707	4,405	4,721	35,138
2002	15,248	115,400	5.2	7.6	79,771	80,982	18,222	8,966	17,087
2003	16,100	159,700	7.2	9.9	116,200	123,866	19,263	9,735	65,608
2004	15,500	103,700	6.3	6.7	98,000	80,118	16,481	5,688	25,272
2005	12,000	108,300	7.1	9.1	84,800	99,178	3,689	970	18,802
2006	12,038	90,400	5.1	7.5	60,994	59,566	12,848	2,336	12,711
2007	14,294	84,699	5.6	5.9	79,723	59,968	10,943	13,788	4,260
2008	14,692	120,900	5.7	8.2	83,525	87,067	12,540	16,325	11,924
2009	12,213	115,201	6.5	9.4	78,955	92,267	4,267	12,267	15,244
2010	10,700	75,800	5.3	7.1	56,936	66,494	4,459	4,847	53,863
2011	12,900	91,653	5.9	7.1	75,795	51,900	19,876	19,877	62,092
2012	11,207	92,367	6.5	8.3	73,084	72,204	13,016	7,127	72,447
2013	15,543	151,837	5.7	9.8	88,386	108,657	27,253	15,927	92,825
2014	13,700	218,300	5.9	15.9	80,287	166,812	32,409	19,064	55,271
2015	14,100	108,900	4.1	7.7	58,200	71,175	21,928	15,817	41,416
2016	15,100	127,998	6.3	8.5	95,000	96,863	14,222	16,913	45,501
2017	12,300	114,800	4.7	9.3	57,900	95,786	14,255	4,752	73,295
1999-2016 Average	14,039	114,329	5.9	8.2	82,249	86,338	14,224	13,633	36,4117
% Change from 2016	-19%	-10%	-25%	+9%	-39%	-1%	0%	-72%	+61%

%									
Change	-12%	0%	-21%	+14%	-30%	+11%	0%	-55%	+101%
Average									

VI. DEPARTMENT REPORT

B. General Discussion

4. K.A.R. 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Smoky Hill ANG, Fort Riley, and Fort Leavenworth

Background

This regulation has typically been brought to a Public Hearing in June. Personnel at Fort Riley requested this later period to finalize the seasons because the schedule for military training activities were occasionally unknown at the time KAR 115-25-9 was approved. The regulation has also been used to address legislative actions pertaining to deer hunting that were made after KAR 115-25-9 was approved.

Discussion

We shall address all deer seasons on military subunits under one regulation. Personnel at Smoky Hill ANG, Fort Riley and Fort Leavenworth have been contacted and we have received preliminary information on the season dates that they prefer.

Smoky Hill ANG has requested to have deer hunting seasons at the same dates as the seasons established in KAR 115-25-9 with the following exception:

- The firearms season dates will be November 26, 2019 through December 7, 2019.

Fort Riley has requested the same seasons as those established in KAR 115-25-9 with the following exceptions:

- Additional archery days for individuals authorized by Fort Riley would include the period from September 1, 2019 through September 15, 2019, and from January 2, 2020 January 31, 2020.
- Additional days of hunting opportunity for designated persons (i.e., youth and people with disabilities) from October 12, 2019 through October 14, 2019.
 - No pre-rut firearm season for antlerless white-tailed deer.
- Firearm season dates of November 29, 2019 through December 1, 2019, and December 14, 2019 through December 22, 2019.

Fort Leavenworth has requested the same deer hunting seasons described in KAR 115-25-9 with the following exceptions:

- The open firearm season for the taking of deer shall be November 16, 2019, through November 17, 2019, November 21, 2019 through November 24, 2019, November 30, 2019 through December 1, 2019, December 7, 2019 through December 8, 2019, and December 14, 2019 through December 15, 2019.

- An extended firearm season for the taking of antlerless-only, white-tailed deer shall be from January 1, 2020 through January 12, 2020.
- An extended archery season for the taking of antlerless-only, white-tailed deer shall be from January 13, 2020 through January 31, 2020.

A deer hunter may use one antlerless-only white-tailed deer permit in Fort Riley, subunit 8A or Smoky Hill ANG, subunit 4A. A deer hunter may use up to five antlerless-only white-tailed deer permits in Fort Leavenworth, subunit 10A.

Recommendation

The proposed dates for the firearm season at the Smoky Hill Air National Guard subunit, Fort Riley subunit and at the Fort Leavenworth subunit will be reviewed at Workshop Session in March. Final action on those seasons shall be completed at the Public Hearing in June.

CWD Update

No briefing book items – possible handout at meeting

Birding Initiatives

The same prairies and wetlands that make Kansas home to great numbers of bobwhite quail, pheasants, ducks and geese also support dozens of non-game species. There are people all over the world who are just as anxious to come to Kansas to see things like lesser prairie chickens, whooping cranes and rare shorebirds as others are to hunt our game species.

Last year we put out a meek request to four birding tour companies to see if there would be any interest in viewing lesser prairie chickens. Each group booked a blind, for a group of guided clients, totally sight unseen.

With no advertising we have at least 18 groups booked for this spring. Birders from Germany, France and Great Britain have reservations for one of two ranches in Gove or Logan counties.

Word of other possible Kansas destinations is also drawing interest. One noted tour leader thinks Great Bend could be “the next big” springtime destination for birding because of the great wetland opportunities at Cheyenne Bottoms and the Quivira National Wildlife Refuge, with lesser and greater prairie chickens not far away.

The department is helping to promote getting people to such destinations for spring-only viewing trips. One reason is because of the added money birders bring. Ranchers in lesser prairie chicken country can earn \$200 to \$700 for just granting access for part of a morning. The same birders will get motel rooms and pay for meals.

Education is another goal as we try to teach Kansans the value of non-game species and birders. We also want to educate visiting birders as to the importance of things like good grazing programs to keep grasslands perfect for prairie bird species.

Down the road, it’s going to take the combined work of consumptive and non-consumptive users to preserve and protect some of Kansas’ top habitats.

Workshop Session

E-Bicycles (E-Bike)

E-Bikes are battery powered “assist” that comes with pedaling or in some cases a throttle, making pedaling easier while not eliminating the need to pedal. The battery does not make any sound.

"When you push the pedals on a pedal-assist e-bike, a small motor engages and gives you a boost, so you can zip up hills and cruise over tough terrain without gassing yourself. Called "pedalecs," they feel just like conventional bikes—but better, says Ed Benjamin, senior managing director at the consulting firm eCycleElectric. "You control your speed with your feet, like with a regular bike," he says. "You just feel really powerful and accelerate easily."

~ **Bicycling News**

VI. DEPARTMENT REPORT

C. Workshop Session

2. Public Lands Regulations

January 17, 2019

KAR 115-8-1 (e) - Department Lands and Waters:

Background

Subsection (e) of this regulation covers the Department's public lands special use restrictions.

Discussion

This reference document within the regulation is reviewed annually for revisions.

Recommendation

The Department is proposing changes to the following Sections:

II.) Age Restrictions

Region 1

-Jamestown WA – Ringneck and Puddler Marshes; mentor area – all species, all seasons

**remove Puddler Marsh*

V.) Non Toxic Shot – designated dove fields

Region 1

-Glen Eder WA (*remove, fields move every year*)

-Jamestown WA (*remove, entire WA is now ALL non-toxic*)

-Ottawa SFL (*remove, occasional fields' w/minimal use*)

VI.) Boating Restrictions

a.) No Motorized Boats

Region 1

-Jamestown WA – Pintail, Puddler, and Buffalo Creek Marshes

**add Gamekeeper West Marsh*

-add Talmo Marsh (NE of Concordia)

XII.) Refuges

a.) Refuge Area Closed to All Activities Year Round

Region 3

**would like to add Byron Walker WA; immediate area surrounding the headquarters and archery range.*

KAR 115-8-2 - Blinds, stands, and decoys

Background

-Regulation has not been amended since 2013.

Subject to provisions and restrictions as established by posted notice; blinds, stands, and decoys shall be allowed on department lands and waters as follows: (a) Floating blinds and portable stands used for hunting may be placed not more than 14 days before the hunting season for which the blind or stand will be used and shall be removed from department property within 14 days after the hunting season for which the blind or stand was placed.

(b) Floating blinds and portable stands used for purposes other than hunting may be placed for a period not to exceed 14 days and shall be removed from department property at the conclusion of 14 days after the intended use of the blind or stand has ended, whichever time period is less.

(c) Ladders, screw-in metal steps, and steps attached by ropes, cables, or chains may be used for access to portable stands and shall be removed when the portable stand is removed as required by subsection (a) or (b).

(d) Natural blinds may be used for any authorized activity and shall be constructed of natural herbaceous materials or woody debris, or both, that are present at the site of the natural blind.

(e) Any individual may use a placed portable blind, floating blind, portable stand, or natural blind when the blind or stand is not occupied.

(f) Any blind, stand, or climbing device not in conformance with regulations or posted notice provisions or restrictions may be removed or destroyed by the department.

(g) Each portable blind, floating blind, and portable stand shall be marked with either the user's name and address or the user's department-issued identification number in a visible, legible, and weatherproof manner.

(h) No individual shall place more than two portable blinds or stands on any single department-owned or department-managed property.

(i) Portable blinds shall not be left unattended overnight.

(j) Decoys shall not be left unattended overnight.

Discussion

Upon internal review within the Public Lands and Law Enforcement Division and from some public comment provided; the Department discussed subsection (i):

(i) Portable blinds shall not be left unattended overnight

Recommendation

**The Department recommends striking subsection (i) from the regulation*

This restriction was identified as a potential deterrent for constituent use of our public lands.

VI. DEPARTMENT REPORT

C. Workshop Session

3. KAR 115-3-2 Rabbits, hares, and squirrels; legal equipment, taking methods, and possession

Background

Staff was recently approached and made aware that calling squirrels was technically not allowed under current regulations.

Discussion and Recommendations

Calling squirrels is a common hunting technique and does not conflict with any other hunting activities. In order to have regulations that more align with common hunting techniques, staff are recommending the following additions to KAR 115-3-2 (highlighted):

115-3-2. Rabbits, hares, and squirrels; legal equipment, taking methods, and possession.

- (a) Legal hunting equipment for rabbits, hares, and squirrels shall consist of the following:
 - (1) Firearms, except fully automatic rifles and handguns and except shotguns and muzzleloading shotguns larger than 10 gauge or using other than shot ammunition;
 - (2) pellet and BB guns;
 - (3) archery equipment;
 - (4) crossbows;
 - (5) falconry equipment;
 - (6) projectiles hand-thrown or propelled by a slingshot;
 - (7) box traps for rabbits only;
 - (8) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and
 - (9) other equipment or methods as allowed by permit.

- (b) The use of dogs, horses, and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.

- (c) Legal hours for the hunting and taking of rabbits, hares, and squirrels shall be from ½ hour before sunrise to sunset during established hunting seasons, except that legal hours for the running and box-trapping of rabbits shall be 24 hours per day during established running seasons.

- (d) Any type of apparel may be worn while hunting or running rabbits.

- (e) Legally taken rabbits, hares, and squirrels may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. (Authorized by and

implementing K.S.A. 32-807 and K.S.A. 32-1002; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended, T-115-12-28-89, Dec. 28, 1989; amended Jan. 22, 1990; amended Sept. 19, 1997; amended June 1, 2001; amended July 23, 2004; amended Feb. 18, 2005.)

(f) Legal accessory equipment for the taking of rabbits, hares and squirrels during rabbit, hare and squirrel season shall consist of the following:

(1) Lures; decoys, except live decoys; and calls, including electronic calls

Furbearer Regulations

KAR 115-5-Series; Furbearers and coyotes. KAR 115-6-1; Furdealers. KAR 115-13-4; Field Trial Permit, furbearer and coyotes. KAR 115-25-11; Furbearer seasons.

Background:

These regulations referencing furbearers are permanent regulations that are not considered every year. Most of these were last in front of the Commission in 2013.

Discussion and Recommendations:

K.A.R. 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.

- Air rifles have become increasingly popular in hunting various species, and we have received a few requests to allow their use to take furbearers and coyotes. We have given this some consideration and do not recommend any change at this time.
- Body-gripping traps with a jaw spread of 8 inches or greater may only be used in water sets (c)(10). We recommend a clarification in language indicating the outer edges of the jaws shall not exceed 8 inches when measured across the jaws at a 90 degree angle.
- Furbearer and coyote hunting is currently allowed at night, but the use of lights or night vision is prohibited for general hunting. The Department is aware of widespread interest by predator callers in hunting for coyotes at night with lights and/or night vision – for recreation or predator control. Department personnel have reviewed regulations of other Midwest states and have given this change consideration. However, law enforcement personnel have expressed concern about poaching of big game as well as the potential for increased demand on L.E. field staff time and resources because of allowing this activity. At this time, the Department does not support this regulatory change.

K.A.R. 115-5-2. Furbearers and coyotes; possession, disposal, and general provisions.

- Language in 5-2(a) & (d) both indicate legally taken furbearer and coyote parts may be possessed without limit in time. They should be consolidated.
- We recommend eliminating the requirement in (f)(2) to surrender otter teeth to the Department.

K.A.R. 115-5-4. Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting hours, and general provisions.

- This permit is currently not valid until the next calendar day(d). This stipulation was eliminated for big game and turkey as a result of internet license sales and should be eliminated for this permit as well.
- The regulation states that removal of the carcass tag from the permit shall invalidate the permit (f). This is also a stipulation from prior to existing internet sales options that should also be eliminated.

K.A.R. 115-6-1. Fur dealer license; application, authority, possession of furs, records, and revocation.

- Bobcats, otters and swift foxes may only be purchased if they have a pelt tag from the state in which they were harvested (f). Otter and bobcat tagging is federally mandated, whereas swift fox tagging is not, and not all states that allow swift fox harvest require them to be tagged. Therefore, we would like to allow untagged swift foxes to be purchased from states that do not require swift fox pelt tagging.

K.A.R. 115-13-4. Field trial permit; furbearers and coyotes.

- This regulation currently requires a map of specific areas where the field trial is to occur (a)(4)(C). We would like to modify this requirement so that only the headquarters and county of the event need to be identified.

K.A.R. 115-25-11. Furbearers; open seasons and bag limits.

- We recommend increasing the bag limit of otters from 2 to 5. The population is healthy, reproducing well, and gradually expanding in range into central Kansas. The greatest numbers and the primary demand for this change comes from eastern and in particular southeastern Kansas where damage concerns are highest. Like muskrats and beavers for which harvest is unlimited, otters will always be scarce or absent in the state where water is lacking. This change will allow those who live in areas where otters are common to better use the resource. In parts of the state where otters are less common, they are more often captured in beaver sets rather than as an intentional target, so this change is not likely to impact otters where they are less abundant.
- We would like to collect comments from the public on changing the season opening time from noon to a calendar day. This was originally done to alleviate issues with the calendar day (midnight) opener related to houndsmen having to wait until late to hunt, and was considered a compromise between houndsmen and trappers.

Coast Guard Navigation Rules

Commissioners, KDWPT Staff and the public,

Kansas Department of Wildlife, Parks and Tourism (KDWPT) provides the Recreational Boating Safety Program for the State of Kansas. To provide boating infrastructures, law enforcement, public education, aids to navigation, search and rescue and administrative duties, the KDWPT relies heavily on Recreational Boating Safety federal dollars administered through the United States Coast Guard, Recreational Boating Safety Division.

Every three years, the U.S. Coast Guard conducts an on-site visit with the Boating Law Administrators of the states to look over the components required within the agreement between the state and the federal government and to inform the state of any inadequacies or deficiencies discovered that relate to changes in Code of Federal Regulations or problems with program implementation.

On August 8-9, 2017, an on-site review of our program was conducted. Though most of our program was found in compliance, one issue requires an action plan to be addressed in front of this commission.

Language from the letter dated on August 16, 2017 from the United States Coast Guard states, “Deficiencies in the following areas were noted that require corrective action by the state: State Boating Laws and Regulations – The Kansas Boating Statutes addressing navigation must contain terminology consistent with the Inland Navigation Rules (NAVRULES) found in Title 33 CFR Part 83. This may be accomplished by adopting 33 CFR Part 83 by reference.”

Today, this is the proposal brought forth in front of this commission.

By authority granted to the Secretary of KDWPT in K.S.A. 32-1119 (k) The secretary is hereby authorized to adopt, in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto, rules and regulations required to carry out in the most effective manner, all of the provisions of this act and to alter, modify or supplement the equipment requirements contained in this section to the extent necessary to keep these requirements in conformity with the provisions of the federal navigation laws or with the navigation rules promulgated by the United States coast guard.

(1) The secretary is hereby authorized to establish and maintain, for the operation of vessels on the waters of this state, pilot rules in conformity with the pilot rules contained in the federal navigation laws or the navigation rules promulgated by the United States Coast Guard.

Major Dan Hesket

Copies of the following have been made available for your review:

August 16, 2017 USCG Site Visit Compliance Letter.

Corrective Action Plan response to the United States Coast Guard (USCG).

Title 33 CFR Part 83.

References:

Sport Fish Restoration and Boating Trust Fund.

MOU between State of Kansas and USCG for Boating Safety Program

K.S.A. 32-1119

Title 33 CFR Part 83

Site Visit Letter on Compliance Issues, August 16, 2017, USCG.

Corrective Action Plan (CAP) letter to USCG in response to site visit conducted on August 8-9, 2017.

Kansas Department of Wildlife, Parks & Tourism

UAS Frequently Asked Questions

What is a UAS?

UAS is the acronym for unmanned aircraft systems, aircraft without a human pilot onboard. Unmanned aircraft vehicles (UAV) or drones are other names you may have heard.

Is UAS use permitted on KDWPT-owned and managed properties?

UAS use is only permitted within specified UAS operating areas located at some state parks. The use of a UAS is not permitted outside of these areas unless authorized by the KDWPT Secretary (see KAR 115-8-13). Within the operating areas, flying over people, structures, campgrounds or beaches is prohibited.

What KDWPT properties have drone operation areas?

The list of state parks with UAS operating areas is currently being developed and will be available by fall 2018. This FAQ will be updated when that list is available.

What are the penalties for unlawful use of UASs on KDWPT lands?

Unlawful use would be classified as a class c misdemeanor.

Who do I contact for more information about using UASs on department lands?

For more information about UAS use, contact the state park or appropriate regional office. Contact information is available on the department website, www.ksoutdoors.com

Are licenses required for UAS operation on department lands?

FAA regulations pertaining to UAS use are available at https://www.faa.gov/uas/getting_started/. In general, hobby flight requires the UAS to be registered, but no pilot certification. Any non-hobby commercial use requires both UAS registration and a remote pilot certification. All FAA regulations pertaining to UAS use apply on KDWPT-owned and managed properties.

Are there statutes regarding privacy that apply to UAS use?

Kansas statute 60-31a02 provides protection from stalking or harassment, including the use of UAS over or near any dwelling, occupied vehicle, or other place where one may reasonably expect to be safe from uninvited intrusion or surveillance.

Can a UAS be used for hunting or scouting?

The use of a UAS for hunting is prohibited. Both federal (16 USC 742j1) and state (32-1003) statutes prohibit the use of aircraft to take wildlife.

Using a UAS for scouting on lands not owned or managed by KDWPT is permitted. However, like manned aircraft flights, scouting and hunting on the same day is prohibited, and harassment of wildlife is prohibited.

Can a UAS be used for fishing?

A UAS is not a permitted method of take for fish in Kansas (via Kansas statute 32-1002)

Can a UAS be used to locate harvested game?

Based on the definition of take in KAR 32-701, a UAS could not be used to locate wounded or harvested game.

Can a UAS be used to film hunts?

UAS use for filming is permitted on land not owned or managed by KDWPT as long as it is not used as part of taking or locating game.

Can a UAS be used to harass wildlife?

Harassment of wildlife with any aircraft, including a UAS, is prohibited by federal regulation. The state does have the ability to issue permits for specific harassment activity if it chooses to do so. This permitting process is currently being considered, and may be an option in the future.

How do I report unlawful use of UAS?

Illegal operation of a UAS that relates to fisheries, wildlife, or department-owned or managed lands can be reported through the toll-free operation game thief phone number, 877-426-3843.

There is also a report form available on the department website, www.ksoutdoors.com

Illegal operation of a UAS that does not relate to wildlife or department lands can be reported to the FAA.

Can I shoot down a UAS?

It is a felony to damage or destroy any aircraft, including a UAS (18 USC 32). A summary of regulations pertaining to UAS use is available at

https://www.faa.gov/uas/resources/uas_regulations_policy/

Electronic Licensing Update
No briefing book items – possible handout at meeting

General Discussion

(continued - evening)

Track Chair Update
No briefing book items – possible handout at meeting

Workshop Session

(continued - evening)

VI. DEPARTMENT REPORT

C. Workshop Session

8. KAR 115-25-7 Antelope; open season, bag limit and permits

Background

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

Western Kansas pronghorn antelope populations have supported a hunting season since 1974. The firearm pronghorn season has been four days long since 1990, starting on the first Friday in October. The archery pronghorn season was nine days long from 1985 to 2004, and included the two weekends prior to the firearm season. Since 2005, the archery season has reopened on the Saturday following the firearm season and continued through the end of October. A muzzleloader season was initiated in 2001. It has begun immediately after the archery season and ran for eight days, the last four overlapping the firearm season. With the exception of annual adjustments in permit allocations, this regulation has basically been unchanged since 2006.

Discussion & Recommendations

No changes are recommended for this regulation at this time, including season structure, bag limits, and permits.

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

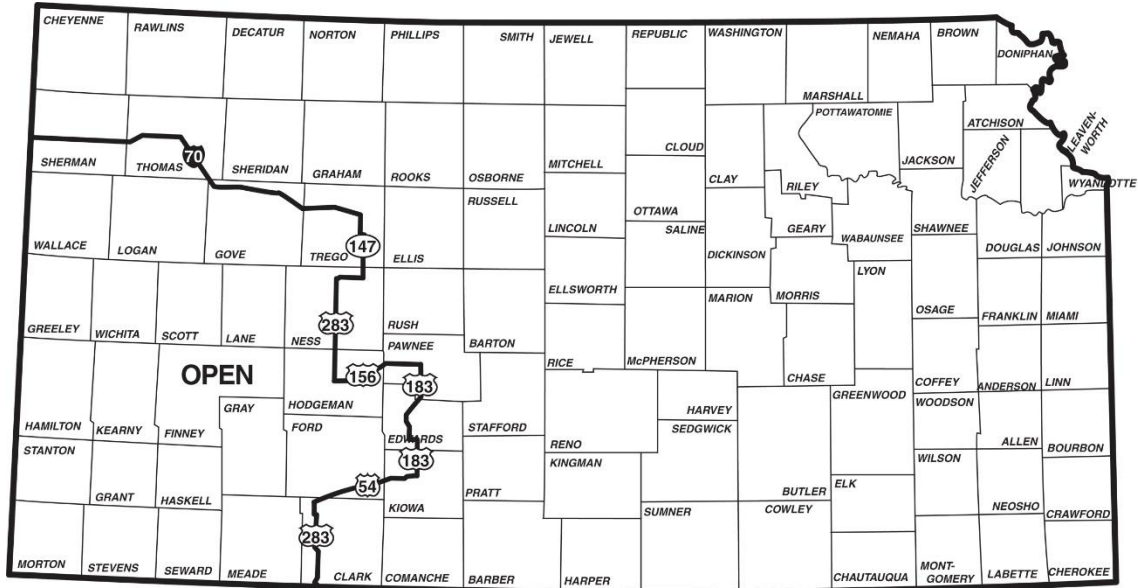
The proposed season dates are:

September 21-29, 2019 and October 12-31, 2019 for the archery season.

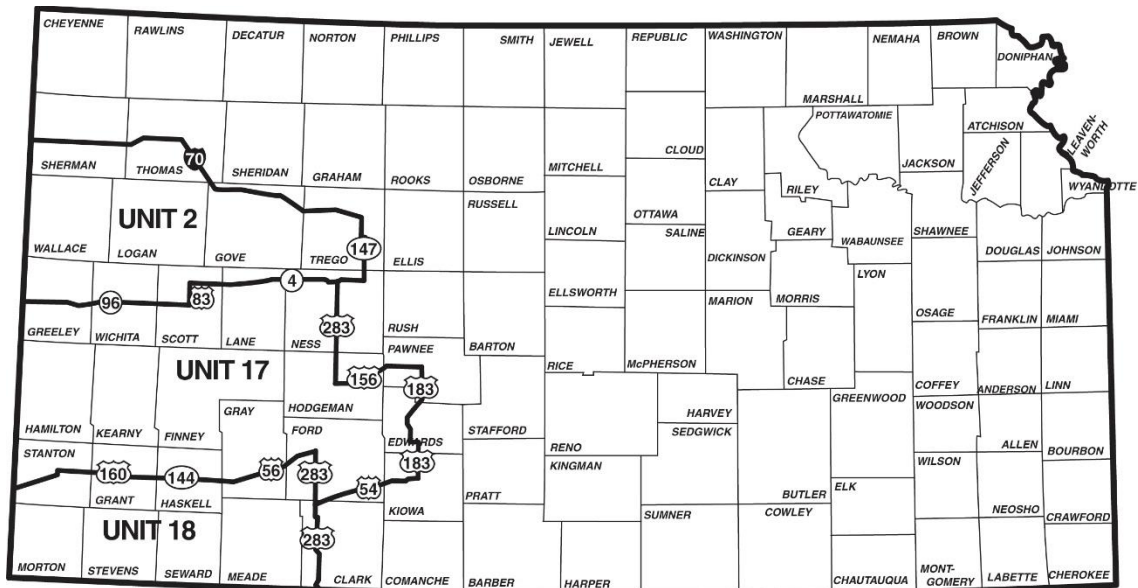
September 30, 2019 - October 7, 2019 for the muzzleloader season.

October 4-7, 2019 for the firearm season.

Archery Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



VI. DEPARTMENT REPORT

C. Workshop Session

9. KAR 115-25-8 Elk; open season, bag limit and permits

Background

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

Elk were first reintroduced onto Fort Riley in 1986, and a hunting season was initiated in 1990. Most of the hunting opportunity in the state occurs on the Fort. However, elk do exist on private lands, though unpredictably in most of the state, with parts of southwest Kansas being the main exception. Elk also occur in the vicinity of Cimarron National Grasslands, but these elk are primarily found in neighboring states, and the Grasslands have been closed to elk hunting since 1995, following several years of heavy harvest pressure.

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

Last year an August firearm season was established and the buffer zone around Fort Riley was reduced in size. Both of these regulatory changes were made to allow landowners to better address elk damage concerns. Prior to last year, this regulation had basically been unchanged since 2011. We haven't received any information to indicate any elk were killed as a result of either of these changes, but the season is ongoing and harvest reports haven't been collected yet.

Discussion & Recommendations

At this time we do not anticipate any changes to season structure, bag limits or permit types.

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

The proposed season dates on Fort Riley are:

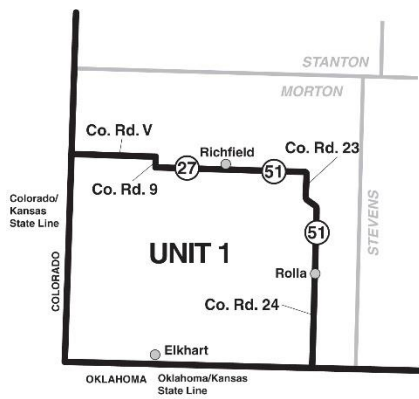
- a) September 1-30, 2019 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2019 for the firearms season.
 - a. Any elk permits are valid during all three months.
 - b. One-third of the antlerless only permits valid during each of the following segments:
 - 1) First segment: October 1-31, 2019.
 - 2) Second segment: November 1-30, 2019.
 - 3) Third segment: December 1-31, 2019.

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

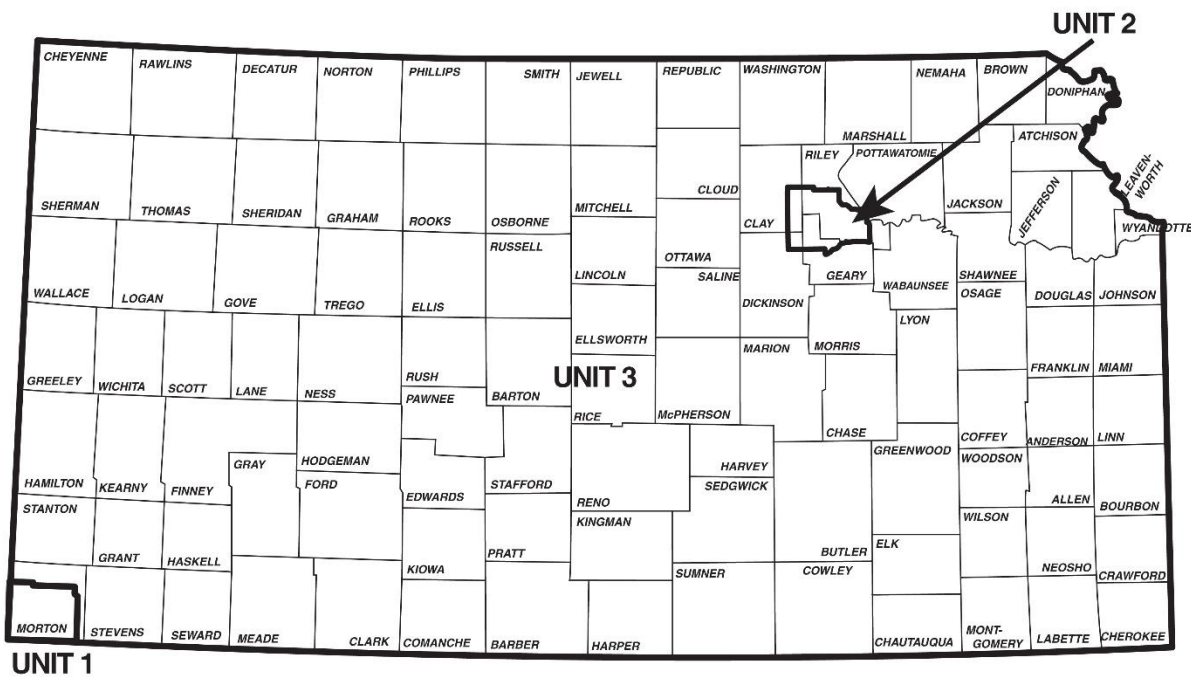
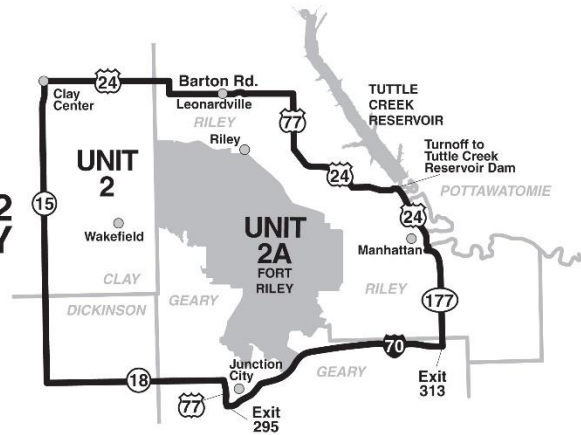
- a) September 1-30, 2019 for the muzzleloader season.
- b) September 16-December 31, 2019 for the archery season.
- c) August 1-31, 2019, December 4-15, 2019, and January 1-March 15, 2020 for the firearms seasons.

Elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants. Unit 2 permit recommendations will be determined at a later date. An unlimited number of hunt-on-your-own-land antlerless-only and either-sex elk permits will also be authorized in Units 2 and 3. An unlimited number of general resident and landowner/tenant antlerless-only and any-elk permits will be authorized in Unit 3.

Elk Units



NEW UNIT 2 BOUNDARY



VI. DEPARTMENT REPORT

C. Workshop Session (continued in evening)

10. Big Game Permanent Regulations.

All permanent regulations dealing with big game will be discussed together at this meeting. In recent years these regulations have been brought forward in the General Discussion portion of the Commission Meeting in August to allow public comments and to determine if further review was needed.

a) K.A.R. 115-4-2. Big game; general provisions.

Background

This regulation contains the following items:

- 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
- Who may assist a big game permittee and how they may assist, including the provisions for designated individuals to assist disabled big game permittees

Discussion

Minor changes have been made to this regulation in recent years. Two years ago, elk hunters were given the ability to electronically register their animal.

Recommendation

No change is proposed for this regulation.

b) K.A.R. 115-4-4. Big game; legal equipment and taking methods.

Background

This regulation contains the following items:

- Specific equipment differences for hunting various big game species
- Specifications for bright orange colored clothing, which must be worn when hunting during certain big game seasons
- Accessory equipment such as calls, decoys, and blinds
- Shooting hours
- Special restrictions on the use of horses or mules to herd or drive elk

Discussion

New hunting equipment continues to be created and people request changes in the regulation to allow novel equipment. Currently, the department is considering requests for the legalization of large bore air rifles and tumble-upon-impact centerfire ammunition for big game hunting.

Historically changes in this regulation have attempted to balance a potential benefit of allowing new equipment to benefit a few people against the added complexity caused by changing the regulation, which may confuse other hunters. Typically, the department has changed this regulation after a review for a period of years rather than annually.

Recommendation

At this time there is no change proposed for this regulation.

c) K.A.R. 115-4-6. Deer; firearm management units.

Background

This regulation established the boundaries for the 19 Deer Management Units in Kansas.

Discussion

No changes in deer management unit boundaries are currently being discussed within the department. Changes in the management unit boundaries complicate trend analysis of hunter participation and harvest of deer. Sub-division of units increases the need for larger sample sizes and more expense to obtain adequate information.

Recommendation

No change is proposed for this regulation and it is not scheduled for further review this year.

d) K.A.R. 115-4-11. Big game and wild turkey permit applications.

Background

This regulation describes general application procedures, including the establishment of priority drawing procedures when the number of applicants exceeds the availability of authorized permits. The regulation also authorizes hunters to purchase a preference point for future applications.

Discussion

Changes to the application deadlines for Resident Either-Species Either-Sex Deer and Resident Elk Permits have been proposed. Due to the recent change in which elk season now opens in August, more time is needed between the application deadline, currently the second Friday in July, and the first day of the season to ensure elk hunters receive their permits before the season starts. Changing the application deadline for both permit types to the second Friday in June to coincide with the current deadline for firearm pronghorn applications will simplify the application deadline dates hunters must meet when applying for big game permits.

Recommendation

Change application deadlines one month earlier to the second Friday in June for Resident Either-Species Either-Sex Firearms Deer and Resident Elk permits.

e) **K.A.R. 115-4-13. Deer permits; descriptions and restrictions.**

Background

This regulation contains the following items:

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

Discussion

Starting with the 2016 season, Either-species, Antlerless Only Permits (ESAO) were no longer issued in Kansas. This was done to address the changing mule deer population and reduce harvest of female mule deer. Results from analysis of harvest data from the 2017 season indicate that this likely resulted in the lowest estimated harvest of antlerless mule deer in Kansas since 1983. The effects from this change in this permit allocation on harvest rates of female mule deer and the effect of changing harvest rates on mule deer populations will continue to be monitored.

Recommendation

No change is proposed for this regulation and it is not scheduled for further review this year.

VI. DEPARTMENT REPORT

B. Workshop Session (continued in evening)

11. Deer 25-Series Regulations.

Background

The regulation contains the following items:

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

Discussion

Annual adjustments will be made in the deer hunting season dates. This review process initiates the discussion of potential changes in deer hunting seasons for 2019-2020. The recommendations at this time follow the traditional season structure, with potential changes to some seasons:

Multiple hunter comments have been received that the designated persons season (youth and disabled season) and the muzzleloader season dates are often set during temperatures that preclude proper care of harvested animals and that hunters utilizing those seasons want to hunt later dates. The option currently being considered, that works within the current season framework:

1. The designated persons season and muzzleloader season also include the dates of Oct. 12 - Oct. 14. These are the same dates as the Pre-Rut Whitetail Antlerless Only Season. This change would allow youth/disabled or muzzleloader hunters to hunt later, while keeping the same number of days in which legal, non-archery, deer hunting methods may be used. It also maintains the number of days that archery hunters must wear orange.

Typically, the first extended white-tailed deer antlerless-only (WAO) season has started on the New Year's Holiday and was open through the first weekend in January, or during the first weekend if January 1 fell on a Saturday; but historically has been four or less days. New Year's Day falls on Wednesday in 2020. The option currently being considered follows the seasons set for 2017-18:

1. A one-day season, January 1, 2019, in DMUs where only one WAO permit is allocated. There would still be three lengths of WAO seasons (i.e., 1, 5, and 12 days). The shortest season would not have a weekend day of hunting. Additionally, shift the pre-rut WAO season to begin October 12 and add one day to the pre-rut WAO season, making it three days long, thus allowing WAO firearm hunting during Columbus Day, which is a holiday for some hunters. This keeps the season framework similar to the 2017-2018 and 2018-2019 seasons.

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

Public comment is sought about these options.

Recommendation

Following traditions (see attached table) the proposed season dates suggested for deer hunting during 2019-20 are as follows:

Youth and Disability	Sept. 7, 2019 – Sept. 15, 2019, Oct. 12, 2019 – Oct. 14, 2019
Early Muzzleloader	Sept. 16, 2019 – Sept. 29, 2019, Oct. 12, 2019 – Oct. 14, 2019
Archery	Sept. 16, 2019– Dec. 31, 2019
Pre-Rut WAO	Oct. 12, 2019 – Oct. 14, 2019
Regular Firearm	Dec. 4, 2019 – Dec. 15, 2019
1 st Extended WAO	Jan. 1, 2020
2 nd Extended WAO	Jan. 1, 2020– Jan. 5, 2020
3rd Extended WAO	Jan. 1, 2020 – Jan. 12, 2020
Extended Archery (DMU 19)	Jan. 13, 2020– Jan. 31, 2020

Public Hearing

Document No. _____

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

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

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

Topeka, Kansas 66612-1233

Title of Document -- Public Hearing

Desired Date of Publication - November 8, 2018

ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

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

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

(785) 296-2281
Phone

This space for Register office use only

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, January 17, 2019 at the Douglas County Fairgrounds, Flory Meeting Hall, 2120-B Harper St, Lawrence, Kansas to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., January 17 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. January 18 at the location listed above.

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

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

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

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

K.A.R. 115-11-2. This permanent regulation establishes operational requirements for controlled shooting areas. The proposed amendments would allow game birds released through April 30 to be counted towards the allowable take. The proposed change is a cleanup to legislation passed in the 2017 Legislative Session.

Economic Impact Summary: No substantial economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

Copies of the complete text of the regulation and its respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
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September 5, 2018

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

**RE: K.A.R. 115-2-3; K.A.R. 115-2-5 (revocation); K.A.R. 115-7-3; K.A.R. 115-8-2;
K.A.R. 115-11-2; K.A.R. 115-17-2; K.A.R. 115-18-10**

Dear Chris:

Pursuant to K.S.A. 2018 Supp. 77-420(b), we have reviewed the above-referenced regulations and have approved them for legality. The stamped regulations are enclosed with this letter.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
DEREK SCHMIDT

Sarah Fertig
Assistant Attorney General

Enclosures

Cc: Sen. Vicki Schmidt, Chair, Joint Committee on Rules and Regulations
Rep. Ron Highland, Vice Chair, Joint Committee on Rules and Regulations
Sen. Oletha Faust-Goudeau, Ranking Minority Member, Joint Committee on Rules
and Regulations
Raney Gilliland, Legislative Research, State Capitol, Room 68-W
Natalie Scott, Office of Revisor, State Capitol, Room 24-E

115-11-2. Controlled shooting areas; operational requirements. (a) Each controlled shooting area shall be posted as follows:

(1) Signs shall be made of metal, plastic, or wood and shall be not less than 15 inches by 15 inches.

(2) Signs shall legibly display the words “controlled shooting area” in block lettering that is not less than two inches in height.

(3) Signs shall be placed along the boundary of the controlled shooting area, at intervals of not more than 500 feet.

(b) The licensee shall keep the license and a copy of the laws and regulations pertaining to the controlled shooting areas posted in a conspicuous and readily available place at the headquarters of the area.

(c) If the license of the controlled shooting area is cancelled or revoked, the licensee shall remove all controlled shooting area signs from the boundary of the area within 30 days of the cancellation or revocation date.

(d) If a licensee fails to renew a controlled shooting area license, all controlled shooting area signs shall be removed from the boundary of the area before September 1.

(e) Only those game birds released on the controlled shooting area from August 15 through ~~March 31~~ April 30 of the license period shall be credited toward the allowable take for the area.

(f) The licensee shall not take or permit the taking of more than 100 percent of the number of each species of game bird released on the controlled shooting area. These game bird species shall not be hunted on the area until a release of the game bird species has been made.

(g) The shooting hours for the taking of game birds released on controlled shooting areas shall be from ½ hour before sunrise to sunset.

(h) Game birds taken on a controlled shooting area shall be accompanied during transportation from the area by a form provided by the department and completed by the licensee, which shall include the number and species of game birds being transported, the name and license number of the licensee, the date of harvest, and any other relevant information required by the secretary.

(i) Except as authorized under Kansas dog training and field trial regulations, only hand-reared mallard ducks may be recaptured by trapping after release.

(j) Hunting during the established seasons and in compliance with all laws and regulations governing the hunting activity may occur on a controlled shooting area for wildlife species not included in K.S.A. 32-943, and amendments thereto, and for any wildlife species not included in the license issued for that controlled shooting area, including big game animals and wild turkeys for which the hunter has a valid permit issued by the department. The hunting, shooting, or taking of wild migratory waterfowl, however, shall be prohibited on each controlled shooting area used for the shooting of hand-reared mallard ducks.

~~(k)~~ This regulation shall be effective on and after ~~April 1, 2005~~ March 1, 2019.

(Authorized by K.S.A. 32-948; implementing K.S.A. 2018 Supp. 32-945, K.S.A. 2018 Supp. 32-946, K.S.A. 2018 Supp. 32-947, and K.S.A. 32-948; effective Dec. 4, 1989; amended Aug. 31, 1992; amended July 1, 1999; amended July 1, 2002; amended April 1, 2005; amended P-
_____.)

**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-11-2
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget

504-N

900 SW Jackson, Room

Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

The proposed changes to the regulation allow controlled shooting areas to include birds released through April 30 instead of March 31, due to changes in the controlled hunting area shooting seasons passed by the Legislature in 2017.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

This is not a federal mandate nor does the federal government manage controlled shooting areas. All four contiguous states have CSA seasons of varying length.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The regulation is cleanup from the 2017 Legislative session. The CSA season was extended and in order to have the birds count as released, the deadline for releases must be extended also.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The economic effect should be that CSA's would be able to add another month to their operating seasons and increase their business.

C. Businesses that would be directly affected by the proposed rule and regulation;

Controlled Shooting Areas.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

If the regulation were not to pass, it would be detrimental to CSA's who chose to operate in the month of April. They would not be able to count birds released in April against their allowable take.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

This proposed change is statutorily driven.

F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

\$0.

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

\$0

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

This is additional opportunity to expand business. No implementation or compliance costs are required.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.

H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

Not applicable.