

AGENDA
KANSAS DEPARTMENT OF WILDLIFE, PARKS & TOURISM
COMMISSION MEETING AND PUBLIC HEARING
Thursday, September 23, 2021
VIRTUAL ZOOM MEETING ONLY

A) Log Into Zoom

1. Visit <https://ksoutdoors.zoom.us/meeting/register/tZluduCgpjsvGtQgQ04rplh91NjiWGqTalXj>
2. Register by entering your first and last name, and email address.
3. Once registered, you will be provided a link to “join the meeting.”
4. Visitors will be muted upon entering the meeting. To comment or ask a question, use the “raise hand” feature or type into the chat area.

B) Call In

1. Call: 1-877-853-5257
2. When a meeting ID is requested, enter: 863 1988 0500#
3. When a participant ID is requested, enter: #
4. For comments or questions, email: kdwpt.kdwptinfo@ks.gov

C) Watch Live Video/Audio Stream

1. Individuals may watch a live video/audio stream of the meeting on <https://ksoutdoors.com/commission-meeting>

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

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

IV. APPROVAL OF August 5, 2021 MEETING MINUTES

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

VI. DEPARTMENT REPORT

A. Secretary’s Remarks

- 1. Agency and State Fiscal Status (Brad Loveless)**

B. General Discussion

- 1. The CSA Hunting Alternative (Keith Houghton)**
- 2. Antelope and Elk 25-Series Regulations (Matt Peek)**
- 3. Spatial Distribution of Swift Fox in Western Kansas (Matt Peek)**

C. Workshop Session

- 1. Big Game 4-Series Regulations (Levi Jaster)**
- 2. Big Game 25-Series Regulations (Levi Jaster)**
- 3. Updating PFD Regulations (Greg Kyser)**
- 4. 2022-2023 Turkey Regulations (Kent Fricke)**

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

C. Workshop Session (continued)

- 5. Fishing Regulations (Doug Nygren)**
- 6. Commercial Bait Regulations (Chris Steffen)**

E. Public Hearing

No regulations

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on September 23, 2021, to reconvene September 24, 2021, 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 November 18, 2021, Buffalo Bill Cultural Center, 3083 US Highway 83, Oakley, KS 67748.

Kansas Department of Wildlife, Parks & Tourism
Commission Meeting Minutes
Thursday, August 5, 2021
Virtual Zoom Meeting

Subject to
Commission
Approval

The August 5, 2021 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. Chairman Lauber and Commissioners Emerick Cross, Gary Hayzlett, Aaron Rider (by phone), Lauren Queal Sill, Warren Gfeller (by phone) and Troy Sporer were present.

II. INTRODUCTION OF COMMISSIONERS AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Megan Mayhew will present our new logo and branding elements to the Commission at the end of the afternoon session if time permits, if not then first thing this evening. (Agenda – Exhibit B).

IV. APPROVAL OF THE June 17, 2021 MEETING MINUTES

Sheila Kemmis – Time correction, meeting started at 1:00 pm, not 1:30 pm. Commissioner Sporer moved to approve the minutes, Commissioner Sill second. *Approved* (Minutes – Exhibit C).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status Report – Brad Loveless, Secretary, presented this update to the Commission – As of July 1, Tourism Division transferred to Department of Commerce, sorry to see them go but doing great things in Commerce. We continue to work with them on projects, remain close partners as we both serve Kansas. In terms of our fiscal status, we have begun budget preparations for the next fiscal year. Our EDIF apportionment will go down to just over \$3.5 million, the portion we lost went with Tourism. We split it off and gave it to them when they were here because they didn't come with any funding and we didn't feel it would be right to send them back without anything because the budget is based on that. The park fee fund (PFF) finished FY 2021 21 percent higher than FY 2020, cash balance almost double of

this time last year. Cabin revenue, last year finished up just shy of 50 percent above what the previous year was. With COVID response, people spending more time in parks, even though we shut down a portion of cabins for several months because we didn't feel we could clean them to guard against COVID concerns, still finished 50 percent above. The wildlife fee fund (WFF) up eight percent from last year, great place to finish. Current balance is healthy. A lot of the federal funds we use we have to spend our money first and get reimbursed so we have to keep that fund healthy so we can stay flexible and be able to utilize federal excise taxes that all of you are spending when you buy fishing and boating equipment, and hunting gear. Important that fund is healthy and it is. In terms of looking forward, we recently got a forecast from the U.S. Fish and Wildlife Service (USFWS) about how things are looking for this year. It is those receipts federally we look at to project what we can try to get in the coming years. So far this year, no surprise to anyone with high sales and empty shelves, that doesn't mean it isn't getting sold it is sold as soon as it hits the shelves. Projection on wildlife restoration, we have received the third quarter receipts and we have eclipsed all of last year and we still have a quarter to go, expect great things. What that should mean is that by the end of the year, if sales continue as we expect when it comes to wildlife restoration, we expect to have more money available, but again we need more of state funds to leverage that. So, the challenge becomes bigger for staff to gather money and be able to leverage more federal money out there in the future. Looking healthy. Sportfish receipts, got confusing message to relate, even though we all know fishing gear is being sold as aggressively as hunting gear, revenues are never the same or equal that but the report we got through third quarter shows a five percent decline. It doesn't make sense to us or USFWS either so they are working with IRS on that. If these continue we see a little decline over what we got last year. We hope they will be able to correct their numbers and make them more accurate and hope to have more money. Confusing picture right now. We will update you in future months once that gets corrected. Chairman Lauber – When I buy a boat does that have an excise tax that is part of Dingle Johnson? Secretary Loveless – It does. Chairman Lauber – There is a backlog in unavailability of certain outboard motors and boats. That could have related into one reporting period. You wouldn't think so and there would be enough other sales. I think there has been some issues with supply chain with outboard motor and boat equipment.

B. General Discussion

1. Big Game Regulations – Levi Jaster, big game coordinator, presented these regulations to the Commission (Exhibit D). This is the time of year we review big game regulations.

KAR 115-4-2, general provisions, includes what is on a carcass tag, registration, including photo check if needed, procedures for transferring meat to another person. We did recently change proof of sex to allow hunters to voluntarily leave parts of carcass that are worst for spreading chronic wasting disease (CWD) in the field.

KAR 115-4-4, legal equipment and taking methods. Last year we added Fire Stick as legal muzzleloading equipment for big game and changed requirement for an orange hat to an orange garment, still meeting the percentages of orange needed.

KAR 115-4-6, deer management units.

KAR 115-4-11, big game and wild turkey permit applications.

KAR 115-4-13, sets deer permit descriptions and restrictions.

Currently no proposed changes but may come up with some for next meeting. Chairman Lauber – We are having a lot of questions coming in about nonresidents wanting to be a tenant. Explain to me what is available for a nonresident tenant? Any time you have an unsuccessful draw people are trying to become a tenant. Can you respond to that? Jaster – In this case Chris would be better to respond. Chris Tymeson, chief legal counsel – Statutes dictate who is a tenant and who is not. Those guidelines are in KSA 32-937. Tenant means an individual who is actively engaged in agricultural operation of 80 acres or more of Kansas farm or ranchland for the purpose of producing agriculture commodities or livestock. Those who have a substantial financial interest in production of agriculture commodities or livestock on such farm or ranchland and potential to realize substantial potential financial benefit from production or is a bona fide manager having overall responsibility to direct, supervise or conduct such agriculture operation and potential to realize substantial benefit from such production. From salary, shares of production or some other economic incentive based upon such production. Quite a few questions, we don't provide legal advice as to whether someone can qualify or not. There are certain individuals who will qualify for a permit, land ownership is an issue and how land is titled ensuring that individual gets the proper permit. I have had questions in the past or statements that they helped throw hay, that clearly is not someone who qualifies; or hired hand does not qualify. These are individual case-by-case scenarios that have to be analyzed when someone claims tenancy. One of the triggers is somebody who would be applying in the draw consistently and then all of a sudden, now want to apply for a tenant permit, that does not mean they are not qualified, but that is a flag. Some of the other things we look at when we do those investigations include FSA or NRCS records or income tax. If someone is legitimately in the business of farming or ranching they have those types of things. Chairman Lauber – If they did qualify under our statutes, could they buy nonresident tenant over the counter? Tymeson – Yes, those are available over the counter. Chairman Lauber – They are good on the aforementioned 80 acres or more they are claiming as tenancy? Tymeson – Tenants are treated more broadly than that, they are not limited to hunting their own land. Chairman Lauber – Is there a reason for that? Tymeson – We treat tenants the same whether they are residents or nonresidents. For example, if your land was in an LLC and you were the manager or member managed LLC for that qualification that is essentially giving you a discount and you would be able to buy a any-season whitetail permit valid statewide. Chairman Lauber – If they were truly a nonresident tenant? Tymeson – Yes. Chairman Lauber - When these were set up, in conjunction with legislature, there wasn't a particular reason to gain the system. We have always had a soft spot for agriculture, whether these are tenants or own land on both sides of the state line and we tried to have an accommodating approach. Only time will tell if this needs to be tightened up. Not sure there is a problem right now that needs to have any action taken. Not surprised there is a lot of context and we can't give everything deemed positive then is further spun to be encouraging. I have heard a lot of people say that they called Pratt and they said it was fine. This is the first year we have had 7,000 unsuccessful applicants. Not that I want to do anything about that or proposing anything but just wanted to know if that was an issue starting to come up? Tymeson – We have a pattern of buying behaviors for nonresident tenants over the year, that number is 2,100 or so, so consistently we know what those numbers are. As to the overall number of applicants this year that is also consistent across the west - seeing higher numbers. Secretary Loveless – We have been evaluating that. Our folks, no surprise to commission, are well connected to other states and this trend of increased interest is occurring everywhere. The numbers I saw several weeks ago indicate we were close in terms of percent increase to what they were seeing in Colorado. Levi tracking that as well as others. Jaster – That

has been a common theme, canceled travel year before and people trying to get out again. Seen across west as far as increased applications and discussed in western agency groups on what can be done. Most of other states have more complicated draw system than us. There are have been quite a few changes. In some places, if you started getting points back when they started the system you might be ready to draw when you are well into your retirement. Some people are buying points for children as soon as they are born just so they can have a chance at some of the units. There has been a lot of discussion about that and quite a few changes that have caused many people to be dissatisfied with the process and their investment in those points are now rendered worthless so are now looking for different places and Kansas is a place that is fairly simple. Talked to companies that basically apply for people and they comment that our system is easy to navigate and we are well known. We offer more tags than other places too. Chairman Lauber – We still have 80 percent issue as far as drawing success. We will have a detailed discussion when we can meet in person. In a few months, before we have to make certain decisions as to the Secretary's Orders and whatnot, we will have this discussion and go into it at depth. I don't have a good answer. Residents feel too many nonresidents and nonresident guides want more and we have to balance that and make sure we don't unduly behave in a way that is punitive to Kansas residents. If this is a continued trend we may want to think about selling preference points. Secretary Loveless – Appreciate Levi putting this in perspective and your thoughts about looking ahead and how we may need to adjust are spot on. One of the conversations we have been having, everyone refers to western states game draws and in some of our conversations of late we started to think we needed to shift our paradigm in Kansas in terms of the deer program. We are seen more and more as one of those western states in terms of desirability of our deer and looped into that population. Our mindset is changing and we need to keep looking ahead just as you are suggesting to not get caught unaware of powerful trends including us and western state colleagues.

Jaster - KAR 115-25-series regulations that sets the seasons. Proposed season dates are following what we have done historically. The proposed season date calendar (Exhibit E) for 2022/23 season: youth and disability, September 3-11, 2022; early muzzleloader, September 12-25, 2022; archery, September 12, 2022 – December 31, 2022; pre-rut WAO, October 8- 10, 2022, around Columbus Day when some people have a holiday; regular firearm, traditional Wednesday after Thanksgiving, November 30, 2022 – December 11, 2022; three options for extended January whitetail antlerless-only (WAO) season is short season January 1-8, 2023; second option is January 1- 15, 2023; and third option is January 1-22, 2023; and extended archery WAO (DMU 19), January 23-31, 2023. Additionally, we are discussing antlerless permits validity on certain wildlife areas. Certain wildlife areas have adjusted number of permits more toward state standard of only first one is valid on Kansas public land managed by KDWP. Some areas have allowed up to full five and some other areas might want to potentially make changes to that. Working out what those changes might be and will bring more on that in the future.

Issues with Tanna's computer will go back to her report.

3. Community Fisheries Assistance Program (CFAP) – Jeff Conley, CFAP coordinator, presented this update to the Commission (Exhibit F and PowerPoint Exhibit G). Big program in the fisheries division and we spend almost \$1.2 million and we get a lot of bang for our buck. CFAP program was started in 2005 and my wife, Jessica Mounts, was one of the original people who took the program and developed it from its infancy. This program is already up and rolling

and has went through several different coordinators but still functions in similar manner. This uses sport fish restoration grant, originally 100 percent match, which made it a very enticing federal aid program. Not quite that now but still a good program. We learned through licensed angler surveys that people like to have a place to fish 30 minutes from where they live, is easily accessible and has no barriers like extra fees besides their fishing licenses. This is what triggered this program to come about. We have local fisheries that have been there for years, some charging, some not all, but a convoluted system. This program is meant to make it easier for the angler. Currently we have 90 percent of communities that have a fishery in the program at this time, not a lot of growth but still get a few new every year and may lose a couple. Program goals were to: 1) remove financial barriers to fishing; to pay the community in lieu of charging permits to fish, free public access with a Kansas fishing license; 2) Management of the fisheries, use KDWP fisheries expertise to optimize fishing opportunities on leased waters, utilize district fisheries biologists. I run the books on this program but our fisheries biologists do all the work, on the ground working with communities figuring out what kind of fishery they want, best opportunities available to that particular body of water and optimize that to make it as good an experience as possible. We do that through stocking and population management. 3) Improve angler amenities. Another part of this is program is to make sure those places maintain the amenities so people want to fish there. We label these areas on the website as family friendly, which means they have a bathroom, lighting and are a safe places to go to enjoy a family outing. To do that we felt it was a responsibility of the agency to help them financially so we do a lot of cost share. This is a different part of the program and is an older program, where we help with amenities, even older than CFAP where we try to help communities add fishing docks, improve a road and make it easier for folks to fish there. The CFAP Grant Development Program (formerly Community Lake Assistance Program) funds additional CFAP projects aimed at increasing fishing opportunities. As part of this we want to make sure everyone knows about it, the Atlas shows where those areas are and now we have the digital Atlas that you can download you're your phone. Within the Atlas is WIFA properties, state fishing lakes and federal reservoirs; one-stop-shopping to find a place to go. Amenities that come with the program, monitoring, stocking, and fish population assessments is all part of the program. Communities can apply to have their community lake considered for CFAP looked at on case-by-case basis, whether good fishery, has any potential to be something we can manage and get good public angling access out of that location. In this process we have two different paths you can go, basic versus enhanced. Basic would be to enter an agreement, no money or lease, just basically provide biologists to help manage the fishery and they allow free fishing. Another part of basic you may know about if you are around Wyandotte County and Johnson County, there are some pay lakes, they are still in the program at the basic level, they charge for fishing but return some of that to the resource. We still help manage but since they are charging a fee they have lower stocking priority, so often times pushed to the bottom of the list. Still like to leave incentive in there for communities who still want a pay structure for fishing to entice them. They are making enough money that what we can offer is not enough to get them to drop the fee. Ways to determines lease payment (3 options): A) Value-per-acre, consider amenities like if boating is available, fish feeder or something that entices angling, which increases value per acre. (criteria X \$ = \$\$), B) Replace average permit revenue with revenue generated from previous annual permit sales and make counter offer; or C) Small communities in western part of state, want to be in program, may not have been charging a fee but we still gave them opportunity to a small payment (Base annual payment of \$1,030.00) to help with day in and day O&M expenses like mowing, trash pickup

and those kinds of things. Checks are received 75 percent of lease sent in April and 25 percent of lease sent in October, use the split to entice them to submit their operation and management forms, their O&M activities and we want to see at least 75 percent of lease amount is being put back into O&M and those types of things and volunteer work counts. We used to have to report volunteer hours to the USFWS to use as match. Eligible activities including mowing, habitat improvement, fish feeding, electric lines, trash pickup, new infrastructure like docks and things like that. Cooperator requirements are that they can no longer charge permit to fish; must submit quarterly reports documenting O&M expenditures; and contact fisheries biologist before making fisheries related decisions. KDWP provides annual lease payment, properly manages the fishery, provides regulations and signage and KDWP law enforcement patrols the property. The CFAP contract can be terminated at any time by either party upon 45 days written notice. Funding comes from 75 percent Sportfish Restoration Funds and 25 percent Wildlife Fee Fund. The grant budget is \$901,000 and we currently have lease payments of \$778,000, the rest is used to spray weeds or other incidental costs. We also cover salaries for our staff who work on this grant. When you have a successful program, other programs work in conjunction with it to make it even better. Other programs work in conjunction and some of you are aware of Winter Fishing Opportunities (WFO), we have state properties we stock fish in and we work with cooperators to supply money to purchase trout, for instance, as part of lease agreement. Urban Catfish Stocking Program are mostly CFAP lakes in urban areas, we get commercial fish already at catchable size and stock in heavily fished urban areas. Also, within these we have Friends of Reservoir Chapters in conjunction with Reservoir Fish Habitat Partnership work to improve habitat in aging community lakes. The competitive grant program used to be called CLAP program and has been around since 1987 and we have over 633 projects. Communities were asking to purchase fish and that is not part of the program anymore but if you look through the years you can see we worked on projects with the community partners that almost totals \$10 million and we spent \$4 million and communities spent \$6 million. Getting a lot off community involvement. Communities value this program, value keeping fisheries going and see it as a quality of life thing. Budget augmented this year it was \$225,000 and now is \$300,000 from the WFF. Out of those aging lakes we are getting lots of projects asking for help with dam repair, rip rap and sometimes those projects run at pretty high cost. To increase number of folks we can give the grants to we upped the amount. The application period is June 1 and they may apply for up to \$40,000 with at least a 25 percent match, the average match is around 46 percent. Partnership of KDWP and Kansas communities is to improve fishing conditions for all Kansas fishermen and women. Fishing benefits the local economy as well as the health and happiness of the community. Chairman Lauber – Restrictions on fishing is on a case-by-case basis. A couple of CFAP lakes don't allow ice fishing, is that something we go along with generally or do we encourage ice fishing? Conley – I ran into that a little last year, the one thing is the safety factor, we don't push. Sometimes some are small lakes and may have an aeration system on it and those aren't safe places to ice fish. I ran into that, question at Marysville on Country Club lake and it didn't seem safe to do that. I partnered with them on that property. If ice fishing is safe but most of the time local biologists have weigh-in on whether safe or not. Chairman Lauber – In general rule we allow any fishing that is legal and we encourage safety but there may be community that owns the water may discourage ice fishing. Conley – Yes and some of that may be not having the facilities to rescue and those kinds of things, it is high cost. Our number of ice fishing deaths is mostly zero, but we do get a few here and there. That is an acceptable activity but we leave it up to those communities. Chairman Lauber – Being an ice fisherman I have a different

perspective but we want to participate with the local communities. Excellent program and gets a lot of participation and in some of the urban areas if it weren't for CFAP there would be no place to fish at all. Good way to get kids involved.

2. R3 Action Plan Report – Tanna Fanshier, R3 coordinator, presented this update to the Commission (Exhibit H, PowerPoint Exhibit I). Visited in past about R3 and diversity, equity and inclusion work. Here to give you update on R3 Action Plan and progress to date. R3 stands for recruitment, retention and reactivation and encompasses strategic ways that state fish and wildlife agencies and our partners get more people into the outdoors with emphasis on hunting, fishing and target shooting. R3 is unique as it focuses heavily on identifying target audience and assessing need of that group and placing heavy emphasis on evaluation to determine whether or not the needs are being met. In line with KDWP mission: “To conserve and enhance Kansas’ natural heritage, its wildlife and its habitats to ensure future generations the benefits for the state’s diverse, living resources. To provide the public with opportunities for use and appreciation of the natural resources of Kansas, consistent with the conservation of those resources. To inform the public of the status of the natural resources of Kansas to promote understanding and gain assistance in achieving this mission.” R3 is more than just participation, easiest metric to measure and important because funding for management and conservation is paid for through that participation in the form of license sales and excise taxes. R3 is also a means of bolstering more social and political support for hunting, fishing, target shooting but also wildlife management and conservation as a whole. Because R3 is so important, it is critical we have a plan for outlining use and steps to implementation, how agency and partners can be involved, both local and national level, which is R3 Action Plan. The Kansas R3 Action Plan will serve as a living guiding document, capable of adaptation to changing social or biological trends. We will employ specific strategies to recruit, retain, and reactivate new users, with heavy emphasis on both internal and external collaboration, exploring capacity constraint and evaluation of our efforts. Our plan will be a step down from the National Plan, National Hunting and Shooting Sports Action Plan, for more localized Kansas-specific approach. It will also provide further justification for implementing immediate Recommendation 6, from the Council to Advance Hunting and Shooting Sports and the Wildlife Management Institute, which encourages adaptive change within organizational management structure. Whereby function and responsibility of our R3 activities are imbedded in activities across programs and beyond R3 specialists. Our R3 Action Plan will lay a foundation to ensure everyone can be involved in R3 and we can put all of our programs through that R3 lens. Excited to announce we have begun drafting our first Kansas R3 Action Plan, to date it has been supported by four pillars each with a dedicated pillar lead. Our hunting pillar is led by Jon Beckmann in Wildlife; our fishing pillar is led by David Breth, Fisheries; Aaron Austin our Education Section chief leads our shooting sports pillar; and support and connect, relevancy pillar is Susan Steffen, our human dimensions specialist in Fisheries. These pillars form the organizational matrix that will serve as the foundation of our plan. Each pillar has its own set of goals with specific strategies and actions that need to be in place to achieve those goals. Each of the pillar leads provides support by meeting with their own team that makes up their pillar. That team is agency-wide representation. Pillar leads are responsible for leading these meetings, having robust conversations, getting thoughts compiled and bringing those back to R3 representatives, including myself, Aaron Austin, and Jessica Mounts, director of Education and Licensing Division, to compile and enhance those further. At that point we’ll have guidance and adaptation in place and we can start

to solidify each step in this plan. The pillar structure is great in terms of keeping us organized but functionally there is a lot of overlap. Strategies utilized in the hunting pillar for example, to achieve goals are going to overlap with fisheries. It is a lot easier for us to recruit an angler to hunting for example, than it is to just cold recruit someone off the street to hunting who has no experience in fishing or other outdoor activity. In drafting this plan, we wanted as much buy-in support throughout the agency as possible, so we have been intentional about building a team that is representative of our agency. We have had a lot feedback and response and we are thankful for that. Have a great process of checkpoints as well to ensure we are making appropriate progress and supporting the work of our pillars and taking steps along the way to allow people to ask questions, provide feedback and get support throughout the agency. Pillar leads work individually within their pillars to have meetings and compile their thoughts and then when they come back and meet with myself, Aaron and Jessica that is when we have our first pillar lead checkpoint. We compile their information and try to refine where they are at in the process and refine draft goals they have brought together. From there these goals are polished and taken to the management team for additional feedback. This is to ensure our draft goals are in line with goals and mission of our entire agency, big picture thinking. It is at that time also that we ask for permission to follow up at next stage, which are section and division chats to make sure we can engage each section on a more personal level. This phase of checkpoint consists of small group discussions with key members of section or division to make sure direction of the plan is in line with big picture agency and goals and objectives of specific section or division. This is where we get a lot of great feedback as far as where individual sectors of the agency are headed and how this plan can both support those areas and work in collaboration. Once we work through that checkpoint level and have broad agency support then we are prepared to report our progress to some of our national R3 partners, including Recreational Boating and Fishing Foundation, Wildlife Management Institute and DJ Case and Associates. They take all of the information and give us some feedback on their experience working with similar processes in other states that have developed an R3 action plan, making sure we are addressing some of the national trends. It is a robust process and it can be tedious but input obtained through this checkpoint process is brought back to pillar leads and we start cycle over again. It is a process-driven approach and is robust ensuring we have lots of opportunities to buy-in and support and so far as served our process well. Based on our initial cycle and checkpoints I am excited to present the most updated version of our R3 Action Plan purpose, which is, "Connecting people to the outdoors and ensuring that everyone may enjoy a broad range of hunting fishing, shooting, and other outdoor opportunities in Kansas." We have also compiled our most updated list of draft high-level goals to date. There are similar themes across pillars. Heavy emphasis on evaluation and engaging diverse audiences and increasing participation to elevate to high goals. As we work down through the objectives and strategies and specific actions as necessary to accomplish those goals within a pillar you will find those strategies may end up diverging. KDWP and R3 action plan contributors will continue building on our plan and are focusing next on objectives and breaking that down into more specific strategies as we begin addressing these goals. As we continue, I look forward to returning with updates on status of R3 Action Plan.

4. iWIHA – Wes Sowards, Wildlife Division assistant director, presented this update to the Commission (Exhibit J, PowerPoint Exhibit K). I was able to update you a year ago on the interactive walk-in hunting access (iWIHA) program that we began in the fall of 2017. The goal

of this program was to have a way to limit use on particular tracts, specifically in heavy urban areas, Kansas City, Topeka, Wichita, Salina and those areas. There are 22 counties in total where we are delivering and prioritizing this program. Through the years we have done a lot of human dimension surveys specifically to landowners in the state. One of the biggest limiting factors for those folks to sign up in any of our private lands access programs was inability to restrict the number of hunters allowed out there. Along with that, other restrictions they would like to see, like access points. We weren't able to touch on those things. With this program we tied it with iSportsman application that we have on several of our wildlife areas across the state. What that allowed us to do was restrict use and set limits on each area. How many people can sign onto an area any given day and also allowed us to create additional rules and allow landowners to customize access in a way that suits their operation, things like limiting to archery deer only, turkey only, or different things of that nature. There is about 14,000 acres in 79 tracts in those 22 counties. A year ago, it was about 10,000 acres on 60 tracts. The system provides an overarching acknowledgement for iWIHA properties in general, lists regulations pertaining to private lands and waters and a running list of properties, if shown in red it is checked into already. Other acknowledgements, we can close certain properties on the weekend, for example we have a church camp that does other activities on the weekend so able to make that flexible for them. Also, can allow hunting access where it wasn't allowed previously. Other acknowledgements might include no toxic shot. We have a group concept, a segway from Tanna's R3 discussion to get folks to take kids or new hunters, only one person would have to check in but can bring an additional person or two with them as part of a group. We can also direct folks to specific parking areas through online attached maps. Hunter check-ins over last four years – last fall and spring had biggest by far, just under 7,000 check-ins. Just under 4,000 the year before that, 2018/19 about 1,000 and the first year about 100; so, seeing positive growth. This equates to about 32 check-ins per day. You have to create a user account with iSportsman and so far to date, 2,231 unique accounts have used the system and used private lands iWIHA tracts, this past year over 1,400 unique accounts that used iWIHA. Which equates to each hunter coming back about five times each year. Deer hunting is most used activity, most of our tracts are terrific deer properties. What we saw last year was a significant increase in waterfowl hunting, mostly due to a couple of big watershed ponds and CFAP lakes enrolled. There are a lot of different activities happening on these properties. Customers haven't really changed, changes some throughout the year depending on season, dove is primarily residents, firearm deer is nonresidents. In general, through the first four years of the program we are looking at 88 percent to 12 percent split on residents versus nonresidents. Reported harvest last year, 342 ducks, 83 deer, up 23 from a year ago and several doves, small game and upland birds, even an increase in goose hunting. Harvest is steady and people are successful on iWIHA in general. Looking at individual tracts, we don't just have five or ten properties receiving good use we have a significant amount that are seeing terrific use. There were 29 properties with over 100 check-ins for the year, about 37 percent of all iWIHA tracts; substantial-quality hunting tracts. The spring 2021 season, in general 21 percent of all spring turkey check-ins through iSportsman, which includes several of our wildlife areas, through iWIHA check-ins received 21 percent of all those check-ins; a lot of use. Highest harvest of all those areas with 38 or 39 harvested, hunters having good success, both residents and nonresidents. A year ago, I updated commission on human dimensions survey we put together in the spring of 2020. We sent it to 1,000 iWIHA users and one of the main takeaways was the R3 component – it showed that this program has allowed them to take more kids and novice hunters out – about 32 percent are mentoring more with this improved access. The main

tenets we are taking forward to enroll new tracts and to make decisions with the program are outlined. Value reported was an increase in hunter activity and mentoring, which is always our goal; and well used by those that are aware of the program. Our plan is to advertise and promote it at a bigger level. At this point when limited and getting such great use it is not that necessary and might negatively impact the program if we go too big too early. Folks are becoming aware of it and using it. Some of characteristics are that they want to see 10 acres minimum, want it close – within 75-100 miles from urban centers, and increased emphasis on more deer hunting and deer habitat. Issues identified that we hope to improve going forward, hope to have a new system at some point that will help develop this going forward. Tremendously successful year for iWIHA. Chairman Lauber – When you talk about tying up the properties, what do you mean by that? Sowards – We have had some instances with hunters getting familiarity with the program and figuring out what you can and cannot do. Some hunters will tie up a tract of land that they ultimately want to hunt down the road and actually check-in the property as if they are hunting it with no intention of going hunting that day, thus keeping other people from using it. We have had that a little bit of that and some of the things we can do is actually text them or send an email, but we don't want to do that on a regular basis but in some cases it has helped folks understand that we are watching and aware of what is going on and making sure they are doing things right so other people have the opportunity. Commissioner Sporer – I am on the website how do I access iWIHA program? I can see where I can access WIHA programs but don't see where I can go to iWIHA. Sowards – On right hand side of our website towards the middle you can see quick links, go to electronic daily hunt for public lands, that is iSportsman, and you can get into it from there. Basically, it is a whole different website, kdwpt.iSportsman.net is where you will go. You can also go to hunting, hunting programs and then click on iWIHA limited access hunts and that will take you to that iSportsman.net page. Our goal going forward is have this part of licensing system, people would have their KDWP number and that would be their check-in and check-out user number. Assistant Secretary Miller – With new vendor we are going to have next year, we will have hunting and fishing app that will be one-stop shopping app where you will be able to access your account but also can get into iSportsman and iWIHA all from one app on your phone. Hopefully it will be intuitive and easy to use system. I am one of Wes's biggest cheerleaders on this, it is a win/win situation, we are getting access in the eastern part of state, which has always been difficult, bringing in hunters that may have fallen out because they didn't have a place to hunt and we are giving them quality opportunities. As many of us age through our hunting career it is more important that we have that quality experience, not a lot of competition, maybe success isn't as important as having more isolated experience, and that is what people are having but having good success as well. This program has a tremendous amount of potential and appreciate work Wes has done on this. Secretary Loveless – Given challenges of check-ins without hunting issue, do you think if you can tie this into licensing system you will use it like we do iSportsman on public areas and check-in and check-out will create more accountability? Sowards – Yes. That is a good point, when it is tied to your KDWP number that also ties to your licenses I think we will have more folks playing by the rules.

C. Workshop Session

1. Updating PFD (personal floatation device) Regulations – Greg Kyser, Law Enforcement Division director, presented these regulations to the Commission (Exhibit L). In 2014, the U.S. Coast Guard adopted international standards for the labeling of personal floatation

devices (PFDs), also known as life jackets. States delayed in incorporating language into statutes and regulations until the Coast Guard could test and work with manufacturers to incorporate the new labeling and provide training information to the states during incorporation. The Coast Guard administers recreational boating safety grants and since the code of federal regulations changes to allow that as the preemptive law, all states are required to make these changes. If they do not then the RBS grant program is placed in noncompliance status and results in federal funding to be suspended. The new life jackets will sport a new label on the inside of the life jacket which includes a number that purchasers know the buoyancy of the life jacket will provide. The lower the number is suited for near shore activity and higher number offers higher buoyancy value and is more suited for offshore activities. The new labeling will also provide warnings about what activities the jackets are suited for and a label that identifies, with an image, about the turning ability rating for each life jacket. The older life jackets will remain in service as long as in good condition and approved by the U.S. Coast Guard. Chairman Lauber – There isn't going to be a life jacket we aren't going to allow to be used is there? Even though there are ratings as to buoyancy, if they have a smaller number that is still going to be acceptable for Kansas? Kyser – To my knowledge. Chris Tymeson, would you answer that. Tymeson - The rating system is like 50/70/90/150, it is neutrons, which is the international measurement standard. It is my understanding the labeling will show if head is supported or not and those types of things and what it is authorized for, in addition to the numbers. It is more of a pictorial type system. Secretary Loveless – Chris pointed out in the past, when talking to the legislature, functionality, they have to be in good working condition so if someone has an old jacket that isn't functional that is no longer functional, so longer meets Coast Guard requirements.

2. 2022-2023 Turkey Regulations – Kent Fricke, small game coordinator, presented these regulations to the Commission (Exhibit M, PowerPoint Exhibit N). Spring and fall bag limits and season recommendations as well as regulation recommendations. We will have another workshop session in September. Focus on results of spring harvest survey, do not have brood survey data yet, currently conducting those surveys, will have data from that in September. Focus on harvest estimates and go over recommendations and population status at next meeting. Spring turkey season ran from April 1 through May 31 and had three segments, youth/disabled, archery and regular firearm. This is the second year of reduced bag limits in units 3, 5 and 6. In 2020, due to Governor's executive order, we did suspend the sale of nonresident permits in the state. In 2021, everything is open and all permits were available and we saw a 32 percent increase in the number of permit buyers across the state and saw a 14 percent decline in number of resident permit buyers. In 2020, we had 10 percent increase. Saw large expansion of nonresidents in the state, which I will show in a graph that we are back to normal in terms of nonresident numbers in the state. In 2021, we estimated harvest at just under 17,000 birds, through an online email survey sent to 10 percent of spring turkey hunters. This was a 25.5 percent increase from 2020. Everything else was what we would expect in terms of proportion of adult males, jakes and bearded hens. As is typical, we tend to see lower resident hunter success number, which is getting at least one bird, and higher hunter success rate with nonresidents. From 1974, when we started seasons, to 2021 harvest estimates, 2015 was estimated highest harvest, 35,000 birds in spring season. There has been a decline in hunter numbers during that time and for the last two years we have seen a reduction in game tags available as well. We expect to see lower harvest estimate due to lower permit availability. Overall hunter success is lower than the great years of mid-2000s when we had as much as 70 percent hunter success rate,

now overall upper 40 percent success rate the last several years. Hunter satisfaction numbers since 2005, most satisfied numbers, declined in very satisfied category and increase in neutral and dissatisfied categories. Since I became turkey manager in 2016 we have seen decline of hunter satisfaction through time. At end of 2019 the commission voted to reduce the bag limits during the spring season in Units 3, 5 and 6 to one bird and game tags were not eligible to be used in those three units. We retained the two-bird bag limit and game tags in Units 1, and 2. Enacted in 2020 but due to the COVID pandemic and suspension of nonresident sales we had a hard time trying to determine what the impact of that reduction in game tags and bag limits really was. This was first year to be able to look at the data a little more intensely to see impacts on hunters and population. There has been a lot of internal discussion about potential impacts to Units 1 and 2. This year I developed a few new analysis and graphs to look at what hunters were doing on the landscape. The bulk of hunters are where the turkey habitat has been, eastern Kansas, and that has remained relatively constant through time. In western Kansas, fewer hunters. Hunters know where the higher density of turkeys are and they tend to go where they have lots of access. The northcentral unit is one of those areas and it is slighter higher than in 2011, an increase in proportion of hunters relative to other parts of the state. Proportion of harvest trends are relatively similar. From western portion of state to eastern on number of hunters and proportion of hunters, more nonresident use in northwestern unit. In terms of the numbers of hunters as we move from the west to the east you see increase in number of hunters. Saw more nonresidents than residents and higher number of hunters in Unit 2. Southcentral unit has one bird bag limit and has remained relatively consistent through time. In the eastern units, 3 and 6, we see relatively consistent numbers, more residents than nonresidents and consistent numbers through time. For west and central portions of the state is not unprecedented for us to have more nonresidents than residents; many people come to Kansas for a Rio Grande turkey which are in these four units, a factor, as well as abundant hunter access but not as many hunters as in the eastern areas. We had extensive discussion in turkey committee and other staff who had significant concerns about the number of hunters they saw in 2021, specifically on areas that were publicly accessible. This year I asked an additional question on the harvest survey, "To what degree did reduced bag limits in units 3, 5 and 6 influence where you hunted?" complicated as hunters indicated which county they hunted primarily in. Responses were not-at-all, somewhat and highly influenced. Statewide overwhelmingly residents and nonresidents said they were not influenced by the bag limit change. When we look at data by turkey hunting units we see eastern units some of the highest numbers of people influenced, but lower bag limits and northcentral and southcentral saw some nonresidents influenced where they hunted. Our adaptive harvest strategy utilizes metrics based on resident hunter success in each of the six hunting units to determine whether we move up or down in hunter opportunity. You need two consecutive years of consistently above or below that threshold, 55 percent for moving down, to make any recommended changes. In 2019, we made the last change to reduced fall season length and reduced bag limits in the spring. In 2020, those options had not yet occurred so we don't include right after change was made. Starting in units 3, 5 and 6 with data from 2021 to guide whether we would start moving up or down in opportunity. We did see, through all of our hunt units, we did not meet the minimum thresholds but we have not yet met the two-year consecutive requirement. Wait for 2022 to see if changes are necessary or not. In units 1 and 2, northwest and northcentral units, we still have higher bag limits, we have seen past years below that threshold, but bounced back. Use two years so we don't react to one poor or good year to set that season. We developed staff recommendations for 2022 bag limits and we are not proposing any changes;

staying with two birds for units 1 and 2, one bird in units 3, 5 and 6; and stay with reduced fall season length, 41 days and one bird bag limit. We will talk about 2023 season dates based on structure of youth/disabled with full weekend, archery season with full weekend and regular firearm season starting after that and fall season starts October 1 and goes to November 10 for all legal equipment. For 2022, which is already set, youth/disabled April 1-12, archery April 4-12 and regular April 13-May 31. For 2023, we are recommending for spring, with change in calendar the longest season length; youth/disabled April 1-11, archery April 3-11 and regular April 12-May 31 and fall season October 1 through November 10. We are standardizing youth season eligibility across game species, done for deer, upland bird and now turkey. Currently, no change for permit eligibility as in state statute, to buy youth permit have to be 15 or under but in terms of youth season eligibility, which we are standardizing, currently is 16 and under and we are recommending 17 and under. Currently we do not allow handguns as legal methods of take in either spring or fall turkey season. Of 36 states I surveyed this winter, 15 allow with only four in the fall and 21 do not allow, including Kansas. In surrounding states, Missouri does not allow, Nebraska does, Oklahoma is changing to not allow and Colorado allows in the fall only. In terms of this request, we have had a number of concerns primarily revolving around lethality related to distance of shot to reduce likelihood of wounding loss, but we do see potential for handicapped hunters. At June meeting we talked about some of the language being considered in Washington for their seasons. Our recommendation from staff is we allow handguns to be used for both spring and fall seasons with restrictions of 10-inch minimum barrel length, including chamber; choked barrel; and using six 2-9 shot, consistent with other regulations for shoulder mounted shotguns. In summary, no change recommended for 2022 bag limit; no recommended changes to season structure for 2023 spring and fall seasons; recommend increasing youth season eligibility to 17 and under; and recommend allowing handguns as legal equipment for both spring and fall with restrictions of 10-inch minimum barrel length, including chamber, choked barrel and size 2-9 shot size. We have another workshop session on September 23 meeting and public hearing November 18 commission meeting. Commissioner Sporer – How many turkeys harvested in fall versus the spring? Fricke – I didn't have harvest estimates ready for today but talking around 1,000 birds in the fall versus just under 17,000 in spring.

Jackie Augustine, Audubon of Kansas – How do the number of harvested birds relate to population sizes? Fricke – In general, they tend to track relatively well. Like many states we do not actually have a population estimate for the state or individual units, something I hope to move toward. In general, a huge assumption, the historic rule of thumb is that it is likely, given relatively liberal seasons, that you harvest approximately 10 percent of your population. At the next commission meeting in September, I will go through what we do have for population or abundance indices from our rural mail carrier survey data, basically an index of turkeys observed per 100 miles. Abundance and harvest track relatively well.

Commissioner Cross – On those handguns, what is a standard barrel length for those types of guns? Fricke – In the research I have done, not sure what is standard, but seen everything from a 7.5 inch barrel, a revolver that shoots a .410 caliber shot shell typically has a three inch chamber, which would be over the 10-inch minimum. There are strictly 10-inch barrels available, plus the chamber, even 12- and 15-inch available as well. It seems to me that several of the manufacturers I have looked into the minimum size that shoots a shot shell that can be choked have that 7.5-inch plus 3-inch chamber.

New Logo and Branding Elements – Megan Mayhew, digital communications manager, public affairs, presented this update to the Commission (Exhibit O, PowerPoint Exhibit P). Presenting new mark of recently renamed Kansas Department of Wildlife and Parks. As part of this reorganization and name change we saw an opportunity for a fresh start by creating new branding that is simple, timeless, versatile and memorable, as well as paying homage to our history. We are returning to our roots by bringing back our iconic bison logo only this time with a fresh spin. For many Kansans the bison represents history, heritage and the importance of conservation in wildlife management. It is also a symbol of our strength as a state. Our new mark shows the powerful silhouette of the bison and surrounding it is a shield that symbolizes testament of our agency's critical mission of protecting Kansas natural resources. The mark itself is strong enough that overtime it can stand by itself or can be accompanied by our name, which you will notice in the brand image is without the words "Department of". This is intentionally done for the efficiency of space however we are still formerly Kansas Department of Wildlife and Parks. The brand is shown represented in several different styles and in blue and yellow tones. We chose to stay in this color palette to maintain uniformity with the state. The brand style guide was disseminated on Monday, July 19 and revealed on social media channels, Friday, July 23. With the new logo in hand, we have already begun to update agency letterhead, envelopes and communication pieces as well as email signatures and KDWP staff will soon be able to order new uniform shirts and hats with the new logo. We are working on creative examples of the law enforcement division's patch and rocker, which is still in development. We will also be securing new swag items such as pens, shirts and hats. Once we have assisted staff in updating these items we will turn our attention to the website, ksoutdoors.com to create a more user friendly platform that is cohesive with KDWP's brand. We are excited for what the future holds for KDWP and as always our main goal is to promote the agency's critical protect mission of protecting Kansas natural resources.

Assistant Secretary Miller – Point on deer permit quotas and nonresidents. We are not really hearing about wanting more permits, we're hearing about wanting specific people to receive those permits. It is a little different message that we will have to discuss as we go forward with this. Not sure we are hearing guides and outfitters and landowners asking for more nonresident permits. They were discouraged people they wanted to get permits didn't get permits. A little bit different point of view. Chairman Lauber – That is probably true and that troubles me somewhat because the pat answer for somebody is always to jump to transferable permits and I would like to avoid that as long as possible. Not an easy way to fix that. Before when plenty of permits for the number of applicants it was a moot point in most cases but now it is changing. They want the people to get the permits who will pay the most money for access. Assistant Secretary Miller -As we move forward and start to figure out how we are going to navigate this that is going to be coming up. One of the things we have reminded people is that the same number of hunters still have permits in those units so there is an opportunity to market to a wider customer base. I am not sure it is who will pay the most money but who we are most familiar with or more comfortable with hunting on my property. That is what we are hearing. Chairman Lauber – Probably so, but money makes familiarity take place. Secretary Loveless – We talked about transitions earlier and how we see ourselves and how we manage our programs. As demand goes up, we love the fact that it used to be 90 plus percent success rate for those nonresidents. Now dropped to what other high demand states have and we offer way more permits than they do but nevertheless it is a change. A typical case, a person has always had the same groups of hunters

and that landowner is used to them coming, they developed friendship and consistency and frankly it has been low maintenance. Now with some of those groups not getting permits and they are wondering if they have to go without. To Mike's point, no you don't have to go without there are other people out there that still have permits in your unit. We just need to figure out how to help you connect with them so you can make new acquaintances. It is more like a business as opposed to a friendship like it was for a lot of years. It is just a transition and we are talking with Tourism and Commerce on how to help these landowners transition so they can still have those slots filled, make the money they need to and meet new people in the process and satisfy some different sets of hunters.

Jason Dickson – On topic of communication. Nadia gave a presentation a few commission meetings back about a new correspondence form we were putting together for the commission so that everybody in the commission and specific agency employees would be able to get informed with just one email. Someone wouldn't have to email every single commissioner or employee separately. We have that form ready to go and you should start receiving those emails. The email subject will say, "email from all commissioner correspondence form" and will also go to Mike Miller, Brad Loveless, Chris Tymeson and a few other staff internally so we can keep track of those coming in and making sure the right people are being forwarded those remarks. Secretary Loveless – Another couple of benefits to this process public affairs has developed is, when a constituent sends a note to anyone of you everybody gets copies of the same information to work off of. Also, that helps us coordinate internally as we respond back because sometimes those letters go all over the place, this allows us to put them all together and come up with one response to be responsive to those constituents. A great improvement in efficiency both for the commission's benefit as well as the public. We will improve it over time but this is a significant step. Chairman Lauber – If I get an email there will be a link I have or I can send that email on so that everyone will have knowledge of what was asked of me and the appropriate people will answer? Secretary Loveless – We will have one point of contact, Nadia, we all send our stuff to her and she makes sure it gets in the process, everybody is covered and we make a response. She is the critical link in this we all rely on.

Assistant Secretary Miller – I brag when I am proud of our employees and I just read through an interview Brad did with The Nature Conservancy on meeting global clean energy goals starts local. I was proud he was our Secretary, a really good interview. It is on nature.org. It was impressive the way the interview went and points Brad made. Chairman Lauber – Congratulations Brad.

VII. RECESS AT 3:16 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Jackie Augustine, Audubon of Kansas – Thank KDWP for prairie chicken survey and management plans, do you hope to enact that these surveys will inform? Secretary Loveless – We will get back to you and give you details. You can talk to our experts then.

VI. DEPARTMENT REPORT

C. Workshop Session (continued)

3. Fishing Regulations – Doug Nygren, Fisheries Division director, presented these regulations to the Commission (Exhibit Q). I have the 2022 proposed reference document changes for special length and creel limits. At the last commission meeting we had a couple of presentations going into detail on a couple of these items. I will catch some of the ones I think will be of most interest to the public. First one is change in management of blue catfish at Tuttle Creek Reservoir; we have been operating with a 35-inch minimum length limit, 5/day creel limit while we were allowing that population to become established and feel now is the time to allow harvest as we are seeing natural reproduction. A lot of the work we have been doing is showing great promise so our proposal is to change to a 10/day creel limit with no more than one fish per day longer than 30 inches. Marion Reservoir, operating under special program where were alternating between years of protection and years of additional harvest opportunity (walleye). Currently under 21-inch minimum length limit with a 5/day creel and proposing to switch to less restrictive management change that would allow 18-inch minimum length limit and 3/day creel with only one fish a day at 21 inches or larger for walleye. The presentation Craig Johnson and Dave Spalsbury did at the last meeting can be found on the archive video and can see those. Cedar Bluff reservoir, we are wanting to maintain 21-inch minimum length limit with 5/day on walleye except two fish 15 inches or less than 18 inches may be included in the daily creel. That is in response to some limited forage we have had there for the last year or two. Allowing a little harvest while still maintaining a program to build the quality of that fishery up. Bone Creek lake, operating under a slot length limit from 13- to 18-inch on largemouth bass. We have had some problems with poor recruitment and largemouth bass virus and wanting to change that to an 18-inch minimum length limit to try to rebuild that population, in addition looking at changing current 2/day creel on saugeye to 5/day creel limit. Sedgwick County Lake Afton, putting minimum length limit on wipers of 21-inch minimum length limit, currently there is no length limit. An opportunity to protect that population. We like to have as many predators in that lake as possible because of the presence of white perch, keep them in check and benefit the rest of the fishery. Harvey County East Lake, change to an 18-inch minimum length limit on largemouth bass from 13- to 18-inch slot length limit. That lake has aged and is reflecting reduced recruitment and what was appropriate at one time needs minimum length limit. Chairman Lauber – If this goes through it would be in effect January 1? Nygren – That is the plan, yes. Chairman Lauber – What is the primary food source at Cedar Bluff? Nygren – Gizzard shad, just like most of our lakes. We are experiencing a panfish population with bluegill and some other species as a result of some increased water levels and aquatic vegetation so they are not totally dependent upon shad, but still the major source of forage. We continue to have struggles in shad again this year. It will be appropriate to allow some harvest in face of those forage problems. It is believed to be tied back to low DO levels from decaying large acreages of phragmites, they were out there again this week and we had low DOs back in those shallow areas, the nursery habitat for gizzard shad and other small fish. We continue fight that issue out there and that is a problem we hope

we can get behind us. Last year we made a nice improvement in forage availability and now we are back in a tight situation again. Chairman Lauber – What is DO? Nygren – Dissolved oxygen. In KAR 115-25-14, changing trout stocking locations, we have Type 1 and Type 2. At Colby-Villa High Lake, Mined Land Wildlife Area, and Sherman County Smoky Gardens changing from Type 2 waters to Type 1 waters. That change would require anyone fishing during trout season to have a trout permit at those lakes.

4. 115-17-2. Commercial Sale of fish bait – Chris Steffen, aquatic nuisance species coordinator, presented this regulation to the Commission (part of Exhibit Q). We would like to add some additional verbiage to clarify which species can be sold dead per this regulation. We would like to add silver and bighead carp, skipjack herring, emerald shiners and threadfin shad. Chairman Lauber – Currently threadfin shad can't be possessed alive? Steffen – No, what can't be possessed alive is silver and bighead carp. Chairman Lauber – Are we going to have to change our name of Asian carp to bighead carp? Steffen – Yes, the Fish and Wildlife Service is now using the term invasive carp to talk about these species. Every state is handling that a little bit differently. For the sake of clarity, we may want to get in the habit of saying silver and big head carp. Chairman Lauber – I think that makes the most sense. We have spent a fair amount of time educating the public on what to not pick up and carry around. To try and change the name out of political correctness makes no sense. I am aware there is an effort to clean up the description. Do we have threadfin shad as a breeding population anywhere in Kansas? Steffen We have introduced them a few times but typically an average winter in Kansas is cold enough to kill them. Occasionally, but no. Chairman Lauber – Are there any benefits over gizzard shad? Nygren – We have used threadfin shad as supplemental forage. Often times we can do that in lakes where we don't want to add gizzard shad because of the negative aspects gizzard shad can have on small impoundments. About two years ago we released threadfin shad in Horsethief reservoir on an experimental basis to see if we could bolster the food supply there and will likely look at that again if need be. They don't survive our winters so we put them in as adults and try to get them to spawn and provide forage knowing that they are probably not going to survive the winter. We have had them historically at LaCygne reservoir in hot water in the past. We haven't done that for a while. It is a bit of a challenge hauling those fish, they are pretty fragile and risks when you bring them in to make sure you are getting them from a place so you are not going to bring in any hitchhikers or diseases along with them. We are careful when we do bring threadfin shad in that we are not going to unknowingly make things worse. Unfortunately, a lot of the supplies of threadfin shad come from places that have invasive species.

Nygren – Currently we have youth/mentor fishing locations. To allow adult to fish in what we used to call kid's ponds they would need to be accompanied by somebody under 16 years of age. We are looking at redefining the term youth and age of youth. The wildlife division has set up quite a few programs that has taken youth up to under 18 (17 and under), so to be consistent with that we are proposing our youth/mentor program switch from 16 and under to under 18 and an adult over 18 can fish there only if they have a child under 18 with them.

D. Public Hearing

None (Exhibit R – Notice of Public Hearing)

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

September 23 - Beloit, Rolling Hills Electric Cooperative, 3075 B Hwy 24 (plans to try for tour of Ring Neck Ranch)

November 18 – Oakley, Buffalo Bill Cultural Center, 3083 US Hwy 83

January 13 – Emporia, Aquatic Research and Outreach Center, Emporia State University.

Tymeson – Have dates set and will set March in November.

Nygren – We are taking a look at changing some of our terminology in the fisheries world beyond just Asian carp. We are looking at elevating all species to be considered equal status. We have had some derogatory terms used in the past such as rough fish. Nationally there is a movement under way to do away with the term rough fish as it relates to a group of fishes. We have some regulations we would have to take a look at and modify. Jeff Koch, our assistant director for our fisheries research section is putting together a regulation committee to take a look at how we are presenting the different fish species to the public and trying to do a better job more in line with putting a value on fish even if not fished for or are threatened and endangered. We may not have anything for you to do for next calendar year, but project is underway. We do have a committee already formed, used to be our paddlefish/sturgeon committee and we renamed it the Alternative Species Committee. They will be looking at a variety of different species. This ties back to more than just name changing but concept of fishes not held in high esteem aren't regulated and there are not many harvest controls on them and we may want to look and see if it is appropriate to limit the harvest in some way. Growing information base on these, some of these fish may live for 30 years and we may need to look at them in light of new information about their life histories. Chairman Lauber – When it comes to naming fish, I caught a drum on Monday and he appeared to be looking for a safe zone. I think if we change the name to something more timid and inclusive he would have probably turned his mouth up smiled. I appreciate you doing what you are doing.

Commissioner Sporer – I have been asked about stocking regulations and fish being stocked. Could you explain the capacity of Kansas nurseries and fisheries nurseries and does it meet the demand for fisheries in Kansas for all species? Nygren – I can give high level view and give a holistic report on capabilities and actual production has been at a later time. I can tell you we have four hatcheries and one satellite rearing pond down at Woodson. The core hatcheries and the rearing pond cannot fill all the requests made each year by our fisheries biologists. Each year we have to sit down when requests come in and decide which of those we are going to try to fill and which ones we are not going to be able to address. In order to make sure we get most bang for our buck for every species we raise we have a stocking priority scoring system. If we are raising walleye, walleye fingerlings, intermediates or fry likely the first on the list will likely have the best likely outcome by using fish in that location. We put what we have available in the best possible place to have success with those fish. We are in the process of building a new walleye building at Meade Hatchery that will help us quite a bit. It will have the capability of

raising, if we can get it fully functional, 500,000 walleye fingerlings annually and an additional 30,000 walleye intermediates. There have been construction delays, we were hoping to use it next year, but not sure it will be functional or not. In addition, we have made some investments in fixing some of our production ponds that have not been in production due to leaks and that sort of thing. Pretty much every pond we have in our system is now functional. Woodson was down for a while because of some flood damage a few years ago. It was back up and running last year and that is an important location for us to raise intermediate channel catfish there. When that was down we had to try and raise those catfish in other locations where we could have been raising another species. I can put together report on hatchery system and talk about our current capabilities and what our needs are and challenges going forward. Chairman Lauber – I would like to have that. Commissioner Sporer – Is it something to consider, if you can't meet the needs, can you go out and buy more fish? Nygren – Part of our report to you would be exactly that. How we are trying to acquire things we can't raise ourselves. We trade with a lot of other states, other Fish and Wildlife agencies. Brett Houdyshell is the hatchery manager at Pratt and is also in charge of our fish trades with other states and federal agencies. We do receive some fish from the federal hatchery system. We receive quite a few fish annually from other states. One of our best trading tools are our hybrid striped bass we produce at Milford. They are in high demand and other states have a hard time producing them so we have quite a few states who want to trade our wiper fry for species we are short of. We also do buy commercially purchased fish, usually for the trout program, a few times we have gotten trout from hatcheries but most of the time they are from commercial sources. Our urban fishing program we stock fish that are catchable size and we have a contract with a commercial operation to provide those fish as well. We are doing everything we can but even with those options available we are unable to fill the demand each year. Commissioner Sporer – I would like to see your report but you answered my question on the big picture on how it works, thank you Doug.

Tymeson – I have some dates available for March, March 24 or 31 in Topeka. Chairman Lauber – We have a meeting scheduled in April. Tymeson – We do not have April scheduled. Chairman Lauber – But we will have a meeting in April? Tymeson – Yes, that is correct. Chairman Lauber – Does that cause us to want to consider the earlier of those two dates in March? Tymeson – Typically we try to go as late as possible. Secretary Loveless – We have new employee orientation the afternoon of the 24th and morning of the 25th, which is a conflict. Tymeson – We can do the 31st. Chairman Lauber – That is fine. Commissioner Sporer – Is that April? Tymeson – March 31. Chairman Lauber – Next meeting is scheduled in Beloit. We are going to have to wait and see what happens with COVID as we get closer and what the Governor and legislature wants to do about protocols.

Secretary Loveless – I want to follow up on what Doug filled you in on, the progress when it comes to terminology we use for fish. What we call things does matter and I think it is progressive on their part, looking at the big picture and considering all of our constituents and trying to be more sensitive as we talk about how we should term things and how we should regulate them along with that. The only other comment I would make is that freshwater drum you caught Chairman back in Ohio in Lake Erie they are called ridge bass, open to suggestions. Chairman Lauber – We could have a renaming contest.

XIV. ADJOURNMENT

Adjourned at 6:59 pm.

Secretary's Remarks

Agency and State Fiscal Status

No briefing book items – possible handout after the meeting

General Discussion

The CSA Hunting Alternative
No briefing book items – possible handout after the meeting

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

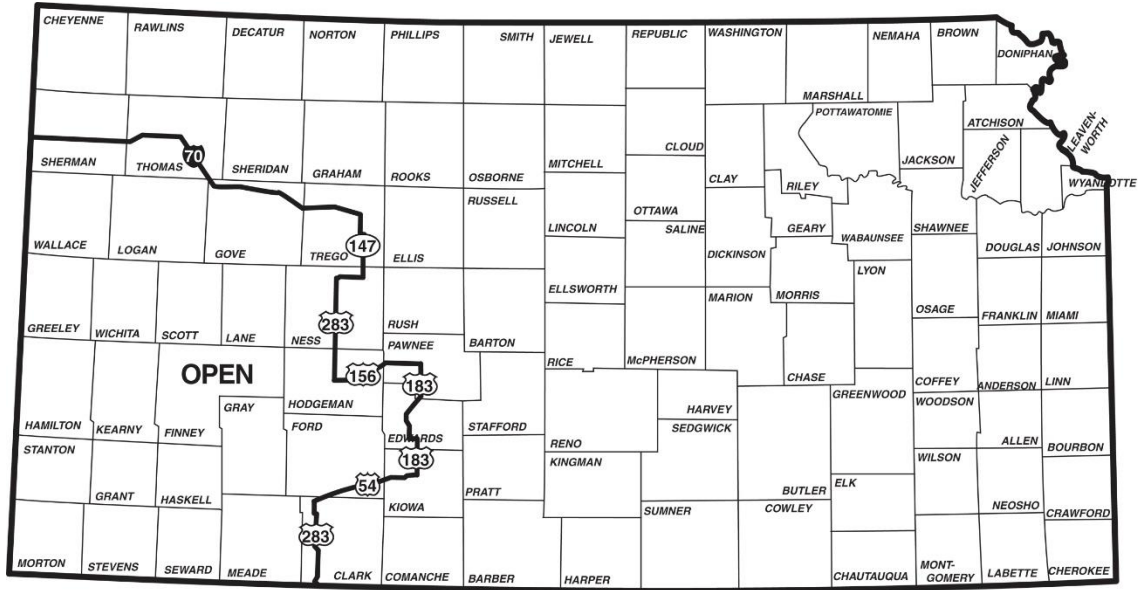
No changes are recommended for this regulation at this time, including season structure, bag limits, and permits.

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.

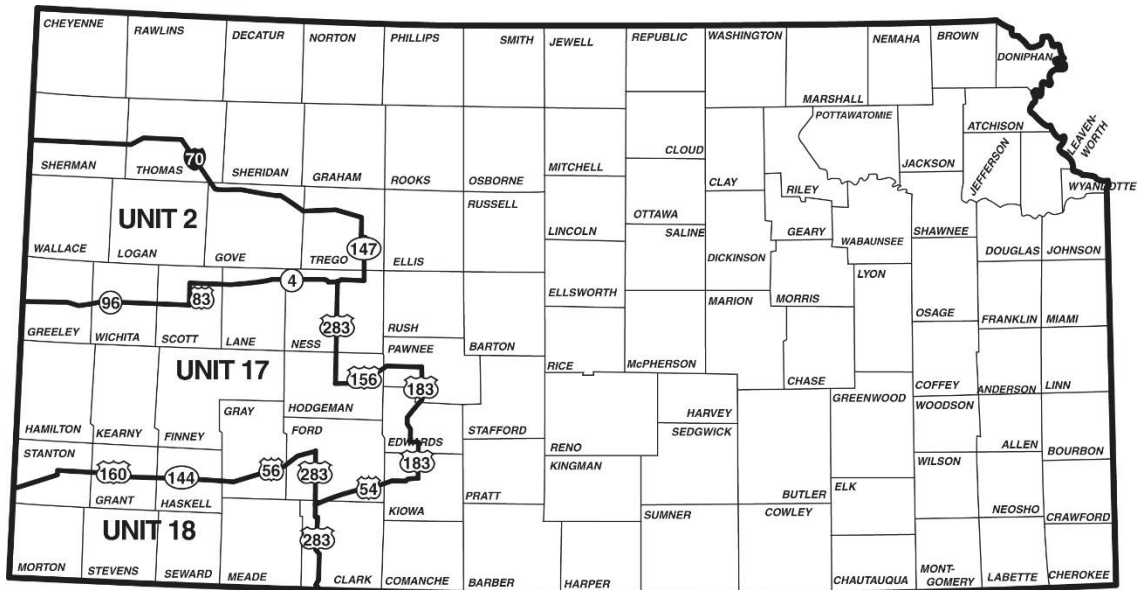
The proposed season dates are:

September 24-October 2, 2022 and October 15-31, 2022 for the archery season.
October 3-10, 2022 for the muzzleloader season.
October 7-10, 2022 for the firearm season.

Archery Pronghorn Unit



Firearm, Muzzleloader Pronghorn Units



KAR 115-25-8

Elk; open season, bag limit and permits

Background

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

Elk 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.

Discussion & Recommendations

We do not currently 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, 2022 for a season in which both muzzleloader and archery equipment may be used.
- b) October 1-December 31, 2022 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, 2022.
 - 2) Second segment: November 1-30, 2022.
 - 3) Third segment: December 1-31, 2022.

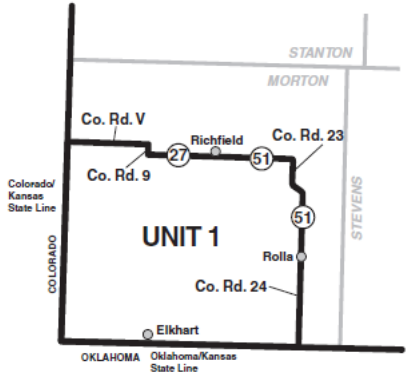
The proposed season dates outside the boundaries of Fort Riley are:

- a) September 1-30, 2022 for the muzzleloader season.
- b) September 19-December 31, 2022 for the archery season.
- c) August 1-31, 2022, November 30-December 11, 2022, and January 1-March 15, 2023 for the firearms seasons.

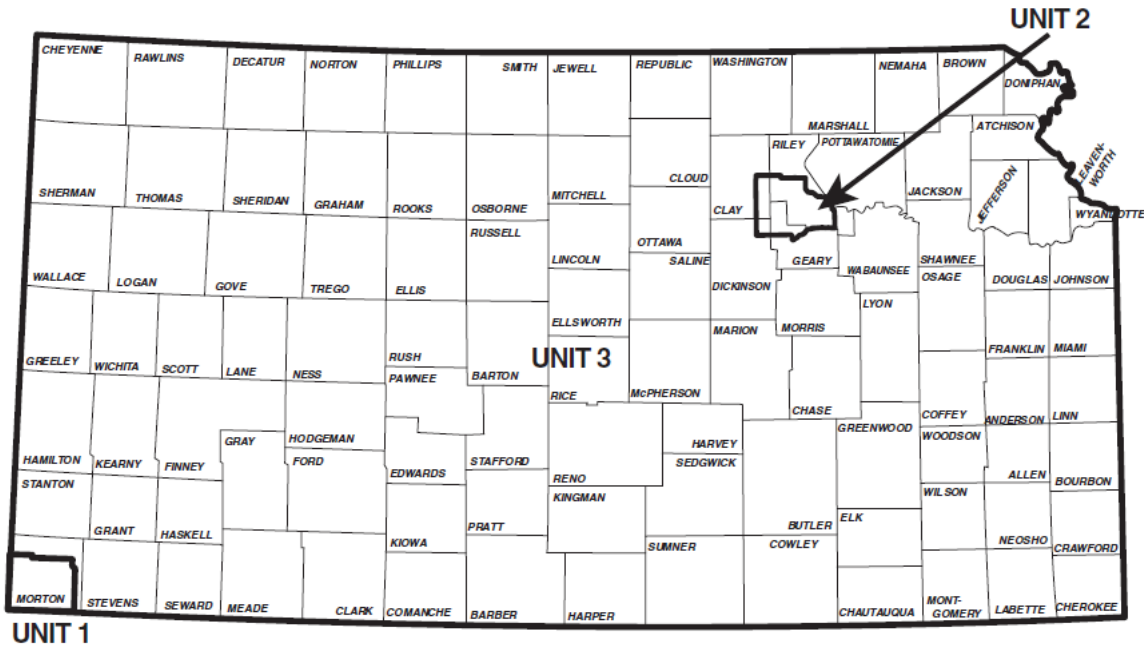
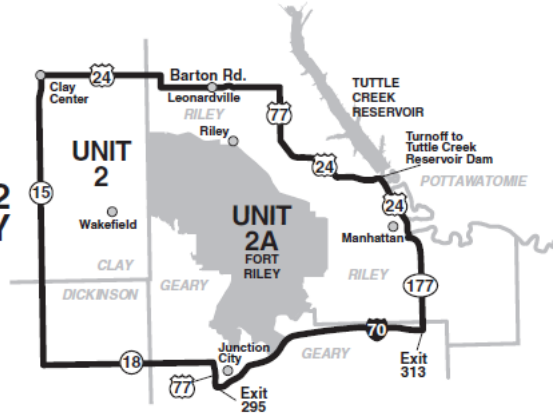
Elk permits will be available only to Kansas residents, and permit applications will be separated into military and nonmilitary applicants. Unit 2 permit recommendations will be determined at a later date. An unlimited number of hunt-on-your-own-land antlerless-only and either-sex elk

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



Assessing changes in the spatial distribution of swift fox (*Vulpes velox*) in western Kansas

Swift fox (*Vulpes velox*) are secretive carnivores associated with short- to mid-grass prairie ecosystems. In Kansas, swift fox are restricted to the western part of the state. They are a species of conservation interest not adequately monitored through other traditional furbearer monitoring surveys. Consequently, KDWP entered into an agreement with Kansas State University (KSU) to assess the status of swift fox in the state.

This project was accomplished by setting camera traps at 381 sites in western Kansas over a three-year period (2018-2020). Presence/absence was used to investigate how landscape composition (e.g., CRP, agriculture, native prairie, road density) at each site influenced the spatial distribution of swift fox populations in Kansas. A predictive map of swift fox occupancy was created so KDWP biologists can track future changes in swift fox distributions. This project was partially funded by a grant awarded through the Pittman-Robertson Wildlife Restoration Act.

Workshop Session

VI. DEPARTMENT REPORT

C. Workshop Session

1. Big Game (4 Series) 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

Last year, changes to this regulation included modifying proof-of-sex regulations for antlerless deer and elk to allow hunters to voluntarily help prevent spreading chronic wasting disease by leaving the most infective parts of a carcass, the head and spine, at the site of harvest.

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. 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.

Recent changes include the addition of the firestick system as legal muzzleloading equipment for big game and changing the requirement for wearing an orange hat to wearing an orange garment on the head during big game firearms seasons.

Recommendation

No change is 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

Recent changes adjusted the boundaries of Deer Management Unit 19 for greater continuity of harvest management and to simplify the boundary lines for hunters.

Recommendation

No change is proposed for this regulation.

- 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

No changes in the application process of big game or wild turkey permits are currently being discussed within the department.

Recommendation

No change is proposed for this regulation.

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 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 to reduce harvest of female mule deer. Mule deer population status in other DMUs within the East and West mule deer hunt zones currently are stable at low density or declining.

Recommendation

No change is proposed for this regulation.

VI. DEPARTMENT REPORT

C. Workshop Session

2. 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 2022-2023. The season date recommendations currently follow the traditional season structure.

Several KDWP managed wildlife areas have allowed some additional deer harvest through use of four (4) additional whitetail antlerless only (WAO) permits. This is an exception from the general statewide regulation that allows only one antlerless permit per hunter to be used on KDWP managed lands. Increasing hunting pressure and a reduced deer herd size on some areas may warrant removing some of those areas from the list of exceptions and moving back to the statewide regulation. The areas under consideration are Glen Elder, Kanopolis, Lovewell, Norton, Webster, and Wilson Wildlife Areas and Kirwin National Wildlife Refuge. KDWP seeks comments on going to the statewide regulation allowing only one WAO permit on these areas.

Recommendation

The proposed season dates suggested for deer hunting during 2022-23 are as follows:

Youth and Disability	Sept. 3, 2022 – Sept. 11, 2022
Early Muzzleloader	Sept. 12, 2022 – Sept. 25, 2022
Archery	Sept. 13, 2022 – Dec. 31, 2022
Pre-Rut WAO	Oct. 8, 2022 – Oct. 10, 2022
Regular Firearm	Nov. 30, 2022 – Dec. 11, 2022
1 st Extended WAO	Jan. 1, 2023 – Jan. 8, 2023
2 nd Extended WAO	Jan. 1, 2023– Jan. 15, 2023
3 rd Extended WAO	Jan. 1, 2023 – Jan. 22, 2023
Extended Archery (DMU 19)	Jan. 23, 2023– Jan. 31, 2023

Remove Glen Elder, Kanopolis, Lovewell, Norton, Webster, and Wilson Wildlife Areas and Kirwin National Wildlife Refuge from the list of KDWP managed lands that allow the four (4) additional WAO permits.

VI. DEPARTMENT REPORT

C. Workshop Session

1. Updating PFD Regulations (Changes toward Life Jacket language)

Background

During 2014, the United State Coast Guard adopted the International Standard for labeling of personal floatation devices (PFD), also known as life jackets. The States delayed incorporating language into their statutes and regulations until the Coast Guard could secure testing and identify the method of incorporating the new standards with manufacturers and providing training information for state incorporation.

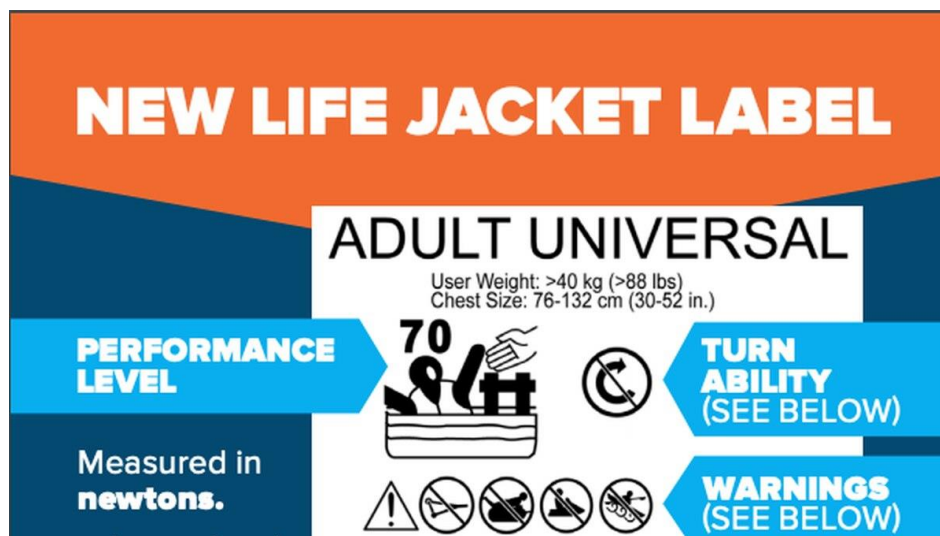
The United State Coast Guard administers the Recreational Boating Safety (RBS) grant process and since the Code of Federal Regulation change to life jacket labeling is a pre-emptive law, all states are required to adopt the new standards into their respective laws and regulations. Failure to adopt the standards will result in the states RBS program to be placed into a non-compliance status and result in federal funding to be suspended.

Life jackets will now sport a new label printed on the inside of the life jacket. The label includes a number that lets purchasers know how much buoyancy the jacket will provide; lower numbered jackets are more suited for near-shore activities, and higher numbered jackets offer a higher buoyancy value and are more suited for offshore activities.

Warnings about what activities the jacket is suited for are also included on the label and identified by an image as well as a turning ability rating.

According to a graphic posted below, warnings can let buyers know which jacket to get for specific water activities, such as water skiing or tubing. It also will also let a buyer know what symbol to look for and which jackets turn unconscious wearers face-up.

Older lifejackets are still suitable to wear as long as they are in good condition and approved by the U.S. Coast Guard.



Regulations to be discussed in 2021

Adoption proposal of new U.S. Coast Guard PFD Label Requirements:
Working Draft

K.A.R. 115-30-3: Personal flotation devices (**life jackets**); requirements.

(a) “PFD” means any ~~type I, II, III, IV or V~~ personal flotation device approved by the United States Coast Guard for use on recreational vessels.

(b) Each vessel shall have at least one ~~type I, II, III~~ **wearable** PFD on board for each individual in the vessel and at least one **wearable** ~~type I, II, or III~~ on board for each individual being towed. **Children 12 years of age and younger are required to wear an approved wearable PFD while being towed behind a vessel.**

(c) To meet the “serviceable condition” requirement of K.S.A. 32-1119, each required PFD shall meet the requirements defined by 33 C.F.R. 175.23, as in effect on April 29, 1996, and shall be of the appropriate size and ~~type~~ **fit** for the individual to whom it is assigned.

(d) **Each PFD must be used in accordance with any requirements of its approval label and in accordance with requirements in its owner’s manual, if the approval label makes such reference to such manual. No person shall operate a vessel or give the permission of the operation of a vessel unless each personal flotation device required by this regulation is in serviceable condition; identified by a label bearing a description and approval number demonstrating that such device has been approved by the United States Coast Guard; each PFD shall be made readily accessible aboard the vessel.**

(e) In addition to the provisions of subsection (b), each vessel 16 feet or greater in length, except canoes and kayaks, shall have at least one ~~type IV~~ **throwable** PFD on board. **The throwable PFD shall be of good serviceable condition, labeled as U.S. Coast Guard approved and readily accessible.**

~~(f) A type V personal flotation device may be used to satisfy requirements of subsections (b) or (d) if these conditions are met:~~

- ~~(1) the device is United States Coast Guard approved;~~
- ~~(2) the device is labeled for the activity for which the recreational vessel is being used;~~
- ~~(3) the device is used in accordance with requirements on the label; and~~
- ~~(4) the device is used in accordance with the requirements in its owner’s manual if the label refers to the manual.~~

(f) To meet the Readily Accessible requirement of K.S.A. 32-1119, each required PFD shall be in open view and shall not be stowed in locked or closed compartments or be inside plastic or other packaging material.

VI. DEPARTMENT REPORT

C. Workshop

4. KAR 15-25-(5-6) Turkey; seasons, bag limits, permits, & game tags and KAR 115-4-4a Turkey; legal equipment and taking methods

Background

The 2021 spring turkey season was open April 1 - May 31 and included 3 segments: youth/disabled, archery, and regular. The fall 2020 season was open October 1 to November 10. Hunting regulations are set within 6 management units for both spring and fall seasons (Figure 1).

For the spring 2021 season, 26,966 hunters purchased 45,263 carcass tags. Nonresidents accounted for 43 percent of Kansas' spring hunters. Estimated spring harvest was 16,826, a 26% increase from 2020 (Table 1—nonresident permit sales were suspended in 2020 due to COVID-19 pandemic). Statewide spring hunter success remained relatively stable in 2021 (46%, Table 1).

Population Status and Productivity

Turkey abundance in Kansas has been declining since the late 2000s. Statewide turkey production recovered slightly in 2020 after historic lows in 2019, especially in central Kansas (Figure 3). Nesting and brood rearing seasons in 2021 have been characterized by heavy precipitation in May, very dry conditions in June, and spotty precipitation in July and August. In general, production was stable in the western units, low in the central units, and increasing slightly in the eastern units (Figure 2). Reduced turkey production is a trend that has been noted throughout the Midwest in the past 10 years and is a primary concern as turkey populations decline across the region.

Recommendations

KAR 115-25-(5-6)

- **Fall and spring seasons, bag limits and permits**

The department utilizes an adaptive harvest strategy to help guide staff recommendations on wild turkey permit allotments during both the spring and fall seasons. The intent of the strategy is to maintain high hunter success in each management unit while 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 the spring and fall seasons as well as established triggers for when and how changes to bag limits will be recommended. The strategy has been in place now for 11 years and includes data for the last 18 hunting seasons.

An analysis of the spring 2021 harvest data revealed that resident hunter success thresholds were reached in all 6 hunt units during the spring season. However, the consecutive year threshold was not met in any unit, which would trigger a recommendation to change bag limits (Table 3).

There were increases in the estimated number of hunters that hunted in Unit 2 in 2021, where higher bag limits were available. Concerns have been raised about the number of hunters on publicly accessible lands in Units 1 and 2. However, the estimated number of hunters in either unit are not above historic levels and we assume there is no negative impact to the turkey population.

Staff do not recommend any bag limit changes for spring or fall 2022 seasons.

- **Season Structure**

In 2013, the Commission voted to create three segments to the spring turkey season, which were implemented beginning in 2015. The current structure is as follows:

- Youth / Disabled begins April 1
- Early Archery begins the Monday after the first full weekend in April
- Regular begins the Wednesday after the second full weekend in April

In 2019, the statewide fall turkey season dates were reduced from October 1-January 31 to October 1-November 10, beginning in fall 2020.

Staff do not recommend any season structure changes, which would result in the following 2023 Spring and Fall Turkey season dates:

Spring

- Youth / Disabled April 1 - 11
- Early Archery April 3 - 11
- Regular Firearm April 12 - May 31

Fall

- All Legal Methods October 1 – November 10
-

- **Designated persons (youth) season eligibility**

The department is standardizing youth season eligibility across game species. For turkeys, this will require increasing youth season eligibility from 16 and under to 17 and under for the spring season. Youth permit eligibility will remain at 15 and under.

Staff recommend increasing youth season eligibility to include ages 17 and under for the spring turkey youth season.

- **Unit 2 boundary definition**

Upon review, a slight language adjustment will need to be made to correctly define Unit 2 as described in KAR 115-25-05 (fall) and 115-26-06 (spring).

KAR 115-4-4a: Legal equipment and taking methods

In 2020, staff were asked to review a request to allow shot-shooting handguns as legal equipment. Staff are reviewing this request. Currently, 15 states allow turkeys to be harvested with a shot-shooting handgun (4 of these only allow handguns to be used during the fall season) and 21 states do not allow handguns during either spring or fall seasons. Potential benefits of allowing handguns as legal equipment include use by disabled hunters; concerns about allowing use include lethality and wounding loss, as well as hunter safety.

Staff recommend allowing the use of shot-shooting handguns—with a minimum barrel length of ten inches—as legal equipment for both the spring and fall seasons.

Table 1. Kansas wild turkey permit sales, total harvest, and hunter success for each of the last 5 seasons, 2016-2021.

Year	Spring			Fall			
	Permits & Game Tags	Total Harvest	Success (%)	Permits & Game Tags	Total Harvest	Hen Harvest (%)	Success (%)
2016	71,320	30,298	47	8,741	1,471	22	26
2017	65,818	30,441	51	6,262	1,183	36	25
2018	60,545	22,639	43	5,475	1,275	35	30
2019	56,388	23,568	47	4,570	487	--	--
2020	32,324	13,404	48	3,459	--	--	--
2021	45,263	16,826	46	--	--	--	--

Success: percentage of active hunters harvesting ≥ 1 bird

Table 2. Spring turkey permit and game tag sales for 2020 and 2021.

Permit Type	2020	2021	Difference
Carcass Tags	32,324	45,263	40.0%
Permit Buyers	26,966	35,587	32.0%
Game Tags	5,670	10,637	87.6%
Resident Permit Buyers	23,550	20,306	-13.8%
Nonresident Permit Buyers	3,416	15,281	347.3%
Resident Game Tags	3,903	3,728	-4.5%
Nonresident Game Tags	1,767	6,909	291.0%

Table 3. Spring turkey season resident hunter success (%), 2017-2021.

Year	Northwest (Unit 1)	Northcentral (Unit 2)	Northeast (Unit 3)	Southwest (Unit 4)	Southcentral (Unit 5)	Southeast (Unit 6)	Statewide
2017	50.0	58.3	45.1	65.0	48.9	44.3	44.4
2018	37.8	41.8	37.3	37.5	44.3	35.5	36.9
2019	56.3	56.0	40.7	57.1	47.1	42.9	42.9
2020	61.1	58.2	45.7	69.6	44.8	37.7	45.6
2021	43.8	43.4	41.3	52.4	40.5	35.6	39.1

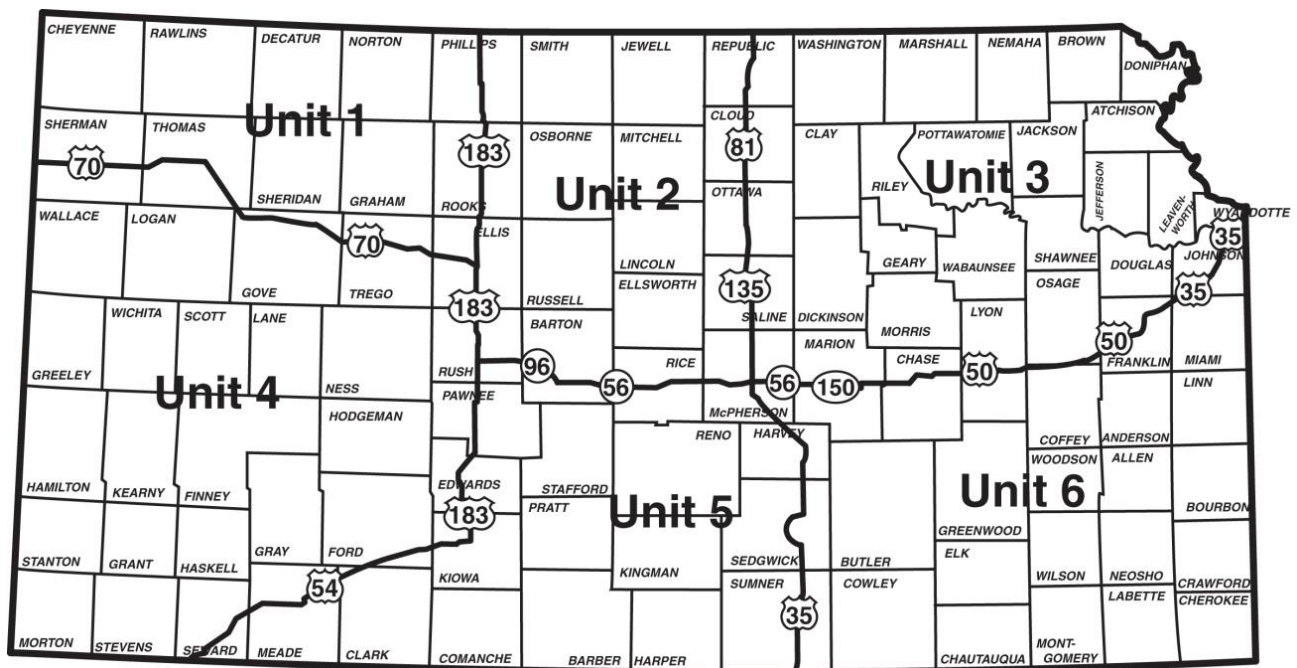
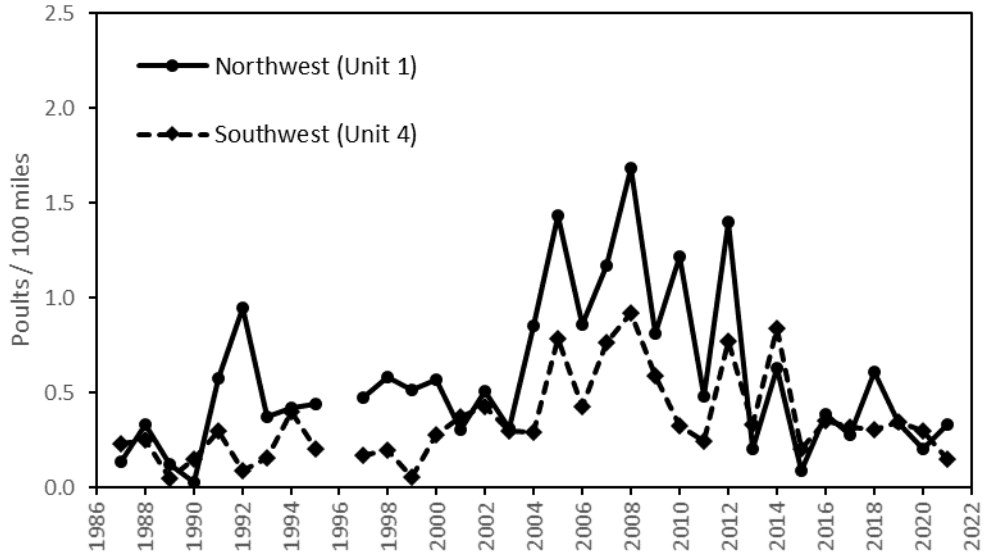
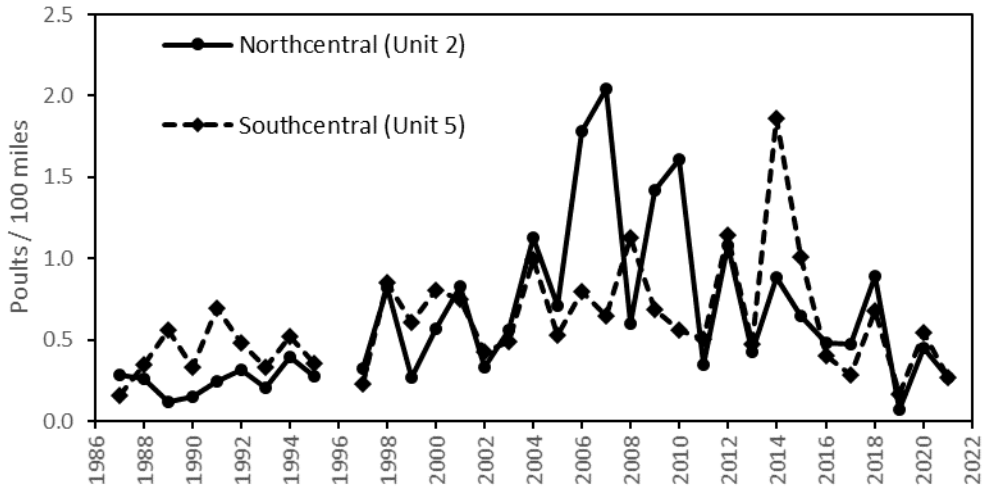


Figure 1. Hunting units for Kansas' 2021 turkey seasons. A 2021 spring turkey permit could be purchased over-the-counter for Units 3, 5 and 6, while an additional game tag could be purchased for Units 1 and 2. Five hundred spring permits were issued for Unit 4 through a pre-season drawing and were also valid in adjacent units. A 2021 fall turkey permit can be purchased over the counter, and is valid in Units 1, 2, 3, 5, and 6. There will be no fall turkey hunting allowed in Unit 4 in 2021.

A.



B.



C.

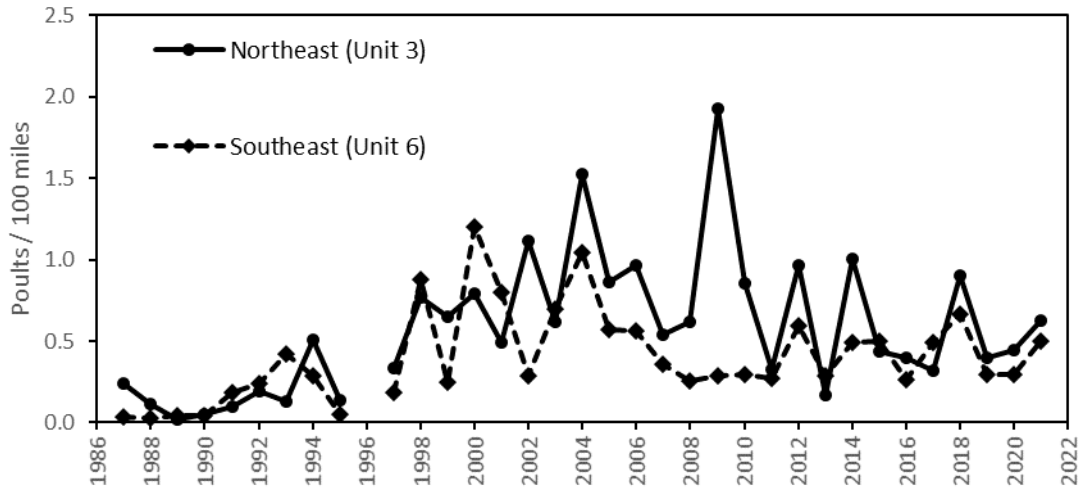


Figure 2. Turkey production indices for western (A), central (B), and eastern (C) Kansas, 1987-2021. Data from Summer Rural Mail Carrier Survey.

2022 Reference Document Proposed Changes for Special Length and Creel Limits:

- Tuttle Creek Reservoir -- change to a 10/day creel limit with no more than 1/day creel limit 30 inches or longer on blue catfish.
- Marion Reservoir -- change to an 18-inch minimum length limit and a 3/day creel limit, with only 1/day creel limit 21-inches or larger on walleye.
- Cedar Bluff Reservoir -- maintain the 21-inch minimum length limit and 5/day creel limit on walleye, except up to two fish 15 inches but less than 18 inches in length may be included in the daily creel.
- Bartlett City Lake -- add a 15-inch minimum length limit and a 5/day creel limit on channel catfish.
- Parsons - West Pond -- add a 15-inch minimum length limit and a 5/day creel limit on channel catfish.
- Bone Creek Reservoir -- change to an 18-inch minimum length limit on largemouth bass and a 5/day creel limit on saugeye.
- Parsons - Tolen Creek Pond -- add a 15-inch minimum length limit and a 5/day creel limit on channel catfish.
- Wichita - West KDOT -- add a 21-inch minimum length limit and a 2/day creel limit on saugeye.
- Sedgwick County - Lake Afton -- change to a 21-inch minimum length limit on wiper.
- Harvey County East Lake -- change to an 18-inch minimum length limit on largemouth bass.

Other 2022 Proposed Fishing Regulation Changes.

Change 115-25-14. Trout stocking locations change from Type 2 to Type 1 Waters.

Colby-Villa High Lake, Mined Land Wildlife Area, and Sherman County Smoky Gardens Lake will change from Type 2 Waters to Type 1 Waters, which requires a trout permit for each individual who wants to fish on these waters from November 1 through April 15.

Youth/Mentor Fishing Locations. Currently licensed adults, 18 years or older, may fish Youth/Mentor designated waters only if accompanied by a person younger than 16 years of age, who is actively engaged in fishing.

We propose changing the regulation to read “Licensed adults, 18 years or older, may fish Youth/Mentor designated waters only if accompanied by a person younger than 18 years of age, who is actively engaged in fishing.” All other existing use and harvest regulations at each location still apply.

Change 115-17-2. Commercial Sale of fish bait. The following dead species of wildlife may be commercially sold in Kansas for fishing bait:

- Asian Carp to include Silver and Bighead Carp
- Skipjack herring
- Emerald shiners
- Threadfin shad

Public Hearing

KANSAS REGISTER
SUBMISSION FORM

Agency Number -- 710-01

Agency Name -- Kansas Department of Wildlife and Parks

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

Topeka, Kansas 66612-1233

Title of Document -- Public Meeting

Desired Date of Publication - September 2, 2021

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 and Parks Commission

Notice of Public Meeting

A public meeting will be conducted by the Wildlife and Parks Commission at 6:30 p.m., Thursday, September 23, 2021, virtually, to consider future regulatory action of the Kansas Department of Wildlife and Parks.

A general discussion and workshop meeting on business of the Wildlife and Parks Commission will begin at 1:00 p.m., September 23 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 future regulatory action and other 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. September 24 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 notice prior to the meeting constitutes a public comment period for the purpose of receiving written public comments on future regulatory business of the Commission.

All interested parties may submit written comments prior to the meeting to the Chairman of the Commission, Kansas Department of Wildlife and Parks, 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 meeting to express their views orally in regard to future regulatory business of the Commission. During the general discussion and workshop portions of the meeting, 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 any future proposed regulation.

Copies of the complete texts of any regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.ksoutdoors.com, or by calling (785) 296-2281.

Gerald Lauber, Chairman