

AGENDA
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING AND PUBLIC HEARING
Thursday, April 21, 2005
Holiday Inn Express
4020 Parkview Drive, Pittsburg

Breakfast and tour at Crawford State Park, and tour of Farlington Fish Hatchery and Mined Land Wildlife Area. Meet at 7:00 am at the Holiday Inn Express.

- I. CALL TO ORDER AT 1:30 p.m.**
- II. INTRODUCTION OF COMMISSIONERS AND GUESTS**
- III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**
- IV. APPROVAL OF THE March 24, 2005 MEETING MINUTES**
- V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**
- VI. DEPARTMENT REPORT**
 - 1. Retirement presentation to John Fields (John Dykes and Mike Hayden)**
 - 2. Parks Division Award (Jerry Hover)**
- A. Secretary's Remarks**
 - 1. 2005 Legislation (Chris Tymeson)**
 - 2. Tourism Report (Commissioner Shari Wilson)**
- B. General Discussion**
 - 1. Landowner Deer Management Program Update (Lloyd Fox)**
 - 2. Comprehensive Wildlife Conservation Plan (Laurie Yasui)**
 - 3. Community Fisheries Assistance Program (Jessica Mounts)**
 - 4. Electronic Licenses and Permits - System Update (Karen Beard)**
- C. Workshop Session**
 - 1. KAR 115-25-1. Prairie chickens; open seasons, bag limits, and possession limits. (Mike Mitchener)**
 - 2. KAR 115-25-1a. Quail; open seasons, bag limits, and possession limits. (Mike Mitchener)**
 - 3. KAR 115-25-1b. Pheasants; open seasons, bag limits, and possession limits. (Mike Mitchener)**
 - 4. Early Migratory Bird Seasons (Marvin Kraft)**
 - 5. KAR 115-9-9. Electronic licenses permits, stamps, tags, and other issues of the department (Mark Rankin)**

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

XI. DEPARTMENT REPORT

D. Public Hearing

- 1. KAR 115-5-4. Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting hours, and general provisions - Revenue Task Force Recommendation (Kevin Jones)**
- 2. KAR 115-11-1. Controlled shooting areas; license application, issuance priority, and reporting (Kevin Jones)**
- 3. KAR 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement and restrictions - Adding New Zealand Mud Snail to prohibited species list (Doug Nygren)**
- 4. KAR 115-25-9. Deer; open season, bag limit and permits. (Lloyd Fox)**
- 5. Secretary's Orders for Deer Permits (Lloyd Fox)**

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

XIV. ADJOURNMENT

If necessary, the Commission will recess on April 21, 2005, to reconvene April 22, 2005, 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, June 23, 2005, at Fort Hays State University, Student Union - 2nd Floor - Black & Gold Room, College Drive, Hays, Kansas.

**KANSAS DEPARTMENT OF WILDLIFE AND PARKS
COMMISSION MEETING MINUTES FOR
Thursday, March 24, 2005
Beloit Municipal Building
119 N. Hersey, Beloit**

Subject to
Commission
Approval

Staff and Commissioners toured Glen Elder State Park and wildlife area at 8:30 and had lunch at 11:30.

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

The March 24, 2005 meeting of the Kansas Department of Wildlife and Parks Commission was called to order by Chairman John Dykes at 1:30 p.m. at Beloit Municipal Building, Beloit. Chairman Dykes and Commissioners Jim Harrington, Kelly Johnston, Frank Meyer, Doug Sebelius, and Shari Wilson 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

Keith Sexson will present the State Wildlife Conservation Comprehensive plan in place of Laurie Yasui.

IV. APPROVAL OF THE January 20, 2005 MEETING MINUTES

Commissioner Harrington moved to accept minutes, Commissioner Wilson second. **All approved.** (Minutes - Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Parks Division Award - Jerry Hover, Parks Division Director, presented these awards (Exhibit C). Public Service Award 2005 was awarded to Dennis Nowlin, who could not attend. Melody Burkholder, Parks Division regional supervisor, accepted. Nowlin is a nine-year veteran seasonal ranger at Cedar Bluff State Park. He is dedicated and dependable. During the peak park season, Dennis completes his duties as an Ellis Police officer, changes uniforms, puts on his KDWP hat and continues to protect and serve the park users. Dennis is always willing to help however, whenever, and whoever he can. Dennis uses his knowledge of the Department rules and procedures to make conscientious decisions when making a determination if a citation or an explanation is the right tool in any given situation. We are proud to have Dennis on our team!

Director's Award 2005 was awarded to Manhattan Mountain Bike Patrol Leader, Nate Schotanus. Other volunteers present were Karen Loumaster and Dan Oldehoeft. The patrol is a volunteer group that adopted the Fancy Creek trails in 2003 and has since expanded the trails from 4 miles to 5.5 miles and is working on expanding them to 8 miles. Keep in mind this is not the get the tractor out and level a piece of ground job. The trail area has large boulders, many trees, and steep terrain. No job is too big for them! The group does everything by hand to maintain the environment and integrity of the land and resources. To raise funds for trail surfacing and signage, the patrol has scheduled a special event "Find Your Element" for April 22-24, 2005. They are offering a mountain bike race, trail building workshops, local bands, skateboarding, and organization booths. I am proud to honor the Manhattan Mountain Bike Patrol.

Merit Award 2005 was awarded to Cliff Ehrlich. Cliff is park manager at Webster State Park. During one hot and dry late afternoon last summer a fire broke out on private land across the road from Webster State Park. A camp supply store, a bait shop, a private residence, and several out buildings were fully engulfed and the winds pushing the fire across the road into the park. The park office and headquarters were directly in its path as Cliff responded. The headquarters area is surrounded by native cedar trees to lessen the visual intrusion of the viewscape. Several of the Cedar trees and many acres of the park went up in smoke, but Cliff single-handedly kept the fire from destroying the headquarters complex and causing thousands of dollars lost. The office needs replacement, but not that way. I am proud to honor Cliff Ehrlich with the 2005 Merit award.

Valor Award 2005 was awarded to Luke Nihart and Tony Reitz. Luke is a park ranger at Tuttle Creek State Park and Tony is a park ranger at Milford State Park. Luke and Tony risked their lives one night last May during a water rescue on Tuttle Creek Reservoir. The call came in around midnight from the Pottawatomie County Sheriff; there was a stranded boat with several passengers somewhere on the water during a severe storm weather event. The waves were 6 feet and more. Their patrol boat began to take on water and lost power several times. At one point they could hear someone screaming above the sound of the stormy wind and waves. They had found one of the passengers. Twenty minutes later they found the remaining passengers and after two trips to shore, all lives were saved. This act of courage is an excellent example of how training and personal determination can turn a potentially fatal situation into a successful rescue. We are proud to honor Luke and Tony with the 2005 Award for Valor.

2. 2005 Legislation - Chris Tymeson, chief legal counsel, presented this report to the Commission. The legislature is expected to finish up by April 1. Appropriations will come back by April 19 and the full legislature on April 22.

SB 59 which would allow Kansas to become a member of the Wildlife Violator's Compact was passed by the House Wildlife, Parks and Tourism Committee (currently 20 states in compact), passed Senate and is scheduled to go to the House today.

SB 87 which is the vehicle fee to be used for outdoor recreation, heard in Senate Ways and Means Committee, was amended to remove refund and decreased to \$4.00. There is a possibility it will go through, but they have asked for an Attorney General opinion, so this bill is stalled out. SB 98 which makes permanent the exemption CSAs have from Hunter Ed, is on General Orders in the House; we understand there are representatives trying to get amendments on this bill and because of that, yesterday the Senate Natural Resources Committee, at the request of Whitney Damron, who lobbies for the Kansas Sporthunting Association, amended 98 onto HB 2253, in order to get the provisions of SB98 through cleanly.

SB 194 which creates Commission permits passed out of the House Wildlife, Parks, and Tourism Committee. There would be seven permits that the Commissioners could give to nonprofit organizations for further auction. This bill was brought forth by the Rocky Mountain Elk Foundation. Passed Senate and is on the House floor today.

SB 195 which would allow KDWP to receive seized guns from the Department of Revenue for use in Hunter Education passed out of Senate, in House Federal and State Affairs Committee. No movement, expect stalled for rest of this session.

SB 228 regarding the release of water from Cedar Bluff, several government entities opposed (similar bill - HB2393 is also in Committee). Expect no action this legislative session.

HB 2115 repealing archery units, passed Wildlife, Parks and Tourism Committee and the House, but did not pass out of Senate Natural Resources Committee.

It appears that SB 228 and HB 2115 will NOT make it out of the Senate Natural Resources Committee.

HB 2116 which protects certain KDWP federal aid funds from being spent for purposes other than what they are designated for, while the original bill was one of KDWP's initiatives, it was amended on the House floor to make landowner antelope permits transferable, and KDWP opposes that amendment and will ask the Senate Ways and Means Committee to remove that from the original bill. No action.

HB 2117 boating law revisions and penalties. Passed out of Committee, but did not make it to the floor and was stricken from the calendar.

HB 2222 illegal commercialization of wildlife raises the threshold of misdemeanor fines from \$500 to \$1,000. Values placed on wildlife determine whether a violation is a misdemeanor or a felony. Amounts were reduced, but were restored and have passed both sides of the legislature.

HB 2210 regarding hunter safety exemption for current and former armed forces, no hearing.

HB 2226 (substituted bill) payment in lieu of taxes, noxious weed control and 5-year land acquisition amendment. Could force general election vote on land acquisitions over 480 acres. Would apply to donations and leases, which could severely impact WIHA. Has been referred to Senate Ways and Means Committee.

HB 2253 which imposes minimum fines and jail sentences for repeat wildlife violators (step increases for additional offenses was struck, but new amendments were added) increased big game misdemeanor from C to B. Amended on Senate floor yesterday. Up for final action and expect it to go to a Conference Committee.

HB 2459 which was the transferable landowner antelope permit, died in committee, but was attached to HB 2116.

HB 2466 which repeals the professional guide permit requirement. This is a consumer protection rather than wildlife management bill. We felt all, or none should be regulated. Passed House and Senate and should be acted on today.

HB 2476 which would impose the transient guest tax on cabins in state parks, had a hearing, but do not expect further action this year.

HB 2517 which establishes the farm and land protection program, in Budget Committee.

Chairman Dykes thanked Commissioner Meyer for his commitment to the bills and all of the time he spent in Topeka. Tymeson added that Commissioner Wilson was also very active. Steve Sorensen, Kansas Wildlife Federation asked if the \$30 landowner tag the only transferable antelope tag. Tymeson said that it can be transferred to residents or nonresidents. Sorensen asked if the department would pursue increasing the landowner tag by \$200 like the deer nonresident transferable. Tymeson said the department opposed this, so at this time, no proposals would be made. Sorensen asked who proposed the bill. Tymeson said it was proposed on House side by Larry Powell.

3. FY 2006 Budget - Dick Koerth, assistant secretary for Administration presented this report to the Commission (Exhibit D). FY2005 Governor's Budget Recommendation (GBR) included a State General Fund (SGF) supplement for \$300,000. There is no additional SGF support for FY2006. The Governor did provide permission to pursue alternative funding including an additional fee on vehicle registrations. The FY2005 revised budget submitted on

September 14, 2004 estimated Park Fee Fund (PFF) revenue of \$5,832,321, a reduction of \$167,679. As of March 1, 2005, estimated revenue was \$5,522,919. This is an eight percent reduction. In addition, if the PFF is \$5.5 million, it will be less than the actual revenue for FY2004 of \$5,622,944. The significant reduction has created a cash flow problem in operations of state parks. In order to provide adequate funding for the March 25, 2005 payroll and assist in the April payrolls, the department will use \$485,000 of funds from the bridge maintenance account which are funds transferred from the State Highway Fund in accordance with a MOU between KDWP and KDOT. The state legislature has been informed of this situation and the need for additional funding. The state approved using the bridge fund as long as it is repaid from the PFF when funds are adequate, within one year, and is a one-time occurrence. The FY2005 budget also recommended \$14,175 for the Crawford County Sewage District due to the state park and fish hatchery; additional information on a new water line at Milford Fish Hatchery; an update on the Kansas Wetlands Education Center at Cheyenne Bottoms WA; and an update on the status of the PFF. Information on the last three items will be provided at the April 27, 2005 omnibus session of the state legislature. The FY2006 recommendations were discussed at the January 20, 2005 meeting and there have not been any Governor's amendments. Secretary Hayden has been informed by the Governor that she will consider alternative funding if Senate Bill 87 is not passed, the amount to be determined later. Amendments to the FY2006 budget, made during the 2005 legislative session, include: salary adjustments of 2.5 percent, the 27th paycheck, and KPERS adjustments; delete \$615,000 recommended for road improvements and river access at State Park 24, adding \$500,000 of those funds to the regular road maintenance and adding a proviso regarding weed certification (taken out by House, but not Senate). The House has approved for 3 months of a 2.5 percent salary increase for state employees and the Senate approved 12 months. The legislature is changing the way state employees are being paid beginning July 1, 2005 to a bi-weekly paycheck, which will start this year on Monday (all pay days on Mondays), next year it will be on Tuesdays. Both have deleted funding for the 27th paycheck pending review of alternative methods of financing this item. The department has been asked to provide, at the omnibus session, information on park financing for FY2006, alternative sources of funding for river access other than the State Water Plan Fund, operations of federal parks and campgrounds in the state, and funding for State Park 24 operations including capital improvements. The House Committee on Appropriations noted that the Governor's recommendations did not include any replacement trucks for state parks, asked KDWP to prepare a cost-benefit analysis to justify any purchases of equipment costing \$5,000 or more during the period from May, 2005 to December, 2005 and present a report at the beginning of the 2006 Legislative Session. They also requested copies of the new strategic plan when completed and commented about the purchase price for Circle K ranch acquisition. The Senate Committee report includes: a request that State Park 24 be self-paying rather than a free park, comments on Circle K ranch, comments that the Secretary should actively discuss with the Corps of Engineers the transfer of federal land and facilities to the state reservoirs on which both Corps and KDWP have facilities.

Chairman Dykes asked about Park 24 and making it a paying park. Koerth said that basically they want the department to put in an iron ranger, because it is not conducive to a booth. Secretary Hayden commented that Park 24 would be a day-use only area and there are several different trail entrances to the park so staff did not support this. Chairman Dykes asked how the decision was made on whether to follow the Senate or House when suggestions are made. Hayden said that staff have to decide what will be best. Options may be vehicles pay, but hikers

do not. Chairman Dykes asked if it would be at the department's discretion. Hayden said that this was a suggestion, not binding. Commissioner Wilson asked if there was funding set aside for the items that the Senate wanted reports on. Koerth said they wanted an update on what the department was doing only. On Cheyenne Bottoms, this year the Governor took the \$2 million out of the budget. Commissioner Wilson asked if any donations had been made. Hayden said none of significant value. The City of Great Bend is donating the water. Wildscape, Fort Hays State and the department are meeting with Bass Pro Shops to pursue some funding.

Steve Sorensen, KWF, asked for an update on the Circle K Ranch. Secretary Hayden said that staff is asking both the House and Senate, in the omnibus bill, to use a Pooled Money Investment Board (PMBI) loan to purchase that. The Governor support that proposal. Hays paid \$4.2 million 10 years ago, and now the value is about \$3.4 million because the irrigation equipment has worn out over the years. Staff hope to get the authority to negotiate for this property. Federal aid will pay up to 75 percent of the appraised value of the land. One partner is the Ground Water Management District Number 5 and they will provide \$500,000 toward this purchase. The House will be the tough place to get this passed. Chairman Dykes asked if Secretary Hayden expected any problems negotiating with Hays. Hayden said he did not.

B. General Discussion

1. Wildscape Projects in the Beloit Area No report.

2. Electronic Licenses and Permits - System Update - Karen Beard, Licensing Section chief, presented this report to the Commission (Exhibit E). The license automation project was awarded to Central Bank of Jefferson City, Missouri and Automated License System (ALS) of Nashville, Tennessee (most experienced in the industry, serving nine other states). Wal-Mart and some other vendors have opted to use their own PCs with a printer provided by KDWP, some small "mom and pop" vendors opted to use all of their own equipment, including printers. This will mean they can only sell licenses now available on the internet. Various equipment options will be available at the vendor level, ranging from a full set of Point-of-Sale (POS) equipment furnished by the department to a simple Internet software connection. The POS equipment has a small footprint with "store and forward" capabilities. Our timeline for the new system is as follows: August 2004 to April 2005 - Design of system; April and May 2005 - System integration testing; June and July 2005 - Pilot program and vendor equipment roll out; and August 2005 - Full implementation. Central Bank and Automated License Systems (ALS) will provide a complete turnkey product with training, support, and set-up. The new system will be financially secure with an Automated Clearing House (ACH) sweep of the vendor accounts on a weekly basis for collection on dollars owed to the department. Beard said she planned to bring a computer to next meeting with program up and running on it. Service fees are \$1.15 for full transaction, \$.50 for a money receipt.

Chairman Dykes asked how often will vendor accounts would be swept. Beard said they would be swept on a weekly basis, every Tuesday, to allow vendors to make deposits.

3. Comprehensive Wildlife Conservation Plan – Keith Sexson, Assistant Secretary for Operations (filling in for Laurie Yasui), presented this report to the Commission (Exhibit F). At the last two meetings, the Commission was updated on the Department's progress on the Comprehensive Wildlife Conservation Plan (CWCP) development, designed to meet the federal

requirements for participation in the State Wildlife Grant Program. Kansas was recently allotted about \$900,000 for the current federal fiscal year. Since the last report to the Commission, Fisheries and Wildlife Division staff have provided input, and the Summit of Experts, which allowed input from individuals from the scientific community, interested organizations and the general public, was held. The consultant is currently in the process of writing the first draft of the plan. Planning is on track to have a final product by July 1, 2005. All states have been asked to provide an education plan, even though not in the federal plan. We have contracted with Dynamic Solutions and have provided a monitoring log timeline of dates. Chairman Dykes asked how much the department was paying Dynamic Solutions. Sexson said approximately \$118,000. They were responsible for all meetings and coordination as well as writing the draft plan. Commissioner Wilson asked if Commissioners could be notified by email when the first plan is posted on internet. Sexson said yes, adding that there will be drafts before that and Commissioners would be able to review them. Chairman Dykes asked if the plan would have to be updated annually. Sexson said he wasn't sure, but thought that reviews might be expected every five years. Congress is watching this process very closely and how this comes together will dictate how this is funded in the future. Staff hope that it will become a line item and will not have to come back every year for appropriation. Chairman Dykes asked if the \$900,000 increased over time. Sexson said that the first plan was just over \$1 million, but since then it has been \$750,000 to \$900,000. Commissioner Sebelius asked if the plans were the same? Sexson said that plans all look similar, and that all include eight essential elements. The group doing our plan is also doing Oklahoma's, Florida's and some others. The International Association of Fish and Wildlife Agencies (IAFWA) is working closely with the states to ensure this goes through. Commissioner Wilson asked if there was an expected timeline when all the plans would be turned in by next October. Sexson said that how well it is addressed and given back to states, will dictate how that is budgeted. Commissioner Wilson asked if it would be in the FY2007 budget. Sexson - We are in the FY2006 budget now and already working on the FY2007 budget. It is Sexson said that it was possible, but it would probably be FY2008. Chairman Dykes asked if anyone in the audience, not with the agency, had attended any of the workshops. Several people held up their hands, but had no further comments.

4. KAR 115-25-1. Game birds; open seasons, bag limits, and possession limits - Upland Game Birds - Mike Mitchener, Wildlife Division Section chief presented this report to the Commission (Exhibit G). Currently the regulations for quail, pheasant, and prairie chicken are all contained in one regulation. The harvest management strategies are different in each species. It is recommended that the regulations for each of these species be separated into their own regulations to facilitate the setting of seasons and other harvest management strategies. Individual regulations for each species will focus on the opportunities that the individual species provides and addressing the particular needs of that species. This proposal will define regulation KAR 115-25-1 for prairie chickens, KAR 115-25-1a for quail, and KAR 115-25-1b for pheasants. Structure and bag limits will remain the same. The proposal will also change the age of the supervising adult during youth seasons from 21 to 18, to be consistent with the rest of the youth seasons. As an additional part of this proposal it is recommended that changes are made to the current structure of the prairie chicken season, while the structure and bag limits of the pheasant, quail, and youth upland bird seasons will remain the same. The unit boundaries and for the East unit and opening day would remain the same but closure from Oct.-Nov. would be eliminated, meaning the season would run continuously from Sept. 15, 2005-Jan. 31, 2006; the Northwest and Southwest unit boundary would be moved from K96 to I-70 making a smaller

Northwest unit and a larger Southwest unit. The Northwest season dates would change from the 1st Saturday in November to November 1 and the Southwest season dates would change from December 1 to November 1.

Chairman Dykes asked if quail and pheasant seasons would remain the same. Mitchener said they would. Chairman Dykes asked why a change in the pheasant season was not being pursued. Mitchener said the change in prairie chicken units and season would have the most benefit.

Commissioner Johnston commented that the length of the season in the Northwest unit would remain basically the same, but it would increase in the East unit. Mitchener clarified that the Northwest unit opening day is moving from November 1 to first Saturday in November only.

The Eastern unit would open earlier with no split season. Commissioner Johnston asked if it was fair to say the increase is to benefit hunting opportunities, and not for biological reasons.

Mitchener said that would be correct.

Robert Robel, Manhattan, commented that this was addressed in Johnson County a few months ago. In 1995, lesser prairie chickens were proposed for the Threatened list. In 1998, they were listed as warranted, but precluded. Same in 2000, warranted, but not listed because other issues were more important. He said that he could see no biological data to increase the season. The numbers are stable and the boundary change is logical. There have been two studies done; one in Nebraska and one in Gove County, showing no increase in population. He said he could see no reason to extend the season. He recommended protecting the harvest, limiting the harvest, not doubling the days the birds are hunted.

Steve Sorensen, Kansas Wildlife Federation asked if this was the same proposal made in Courtland last year. Mitchener said it was. Sorensen commented that it was very opposed at that time. He had no problem with boundary change, but did not want to see a 50 percent increase in number of days you can hunt the birds. Sorensen said the difference in dates was turned down once and he asked the Commissioners to turn it down again. Chairman Dykes what the status of the lesser prairie chicken was. Mitchener said it was still warranted, but precluded. Sorensen asked if there was not going to be a youth season for chickens. Mitchener said it had not been recommended because game bird seasons would already be open. Sorensen asked why have a youth season in October. Mitchener said that most of the Walk In Hunting Area lands would not be open until November 1. It has been discussed, but staff did not feel the need for youth seasons. Chairman Dykes asked that if what was driving this was more hunting opportunity, would the department be interested in changing quail and pheasants without changing the prairie chickens if the Commission did not approve these changes. Mitchener said that staff can do whatever the Commission wishes. Secretary Hayden said that several other states are doing this, Nebraska for one. Staff decided to do this one step at a time. He added that he didn't oppose what Dr. Robel or Steve Sorensen said. These populations are declining because of habitat and the birds are moving north. This proposal would reduce the bag from two to one and moved the boundaries north. He asked why the few hunters who will be out there should be precluded from having the opportunity to get a bird. Chairman Dykes said that the potential of these being listed complicates the decision. Hayden said that if these are listed, the season may have to be eliminated completely. Chairman Dykes said he felt that increasing the season would be giving someone more ammunition to list them. Hayden said the Feds have a huge list, but there is not much visibility and chances are remote that they will ever be listed or come up on the Service's list.

Dr. Robel said the non-hunting public needs to be addressed. To hunt a species that is warranted is not the best PR and to expand the season before having the proper recovery plan does not look

good. Commissioner Johnston said he felt he could live with the uninterrupted season in the East unit, but not in the Northwest unit and would like staff to bring back that proposal. Chairman Dykes confirmed that this item would be brought up again in Pittsburg and voted in June. He agreed with Commissioner Johnston. Commissioner Wilson also agreed. Chairman Dykes added that there were merits to changing the opening of quail season as discussed last year, particularly if the opening could be moved up and the closing backed up.

5. Early Migratory Bird Seasons - Marvin Kraft, waterfowl research biologist, presented this report to the Commission (Exhibit H). Kraft said that there is no indication as to what the frameworks are going to be, but he speculated that there would be no changes except for teal season, which relies on numbers of teal on the breeding grounds. Secretary Hayden asked if the September Canada goose seasons were effective. Kraft said he didn't see them as being really effective. The harvest is so minor that some years it doesn't even show up on the harvest pressure. Last year hunting didn't move any birds out of Wichita and only a few out of Kansas City. If it should grow and should become a problem it will have to be addressed, probably with a round up of birds and removal. South Dakota has a program where they remove the birds. Hayden said the pressure is from the legislature, not from the farmers. Chairman Dykes asked how long the early season has been held. Kraft said five or six years. Wichita came on one year after Kansas City. This is not a significant event in goose hunting in Kansas.

6. KAR 115-25-19. Dove; management, hunting season, shooting hours, and bag and possession limits – Marvin Kraft, waterfowl biologist, presented this report to the Commission (Exhibit I). No changes in this regulation are proposed at this time. There has been a request for some information, but that information is not available yet. Chairman Dykes asked if the department was receiving much information from HIP (Harvest Information Program). Kraft said that the department did receive some information. Over the last 20 years, dove harvest has declined, but it has leveled off over the last couple of years. The population trends show some declines in Missouri and in eastern Kansas, but numbers are okay in western Kansas. Hayden asked if there was data on three new species that were included in the season (Eurasian collared dove, white-winged dove, and ringed turtle dove). Kraft said he didn't believe any have showed up on harvest surveys yet. Kraft said that the white-winged story is unique They moved up from the Rio Grande Valley and started popping up in urban areas. Dykes asked if there were discussions in the Service to change the seasons. Kraft said there always are, but he didn't think anything would happen. Hayden commented that it would require a change in the Migratory Bird Treaty and it has only been changed twice. In the Dakotas and Utah and other places, one cold front and there is no season. Hayden added that he didn't believe there would be a change in the Migratory Bird Treaty because the states cannot agree on a change.

Break – Reconvene at 3:25

C. Workshop Session

1. KAR 115-5-4. Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting hours, and general provisions - Revenue Task Force Recommendation - Kevin Jones, Law Enforcement Division Director, presented this report to the Commission (Exhibit J). This item concerns the creation of a new furharvesting regulation, a sub-category of the current

furharvesting regulation, which will regulate the hunting of bobcats during the established season by nonresident hunters holding a limited bobcat hunting permit. This action is in response to a recommendation made by the 2004 Revenue Task Force, which identified this type of permit as a potential revenue source that would provide additional hunting opportunity. Any bobcat harvested under this permit would be required to be tagged with a carcass coupon prior to leaving the site of kill. The carcass tag would remain attached to the bobcat carcass or pelt until such time as it is presented to the Department for tagging with a CITES export tag. The bobcat must be tagged by the Department within seven days of harvest, as required by the existing furharvesting regulations. The proposed regulation would create a nonresident bobcat hunting permit which would allow the harvest of one bobcat per permit by hunting methods, which generally include firearms and archery equipment, calls, lures, baits and decoys. The use of trapping equipment or dogs would not be allowed under this permit. The season for the taking of bobcat would be the same as the regular furharvesting season, starting at noon on first Wednesday after the second Saturday of November and ending at the close of legal hours on February 15. The legal hours for taking bobcat under this permit will be from one-half hour before sunrise to one-half hour after sunset. The cost of the permit will be \$100 plus appropriate issuance and service charges. There would be no limit to the number of permits that an individual may purchase. Any bobcat carcass or pelt could be given to another person by a written notice of donation. However, a raw pelt could only be sold in the State of Kansas to a licensed fur dealer.

Commissioner Wilson asked if there was currently a resident bobcat permit. Jones said there wasn't but that a resident could take a bobcat in the season with a furharvester license. This would allow a nonresident to take only a bobcat. Commissioner Wilson asked if there was a market for this permit. Jones said there was interest from guide and outfitting business, but no survey had been done.

Chairman Dykes asked if this permit would not be valid until the day after purchased. Jones said that was correct.

Commissioner Johnston asked about the revenue projections which were included in the Commission Briefing Booklet from the January meeting. Tymeson said those figures were based on an estimate of 10 percent of nonresident deer purchasing one.

Chairman Dykes asked if other states provided a similar permit. Jones said he wasn't aware of any, but other states cover this under their furharvester license.

Commissioner Wilson asked if there was any downside to this other than putting a regulation on the books that we didn't need. Jones said the only negative was that it was possible that the permit would be purchased after the bobcat was killed. The only input Jones had received was positive from the guides and outfitters.

Paul Babcock asked if had been determined that there were nuisance or excess bobcats that required this harvest. Jones said he wasn't a furbearer biologist, but he was under the impression that there were healthy numbers of bobcats. Babcock asked if that was true from east to west. Jones said it was as far as he knew. Babcock asked to see that studied before this was passed. Chairman Dykes asked if interest in furharvesting was declining. Jones said it was, overall.

2. KAR 115-11-1. Controlled shooting areas; license application, issuance priority, and reporting - Kevin Jones, Law Enforcement Division director, presented this report to the Commission (Exhibit K). This item recommends the revision of the reporting requirements for Controlled Shooting Areas (CSA). CSAs have been operating for many years in this state and it

is felt that the recording of daily bird releases by CSA operators could be changed to allow the reporting of bird releases over a less specific timeframe. The regulation concerning CSAs requires operators to release a number of birds that is equal to or exceeding the total number of birds harvested during the operations' season. The current regulation prescribing the reporting requirements mandates that bird releases must be recorded on a daily basis. If enacted, the proposed change would allow the release report to cover a longer period of time. CSA operators expressed concerns that the current requirement is excessive and burdensome to their overall operation. By allowing reporting over a longer time period (monthly or even seasonally), the objective of the regulatory requirement could be met by simplify the reporting process. Commissioner Harrington asked if the exact number of birds released as calculated daily. Jones said it was, but this proposal would allow them to report over a broader term rather than daily. Commissioner Harrington asked what length of time was being considered. Jones said monthly or middle of season, but the report is due at the end of the year. It would be easier for the department to keep track of the records as well. Commissioner Harrington said he agreed with monthly reporting. Commissioner Wilson asked how operators would keep track on a monthly basis. Commissioner Harrington said they know by what they bring in, but on a daily basis it is harder to be exact. Commissioner Wilson asked if he felt it would be more accurate. Commissioner Harrington said he did.

Keith Houghton, Kansas Sporthunting Association said the KSA represented 220 organizations, including CSAs and organizations that supply to them. He thanked Jones for his efforts. Each operation is run a little differently. Operations that purchase birds know in the long run how many birds are released. CSAs that raise their own birds might have a harder time counting.

3. KAR 115-9-9. Electronic licenses permits, stamps, tags, and other issues of the department - Mark Rankin, Law Enforcement Division assistant director, presented this report to the Commission (Exhibit L). Currently all regulations were set up for paper licenses, this regulation would cover all of the reasons that need to be covered to purchase a license electronically, which are laid out in the briefing book.

4. KAR 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement and restrictions - Adding New Zealand Mud Snail to prohibited species list - Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit M). New Zealand Snails were found at Boulder Creek in Colorado. It's possible that these could be brought into the state. It only takes one because they are asexual. Not a lot is known about this species but it could cause a big problem.

5. KAR 115-25-9. Deer; open season, bag limit and permits - Lloyd Fox, wildlife research biologist, presented this report to the Commission (Exhibit N). Fort Riley has requested a change in the archery deer season. Currently the archery season is closed during the firearms season, however, the firearms deer season on military installations are not the same as elsewhere in the state. Some archery hunters have requested to hunt with archery equipment and their archery permit during the regular firearm season. The extended season for antlerless white-tailed deer has ranged from 2 days to 14 days. Last year the extended season was only two days in length and legislators requested an additional seven days for the extended season in the northern portion of Deer Management Units (DMU) 7 and 8. To allow a full weekend of hunting after December 31, 2005 would require a delay until January 7 and 8, 2006. By increasing the length

of the extended season to eight days the special extended season could be eliminated. Input from department personnel indicates that consideration should be made to restrict game tags to people who possess a deer permit. Season dates for 2005-2006 are recommended as follows: Early Muzzleloader - September 10, 2005 to September 23, 2005; Youth and Disability - September 24, 2005 to September 25, 2005; Archery - October 1, 2005 to December 31, 2005; Early Firearms (DMU 19) - October 15, 2005 to October 23, 2005; Regular Firearms - November 30, 2005 to December 11, 2005; Extended WAO - January 1, 2006 to January 8, 2006; and Extended Archery (DMU 19) - January 9, 2006 to January 31, 2006. The recommendation for the deadline for limited applications is: Nonresident - May 31, 2005; Resident - July 15, 2005; and Unlimited Availability - January 7, 2006. Section (a)(1)(B) will be changed from statewide to two archery unit(s) designated by the hunter plus DMU 19. Extended firearm seasons for antlerless-only white-tailed deer during 2004-05 included: 1) a 2-day season in DMU's 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19; 2) a 9-day season in northern DMU's 7, 8 and 3) a 29-day season in central DMU 12. A preliminary review of deer population indices has revealed that extended firearms season in January for antlerless-only white-tailed deer do not need to be restricted to fewer units and that the three seasons could be made into one season. Current numbers for 2004 deer/vehicle accidents is 9,900. Staff recommends that any unfilled firearm, muzzleloader, or archery permit or antlerless-only white-tailed deer game tag valid in unit 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, or 19, shall be valid during the extended firearm season beginning January 1, 2006 and extending through January 8, 2006 in those units. It is the staff recommendation that deer hunters should be required to have a deer permit that allows them to take an antlered deer before they may acquire an antlerless-only permit or a deer game tag. However, the recommendation for the number of deer game tags that may be used by a hunter remains the same as last year. A deer hunter with an antlered deer permit may obtain no more than four deer game tags. No deer game tag may be used in units 1, 2, 17, or 18. Only one deer game tag shall be valid within the area of units 3, 4, 5, 6, 9, 10, 11, and 14. As many as four deer game tags may be used within the area of units 7, 8, 12, 13, 15, 16, & 19. Last year was the first for deer check stations in a couple of decades, and weren't too many problems. Staff would like to keep check stations but expand units where hunters would be required to take their deer to a check station to include units 1, 2, 3, 16, 17, & 18. The check stations would be operated only during the regular firearm deer seasons. Deer taken outside of these units and outside the regular firearms deer season would not need to be taken to a deer check station. It is recommended to discontinue the practice of converting unsubscribed any-deer permits, and muzzleloader any-deer permits to leftover antlerless-only permits that are then reauthorized in a second drawing. This recommendation is being made to both simplify the permitting process and to reduce harvest pressure on female mule deer. Permit to take antlered deer before getting a game tag or white-tailed antlerless permit.

Commissioner Johnston asked about hunters who didn't draw an antlered permit. Fox said they could not hunt. Chairman Dykes asked if that proposal was made to cut down on the number of antlered deer being taken on antlerless permits? Fox said that was one reason. Chairman Dykes asked if a decrease in antlerless deer being taken was expected. Fox said that some decrease was expected but not a significant one. Deer indices are starting back up. Staff are working on distance sampling to check densities. Chairman Dykes asked if the four units where deer game tags are not recommended are not problem areas. Fox said these units the lowest deer densities. Unit 17 had a conflict this year when someone complained about hitting a deer. Commissioner Harrington asked about CWD. Fox said that studies had been completed on some deer and elk and all of those tested negative. There are still about 25 that were suspect cases that have not

been tested yet. Commissioner Johnston asked about deer/vehicle accidents in Unit 19, and if they were going down or staying the same. Fox said they were trending up at a slight increase. Unit 17 and 18 had a sharp incline. It is very hard to rely on hunters only to decrease a population. Commissioner Johnston if the special urban season has been effective in reducing accidents. Fox said harvest had increased, but it had not impacted the deer/ vehicle accidents. It is not an effective tool at this level. Hope to get more communities involved in access, but it is a long-term and difficult process. Commissioner Johnston commented that with a drop in the harvest of deer from 2002, and populations already appearing to rebound it seems reducing the number of days is not the way to go. Fox commented that the extended season had gone from 14 days to 2 days in that season and were getting ready to phase even that out. However, seeing the population rebound staff is suggesting 8 days to keep seasons consistent simple. Chairman Dykes said it seemed to him that the archery season recommendation was a change. Fox said the proposal would be a 12-day increase in archery hunting, but it would simplify things and make it a more clear. Currently, a firearms hunter can archery hunt during the archery season, but archery hunters could not hunt in the firearms season. Chairman Dykes asked if archery hunters would be required to wear blaze orange. Fox said that archery hunters hunting during the firearms season would be required to wear orange.

Mike Pearce, Wichita Eagle, asked if pressure to increase harvest was coming from a legislative level. Hayden commented that Lloyd works closely with KDOT to work the numbers out, but with numbers going up legislative pressure could come. Pearce asked what deer/vehicles were in 2003. Fox said they were about 9,900 in 2003. The peak was more than 10,000 in 2001. Pearce asked if the number of antlerless tags would change. Fox said it wouldn't. Chairman Dykes commented that we have been down this road before with an unacceptable number of deer/vehicle accidents, so we increased pressure. Deer really came back in 1996.

Ben Jedlika, Riley, expressed concern about applying for antlered tag before getting an antlerless tag would inhibit new or young hunters. Fox said residents can still get landowner tags and permits, but in order to get game tags or white-tailed antlerless-only permits they would have to purchase that other one first. Jedlika asked about allowing those 16 and under to purchase game tags. Fox said the legislature has asked the department to simplify the system and continuing to add items to the system will add confusion.

Steve Sorenson, Kansas Wildlife Federation, said their concern is that \$30 is a lot of money to bring a kid in to shoot a doe and it would seem to be to a benefit to allow the kids to purchase the \$10 permits. He mentioned the department's youth deer hunt at Anthony, where during the first year, kids had to go through a draw and the next year it was simplified so that the kids could get a permit much easier. In 1965 when we opened the deer season, it was simple, just go out and shoot a deer, but now you can't run all 19 units the same way. If it takes five extra minutes to explain the system, then so be it. It seems that it "runs to the quality of the legislators".

Ron Nicholson, Kansas City area, said the DMU 19 problem is going to be taken care of this year. Sunflower has been sold and if hunters can get on that area we can take care of that problem. Some bowhunters went over to Cedar Creek, but they weren't able to get in there. He asked if there was any way the department could talk to the people who bought that and get hunters in there. Chairman Dykes asked if permit holders in units adjacent to 19 could continue to hunt in Unit 19. Fox said yes. Chairman Dykes said he was also concerned about having them buy an antlered permit before purchasing the antlerless-only permit. Fox said it was a double-edged sword. By trying to take care of the group hunting issue, it will make it more difficult for the hunter who wants to come in and get a doe only. It is hard to find a way to make it fair for

everyone. Chairman Dykes asked Jones if there was any objective information regarding people carrying antlerless tags and getting bucks. Jones said he had some data, but it was not compiled. There have been several instances where that is happening, including a federal case being worked right now. It does provide an opportunity and an easy means for people to commit an illegal act. He said he could get some figures together and provide them at a later time. Chairman Dykes said if law enforcement was following the number of cases, that information would provide some data. Jones added that several years ago there was the problem with a prosecutor saying that he wasn't not going to prosecute people who got those deer and people may feel they are not going to be punished. Chairman Dykes asked if Jones could come back in April with some numbers? Jones said he would do that.

Steve Sorensen asked about the comment that the legislature wanted recommendations on how to simplify deer permits. Fox said they wanted input on how to simplify our statutes. Sorensen asked what they were after. Hayden said he felt the Chairman of the legislative committee truly wants to find a simpler system. It is very complex. Hayden said he viewed this as an opportunity. Sorensen asked if this was the House Wildlife, Parks and Tourism Committee? Hayden said it was.

VII. RECESS AT 5:00 p.m.

Supper at Guaranty State Bank Community Room - basement, 201 S. Mill, \$5.00 each.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

Chairman Dykes introduced Mayor Koster and thanked her for inviting us to Beloit. She thanked everyone for coming to Beloit.

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Chris Tymeson - Earlier today legislative bills were discussed. SB59, which is the wildlife violator compact, passed the House without amendment and will go for the Governor's signature. SB194, Commissioner permits, also passed.

Chairman Dykes said there was a clarification on game bird discussions held in the afternoon. Secretary Hayden said the East and Northwest prairie chicken units could be kept as they are, but the Southwest unit dates could be changed to end December 31, for a 61-day season (current season is 62 days). The season would be open during youth season and open on the same day as other seasons. The other option is to have a special permit for that Southwest unit. It would not cost, except for the issuance fee and would provide survey data. Those are the two alternatives that the Commission could be comfortable with. Chairman Dykes asked the Commissioners if they were comfortable, the item could come back for workshop at the April meeting. If we have any quail changes that will be taken up for the 2006 opener. Secretary Hayden said that quail or pheasant season changes would affect motels and would need to be done a year in advance. Chairman Dykes said that prairie chicken issues will come forward in April. Commissioner Johnston asked about the length of the Southwest unit season be, if a special permit was established. Secretary Hayden said that the length of the season is not as critical a special permit

is required and the season bag is three birds. Commissioner Johnston said he agreed with that logic and would be inclined to go with the special permit to get the extra data. Secretary Hayden said that proposal would be brought to the next meeting. Tymeson asked for clarification – that the proposal would be for a 90-day season with special permits. Chairman Dykes said that was correct. Tymeson said the Commission would also need to pass the pheasant and quail regulations as they are and change them next year, because they will be three separate regulations.

XI. DEPARTMENT REPORT

D. Public Hearing

Kansas Legislative Research Department and Attorney General's office comments (Exhibit O).

1. KAR 115-4-2. Big game; general provisions - Lloyd Fox, wildlife research biologist, presented this report to the Commission (Exhibit P). This regulation has been discussed a couple of times in workshop sessions. It will now say wild turkeys as well as big game species (Senate Bill 363). It is recommended that changes be made to this regulation to refer to “big game species and wild turkey” wherever the phrase “big game species” currently is used. Changes will need to be made to address automated changes; and the beard is to remain attached. Deer heads do not need to be checked. Also, on page 3 changed KSA to KAR.

Mike Pearce, asked if the requirement of transporting a turkey with beard attached would mean until processed. Fox said that it be required until the bird was processed. Pearce also asked if the lesser prairie chicken item would be discussed in the next meeting's workshop session or public hearing. Chairman Dykes said it would be a workshop item.

Commissioner Harrington moved to approve KAR 115-4-2 as presented. Commissioner Wilson seconded.

The roll call vote to amend KAR 115-4-2 was as follows (Exhibit Q):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-4-2 passed 6-0.

2. KAR 115-4-4. Big game; legal equipment and taking methods - Lloyd Fox, wildlife research biologist, presented this report to the Commission (Exhibit R). Remove all references to turkey which are now covered under 115-4-8. They will be added to a new regulation dealing with equipment for hunting turkey. It is recommended that section (d)(1) be changed from KAR 115-4-12 to KAR 115-4-2, to correct a printing error.

Commissioner Harrington moved to approve KAR 115-4-4 as presented. Commissioner Johnston seconded.

The roll call vote to amend KAR 115-4-4 was as follows (Exhibit S):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-4-4 passed 6-0.

3. KAR 115-4-13. Deer permits; descriptions and restrictions - Lloyd Fox, wildlife research biologist, presented this report to the Commission (Exhibit T). The regulation contains the following items: 1) creates permit types that include: a white-tailed deer, either sex permit valid during muzzleloader and firearms seasons; a white-tailed deer antlerless only permit valid during any season with the appropriate equipment; an antlerless white-tailed deer game tag; firearm any-deer permit; archery any-deer permit; muzzleloader any-deer permit; leftover any-deer permits; hunt-own-land permits, including resident HOL, nonresident HOL, and special HOL transferable permits; 2) nonresident deer permits shall be valid for the same season and same management unit as those for which the equivalent resident permits are valid; each deer permit or game tag shall be valid only for the species and antler category specified on the permit or game tag; and 3) antlerless deer are defined as a deer without a visible antler plainly protruding from the skull.

Commissioner Johnston moved to approve KAR 115-4-13 as presented. Commissioner Harrington seconded.

The roll call vote to amend KAR 115-4-13 was as follows (Exhibit U):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-4-13 passed 6-0.

4. KAR 115-4-4a. Wild turkey; legal equipment and taking methods - Roger Applegate, wildlife research biologist, presented this report to the Commission (Exhibit V, W). These turkey regulations are provided as a result of KSA 32-701 as amended by the legislature to remove wild turkey from the designation of big game. Provisions for wild turkey have been taken from KAR

115-4-4 to establish this regulation specifically for wild turkey. A detailed regulation will be provided later.

Commissioner Johnston moved to approve KAR 115-4-4a as presented. Commissioner Harrington seconded.

The roll call vote to amend KAR 115-4-4a was as follows (Exhibit X):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-4-4a passed 6-0.

5. KAR 115-25-5. Turkey; fall season, bag limit and permits - Roger Applegate, wildlife research biologist, presented this report to the Commission (Exhibit Y). This proposed change would continue the fall turkey season through the end of January except during firearms deer seasons. The fall firearms turkey season was opened to conform to firearms deer season. Any equipment that is legal during an archery or firearm turkey season shall be permitted during this season. Work is under way to develop the necessary regulation(s) to implement the provisions of this statute which is effective January 1, 2005. The season will open October 1 and be closed during the firearms deer season, then it would reopen after the regular firearms deer season, close on the December 31 and re-open from January 9 - January 31.

Commissioner Johnston moved to approve KAR 115-25-5 as presented. Commissioner Harrington seconded.

The roll call vote to amend KAR 115-25-5 was as follows (Exhibit Z):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-25-5 passed 6-0.

6. KAR 115-25-6. Turkey; spring season, bag limit, permits and game tags - Roger Applegate, wildlife research biologist, presented this report to the Commission (Exhibit AA). No changes are requested from last year. Need to change adult age of mentors from 21 to 18 to conform to other regulations.

Commissioner Meyer moved to approve KAR 115-25-6 as presented. Commissioner Wilson seconded.

The roll call vote to amend KAR 115-25-6 was as follows (Exhibit BB):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-25-6 passed 6-0.

7. KAR 115-25-7. Antelope; open season, bag limit and permits - Matt Peek, wildlife research biologist, presented this report to the Commission (Exhibit CC). The aerial pronghorn survey was completed since the last meeting and the extended season discussed at last meeting has been added to this proposal. There is a possibility of reopening archery season after closing the firearms season. There has been a nine-day archery season since 1985, unlimited permits since 1990. Success rates are low, less than 15 percent and limited impact the population is expected. Staff would like some guidance from the Commission on this. Chairman Dykes clarified that the proposed archery dates would be September 24 to October 2. Peek said that would be what it is with no change. This proposal would reopen the season on October 15 and run it through the end of the month. The structure would be the same as in the past. Firearms: 90 in Unit 2, 28 in Unit 17; muzzleloader: 20 in Unit 2, 10 in Unit 17, 8 in Unit 18.

Commissioner Johnston moved to approve KAR 115-25-7 as presented. Commissioner Harrington seconded.

The roll call vote to amend KAR 115-25-7 was as follows (Exhibit DD):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-25-7 passed 6-0.

8. KAR 115-25-8. Elk; open season, bag limit and permits - Matt Peek, wildlife research biologist, presented this report to the Commission (Exhibit EE). No permit recommendations at this time, those will be proposed at the next meeting. The proposed season dates outside the boundaries of Fort Riley are: September 1, 2005 through September 30, 2005 for the muzzleloader season; October 1, 2005 through November 29, 2005, and December 12-31, 2005, for the archery season; and November 30, 2005 through December 11, 2005, and January 1,

2006 through March 15, 2006 for the firearms seasons. The proposed season dates on Fort Riley are: a) October 1, 2005 through December 31, 2005 for the firearms seasons with one-third of the antlerless-only permits valid during each of the following segments - First segment: October 1, 2005 through October 31, 2005; Second segment: November 1, 2005 through November 30, 2005; and Third segment: December 1, 2005 through December 31, 2005. b) October 1, 2005 through December 31, 2005 for a firearms season for all holders of any-elk permits. Limited-draw permit allocations will be determined closer to the completion of the ongoing 2004-2005 season. Elk permits will be available only to Kansas residents. Permit applications will be separated into military and nonmilitary applicants, as has been done in the past. An unlimited number of hunt-own-land antlerless-only elk permits are proposed. The bag limit shall be one elk as specified on the permit. It is recommended that the application deadline for elk permits be similar to the 2003 period. The corresponding date would be July 15, 2005. Applications for hunt-own-land permits would be available through the next to last day of the season. There will be 15 antlerless elk permits and 10 any elk permits. Season structure will be the same as in the past, six month season off the Fort, three month on the Fort.

Commissioner Meyer moved to approve KAR 115-25-8 as presented. Commissioner Johnston seconded.

The roll call vote to amend KAR 115-25-8 was as follows (Exhibit FF):

Commissioner Fields	Absent
Commissioner Harrington	Yes
Commissioner Johnston	Yes
Commissioner Meyer	Yes
Commissioner Sebelius	Yes
Commissioner Wilson	Yes
Commissioner Dykes	Yes

The motion to approve KAR 115-25-8 passed 6-0.

XII. OLD BUSINESS

XIII. OTHER BUSINESS

A. Future Meeting Locations and Dates

April 21, 2005, Holiday Inn Express, 4020 Parkview Drive, Pittsburg.

Discussed McPherson and Wichita as possible future locations, McPherson for October and Wichita for August.

June 23, 2005, Hays (Possible tour of Cedar Bluff and have Fort Hays State University discuss Cheyenne Bottoms Visitors Center.

XIV. ADJOURNMENT

Commissioner Harrington moved, Commissioner Johnston seconded to adjourn.

The meeting adjourned at 7:30 p.m.

(Exhibits and/or Transcript available upon request)

Exhibit GG - Kansas State Parks 2004 Parks Division Annual Report

Parks Division 2005 Outstanding Employee Award

Randy Curtis, Park Manager Elk City State Park: Randy began his 35-year career in 1970 at Tuttle Creek State Park before relocating to Elk City State Park as park manager in 1974. Randy's dedication in serving our visitors and protecting our resources is unsurpassed. Elk City State Park consistently ranks on the top of the user and customer service satisfaction surveys. Randy has developed and guided several volunteer groups that have "adopted" many of the trails and portions of Elk City State Park. The park could not exist as it does today without these core volunteers! Last year, several of these core volunteers became disgruntled about the steady increase in user fees while being asked to even provide more volunteer hours. Randy successfully negotiated the negatives into positives with a result of increasing the number of volunteers. Regular office hours are often difficult to maintain during the reduced visitation months. To make up for that, Randy schedules several Saturdays in December, January, and March when he takes the permits and licenses to the people by setting up a booth in a local mercantile. Randy also orchestrates several special events annually; one in particular is the spectacular Neewollah Festival. It is these little "added value" extras in customer service that makes Randy our 2005 Outstanding Employee! We are proud to honor Randy with the 2005 Parks Division Outstanding Employee Award, thank you Randy for your special qualities.

Secretary's Remarks

TOURISM UPDATE

5 April 2005

Shari L. Wilson, Commissioner

Background

In March 2004, the Commission approved designation of a tourism liaison to raise the awareness of tourism issues and to assist KDWP staff in meeting the growing demand for information as Kansas focuses more on its tourism potential. Since that time, I have worked with LeAnn Schmitt and Bob Mathews, as well as other KDWP staff, on several projects and serve as the Department representative to Kansas Scenic Byways, the Kansas Film Commission, and the Travel Industry Association of Kansas (TIAK). These organizations, as well as others involved in tourism, welcome the involvement and partnership of the Department and Commission.

Kansas Scenic Byways

With regard to Kansas Scenic Byways (KSB), I have attended two meetings since last fall. I have been able to serve as a liaison between KSB and the Department by providing information from staff related to current and planned trails, grant programs, and signage. KSB has also approved the Wetlands and Wildlife Scenic Byway, which includes Cheyenne Bottoms WA and Quivira NWR. This byway has been proposed for national status and we should know if it will be approved later this year. Each of our state parks now receives 25 copies of *Kansas Traveler* for distribution. We have also increased the number of links to KDWP's website. KSB meets again on May 17 in Topeka.

Kansas Film Commission

Over the past few months, the Film Commission has been the busiest organization of the three. I have attended several meetings and helped to plan the 1st Annual Kansas Film Summit, held mid-March in Lawrence. Nearly 200 people from the Kansas film industry attended. Numerous recommendations for growing this industry were made at the summit. Film Commission staff will work to implement these recommendations as funds allow. Three bills were introduced this legislative session to provide tax credits and other economic stimuli to the film industry. Two of the bills remain in House committee; the third passed the House and remains in Senate committee. The next Film Commission meeting is 25 April in Lawrence.

Travel Industry Association of Kansas (TIAK)

TIAK just completed a successful year during which great strides were made in getting the organization back on track. TIAK was heavily involved in the research and presentation of the new Kansas brand image ("Kansas. . . as big as you think"). This year TIAK is focused on implementation of a new advertising co-op program and is beginning to plan its annual conference. TIAK meets on April 14 in Topeka.

I have also been attempting to wind my way through the maze of agencies and divisions involved in placing tourism signage for our state parks and wildlife areas, and plan to meet with KDOT sometime in April. Ideas and suggestions about other ways we can partner to increase tourism are welcome; please contact me to discuss. I appreciate the opportunity to represent the Commission and Department in these endeavors.

General Discussion

Landowner Deer Management Program Update

Background

The Kansas legislature instructed the Kansas Department of Wildlife and Parks during the 2003 session to investigate landowner deer management programs and to prepare a report. The law states:

“K.S.A. 32-968. Landowner deer management program: report. The department is hereby authorized and directed to develop a report containing recommendations for the establishment of a landowner deer management program. The report shall include recommended procedures, requirements and guidelines to provide qualified landowners an allotment of antlered and antlerless deer permits that may be transferred by the landowner to resident or nonresident deer hunters for use on such landowner’s property and may include such other requirements as the department finds appropriate. Such report shall be presented to the senate natural resources committee and the house tourism and parks committee on or before January 15, 2004.”

In October 2004 K.A.R. 115-4-14 was approved and the Kansas Landowner Deer Management Program was initiated. News releases were made about this program. Applications were prepared and distributed. Individuals that had expressed an interest in this type of program were contacted and mailed an application form. The deadline for submittal of a completed application was established as January 31, 2005.

Update:

Limited interest has been shown by Kansas landowners in this program. Only one application was accepted for the pilot project. That project is located in Chautauqua County on the Brougham and Kimple Ranch. Contracts are being initiated at this time that will specify the number of number and type of permits that the landowner’s clients may obtain and the number and type that will be available to residents of Kansas through a drawing system.

State Comprehensive Wildlife Plan Update

At the last three Commission meetings updates were provided on the Department's progress developing the Comprehensive Wildlife Conservation Plan, designed to meet the federal requirements for participation in the State Wildlife Grant Program. Kansas was recently allotted about \$900,000 for the current federal fiscal year. Since the last report, the consultant, Dynamic Solutions Group (DSG), has been working with staff to generate the first draft of the plan. Staff and DSG have gone through two alterations of parts of the plan, and are well on the way of generating a draft for public review. A draft for in-house review is due from the consultant on April 21, 2005, the same day as the commission meeting. It is projected to be about 150 pages long, and an executive summary will be written. The draft and the summary will be made available to the commissioners during the in-house review, and comments are welcome. After in-house review, a draft for public review will be posted on the KDWP website on May 20, 2005. Those who attended the Experts' Summit meeting in February, as well as all people on the contact list will be notified, and comments will be accepted until June 15, 2005. The goal is to have a final product by July 1, 2005.

At the last commission meeting, Ken and I gave background on the CWCP - is a requirement for participation in SWG program. We currently have over \$300,000 in active SWG grants, and are looking at another allotment of over \$900,000, and all are contingent upon completing this plan by October 2005.

Aug-04	contract awarded to DSG
Sep-04	species list compiled(draft) with inhouse expertise
Oct-04	Secretary's letter, announcing plan and invitation to participate distributed in-house
Oct-04	List of Contacts for interested government agencies, orgs and individuals completed
Oct-04	Secretary's letter, a week later, distributed out of house to contacts list
Oct-04	List of experts completed
Oct-04	Public announcement of start of CWCP process, through Commission meeting
Oct-04	Presentation at Commission meeting
Nov-04	SGCN determination made, with expert assistance for mammals, herps, fish and mussels
Nov-04	Web page posted, with background information, and solicitation for participation
Nov-04	Gave presentation, and invitation to participate to Kansas Nongame Advisory committee
Dec-04	Priority rankings assigned
Dec-04	Web page updated w Species list, KDWP Wildlife Diversity Plan & All-bird workshop results
Dec-04	Summit Conference (meeting of experts and interested parties to confirm lists and update conservation actions, partners and monitoring options) planned and booked
Dec-04	Habitat list defined
Dec-04	questionnaire formulated and sent to experts
Dec-04	FW Division meeting participation finalized for in-house input
Jan-05	Six responses received from experts
Jan-05	preliminary notification of Summit meeting sent to experts and contact list
Jan-05	news release for CWCP update at January Commission meeting
Jan-05	Presentation of update at Commission meeting
Dec,Jan-05	Presentations and extended invitations to participate have been made to several organizations, including Kansas Ornithological Society, Kansas Herpetological Society and Central Plains Society of Mammalogists.
February 2, 2005	Workshop with FW division at Salina - to take advantage of in-house expertise. DSG accompanied Ken and me to the Fish and Wildlife Division meeting, and conducted facilitated sessions with staff to review, affirm and update work that had been done on the Wildlife Diversity Plan and the All-bird workshop so that it can be incorporated into the CWCP.
Month of february	Questionnaires were sent out to experts in January, to gather information concerning confirmation of species of greatest concern, species habitat needs, and habitat condition. That information was compiled, and developed into a workbook for the CWCP Summit Workshop
2/22-23/2005	Summit Workshop in Manhattan Invited 130 organizations and interested parties - government agencies (e.g. COE, USFWS, USFS, BOR, State agencies), private (e.g. Audubon, KACEE, Kansas Farm Bureau, Kansas Wildlife Federation,) 60 experts (KU, KSU, FHSU, ESU, Baker U, Benedictine, KBS, KNWAC, Friends U, Tabor, SW College and others) Had 70 participants - a good cross section for species and for Conservation Regions Two-day workshop where experts and interested parties from across the state came together to give their input into our plan. We had breakout sessions by species groups (birds, mammals, herps, invertebrates, fish) on the first day. We got information about species abundance, population trends and habitat use. We then moved into conservation regions (short grass prairie, mixed grass prairie and tall grass prairie), and identified issues and strategies for the most important habitat types.

UPCOMING
4/1/05

First cut to be reviewed by Ken and Laurie

4/21/05
5/20/05

Second cut, for in-house review
First draft for public review - will be posted on the internet.
Everyone who attended the Summit will be notified, and comments solicited
Comment period will last until June 15, 2005

Community Fisheries Assistance Program Update

Last year, the Kansas Department of Wildlife and Parks (KDWP) launched the Community Fisheries Assistance Program (CFAP.) Using federal dollars derived from excise taxes on fishing equipment, the KDWP has leased fishing rights to 215 community lakes statewide, removing fees and improving access to nearly 12,000 acres of fishing waters. To fish in participating CFAP lakes, all a person needs is a Kansas fishing license.

By participating in the program, cities and counties have increased access to resources and contact with area fisheries biologists, including receiving priority status for fish stocking, habitat improvement, and additional improvement grants.

Anglers statewide have voiced enthusiasm for the program via both phone calls and emails. In addition, local governments across the state have shown a great interest in working with KDWP to provide the state's anglers greater fishing opportunities.

KANSAS DEPARTMENT OF WILDLIFE & PARKS
KANSAS OUTDOOR AUTOMATED LICENSE SYSTEM (KOALS)

A demonstration of the new Verifone equipment should be available.

A slight schedule change has developed. Our timeline for the new system is as follows:

- 08/04 to 04/05 Design of system
- 04/05 to 05/05 System integration testing
- 06/05 to 07/05 Pilot program and vendor equipment roll out
- 08/05 Full implementation of POS and WebPOS vendors
- 10/05 Implementation of small vendors using their own printer.

The small vendors using their own printer will not come online with other vendors. This is a new class of agents Central Bank has not dealt with in the past. These vendors are using an Internet module to sell licenses but still collecting an issuance fee. This slipped by Central Bank in the RFP, so to avoid delaying the full project we have made the decision to bring these vendors on after August.

Workshop Session

KAR 115-25-1, 115-25-1a, 115-25-1b
Prairie chicken, quail, pheasants; open seasons, bag limits, and possession limits.

Background:

Currently the regulations for quail, pheasant, and prairie chicken are contained in regulation KAR 115-25-1. Harvest management strategies are different for each species group. It is recommended that the regulations for each of these groups be separated into three distinct regulations to facilitate the setting of seasons and other harvest management strategies for each group. Regulations for each species group will focus on the opportunities that each provides, while addressing the particular needs of individual species. This proposal defines regulation **KAR 115-25-1** for prairie chickens, **KAR 115-25-1a** for quail, and **KAR 115-25-1b** for pheasant.

In considering the following recommendations for the 2005 prairie chicken season and the 2006 quail and pheasant seasons, the question of these changes having a measurable impact on the status of population levels was considered. These recommendations are being forwarded for Commission consideration with the confidence that the biological impact of any change in hunter harvest under the proposed season structures will be minimal and insignificant in comparison to impacts from habitat alteration, climatic factors, predation, and disease. It is, however, understood that there exists strong personal biases and opinions concerning any change in upland game bird seasons. Human feelings, attitudes, opinions and perceptions that are communicated as the result of this recommended change are indeed real and should be factored into the decision-making process. Any argument that these recommended season changes will significantly alter the success of population recovery or contribute to further decline may be overstated. At a time when management considerations include addressing hunter retention and recruitment, maintaining our hunting heritage, and enhancing hunter advocacy, these recommendations favor a new found opportunity for discovering the lesser and greater prairie chicken, and for experiencing separate and distinct opening weekends for pheasant and quail.

Discussion:

It is desirable to develop three opening days for the three species groups of upland game birds. The current harvest management strategy for all upland birds is to provide the maximum opportunity for hunter recreation days without adversely affecting upland bird populations. We feel that the current season structure and dates for prairie chicken, pheasant and quail can be adjusted to provide additional hunting opportunity.

It is also recommended that, if adopted, these regulation changes remain in effect for a period of at least five years. Providing a level of continuity for this minimum period of time would allow for the measurement of any economical, social, or biological impact resulting from these changes.

This proposal also includes changing the age of the supervising adult during youth seasons from 21 to 18 years old. This provides a consistent supervising age with other youth seasons.

Recommendations:

115-25-1: Prairie chickens (greater prairie chicken and lesser prairie chicken);

Kansas greater prairie chicken population indices have been essentially stable in the Flint Hills and northcentral Kansas for the past decade. Due to substantial habitat changes, greater prairie chicken numbers have declined in areas east of the Flint Hills. This species has increased in northwest and west-central Kansas over the same period.

It is recommended that the following changes in the prairie chicken seasons in Kansas begin in the fall of 2005.

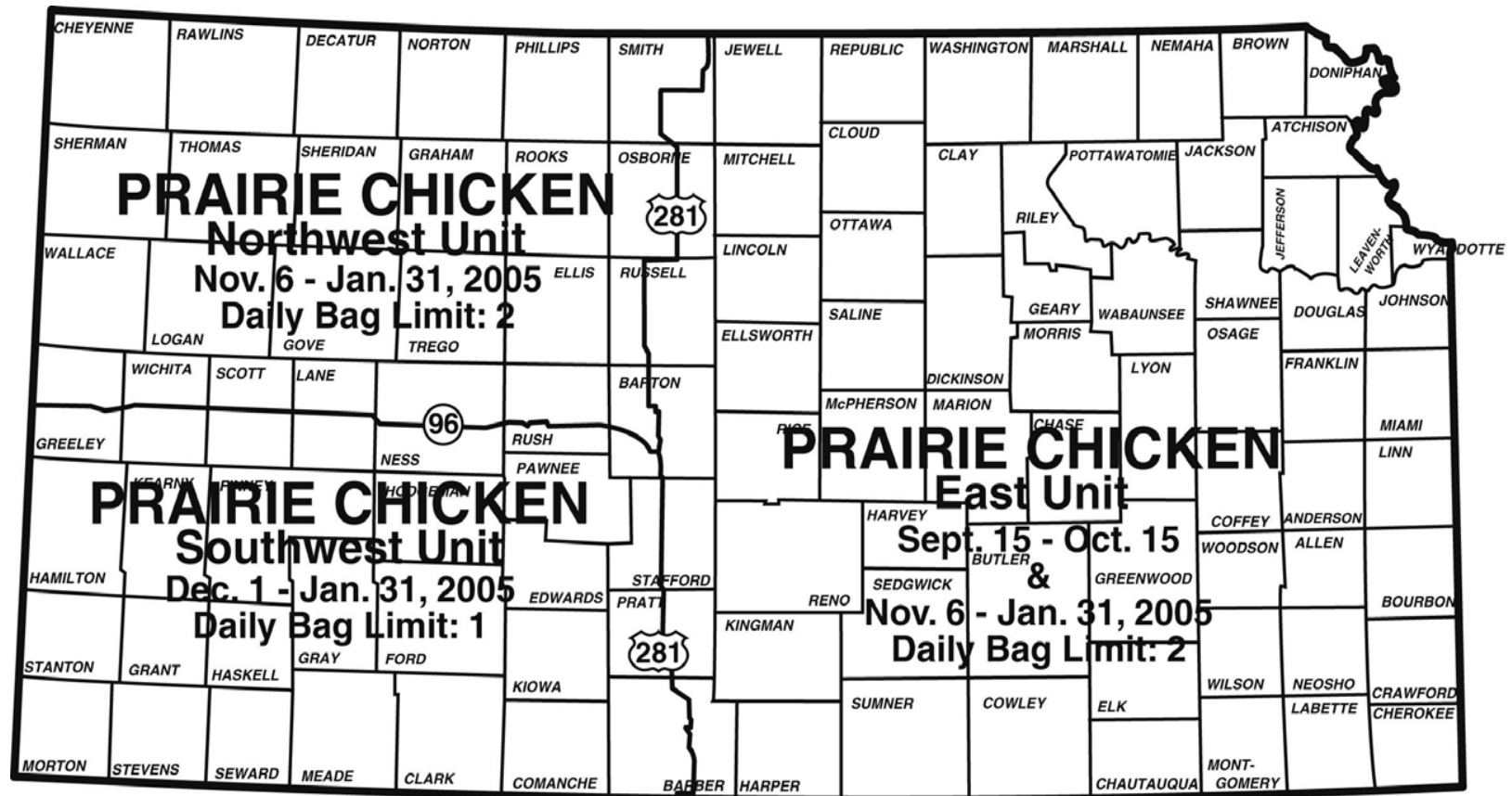
East Unit -- September 15, 2005 - January 31, 2006, with a daily bag limit of 2, possession limit of 8. The 16- to 22-day gap between the current special early season (Sept. 15–Oct. 15) and the current regular season (second Saturday in November – January 31) would be opened to hunting. This would create a continuous open season of 138 days on greater prairie chickens in the East Unit, compared to the current split seasons that vary between 116 and 122 days.

Northwest Unit -- November 1, 2005 - January 31, 2006, with a daily bag limit of 2, possession limit of 8. The only change in this unit would be for the season opening to begin November 1 instead of the first Saturday in November under the current structure, except in the area between Highway K-96 and I-70, which is to be included in the Southwestern Unit. This would create a 92-day season, compared to the current season that varies from 86 to 92 days. Only greater prairie chickens are found in this unit.

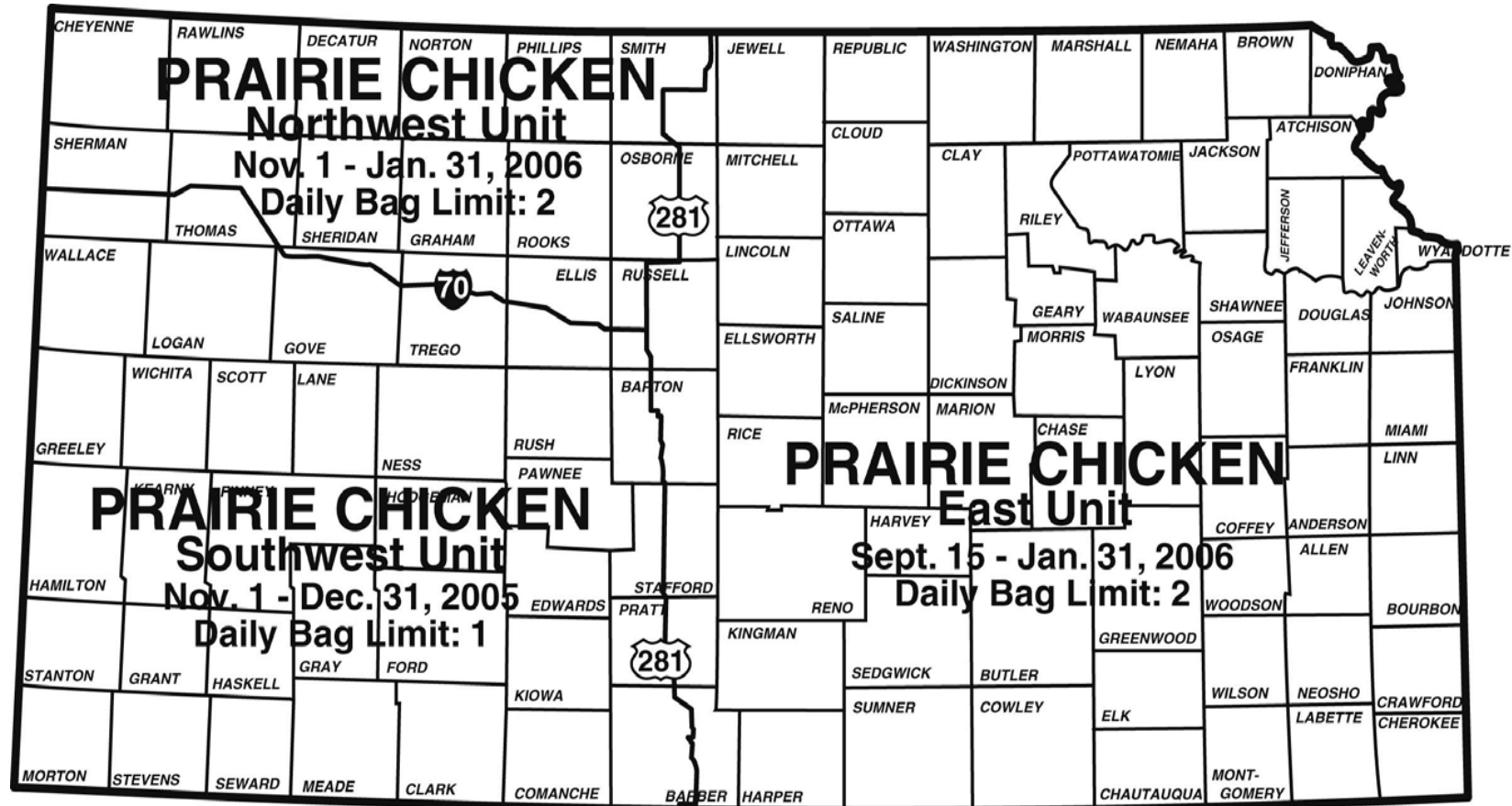
Southwest Unit - November 1, 2005 - December 31, 2005, with a daily bag limit of 1, possession limit of 4. This proposed change would move the opening date to November 1, creating a continuous season of 61 days as compared to the current 62-day season that opens on December 1 and closes on January 31. Bag and possession limits would remain the same as the current structure. In the area between Highway K-96 and I-70, which would become part of the Southwestern Unit, the daily bag limit would be reduced from the current 2 birds to the proposed 1 bird, and the season opener would change from the first Saturday in November to November 1. These changes would primarily involve lesser prairie chickens, but greater prairie chickens are present north of Highway K-96.

The recommended hunting of prairie chickens in southwest Kansas during the month of November instead of January could predictably increase harvest and hunter opportunity on lesser prairie chickens but without adversely impacting the population in Kansas. We predict an increase from 340 hunters expending 1,250 hunter days and harvesting an estimated 270 lesser prairie chickens to a maximum of 700 hunters expending 2,500 hunters days and harvesting 600 birds. The Department currently estimates the population of lesser prairie chickens at 17,500 birds. The projected maximum harvest under the recommended season represents 3.5 percent of the estimated population.

Current Prairie Chicken Hunting Units & Season Structure



Proposed Prairie Chicken Hunting Units & Season Structure

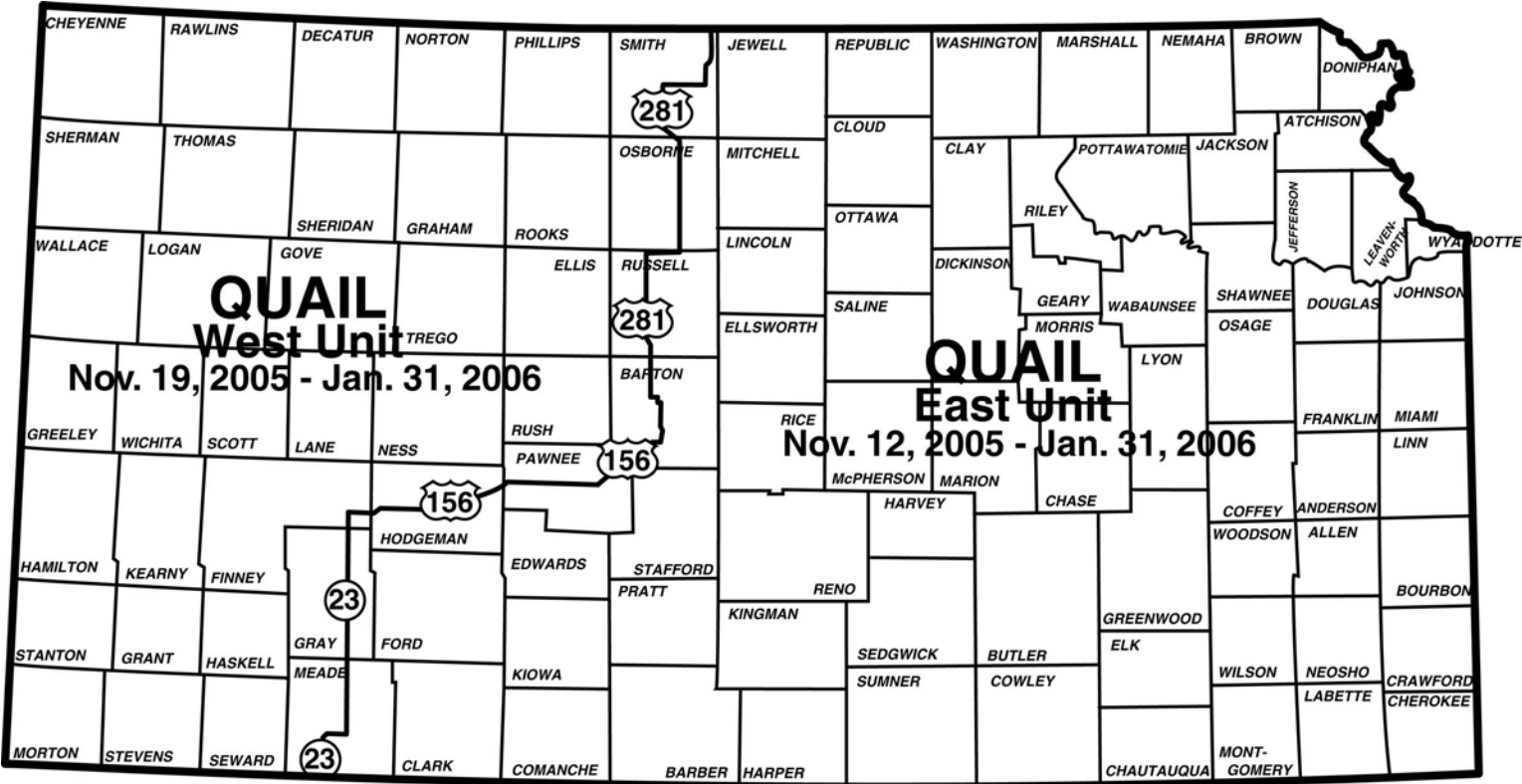


115-25-1a: Quail (Scaled and Bobwhite);

It is recommended that the **2006** quail season open statewide on the **second Saturday in November** and close on the following January 31. Daily bag will remain at 8 and the possession limit at 32 quail on or after the fourth day. The majority of the state would retain the current season, but the season would increase by one week in the western portion of the state. The **fall 2005** quail openers will be the second and third Saturdays in November. This proposal would establish a statewide quail opener on the second Saturday in November for the **fall 2006** season.

The **fall 2006** youth season for the taking of quail shall be a 2-day season starting the last Saturday in October. The entire state shall be open for the taking of quail during the youth season. Only persons 16 years of age or younger, accompanied by an adult 18 years of age or older, may hunt during the youth season. The daily bag limit during the youth season for the taking of quail shall be four quail. The possession limit during the youth season for the taking of quail shall be eight quail.

Current 2005 Quail Zone Map



2006 recommendation eliminates east-west boundary, resulting in a single statewide quail season opening date

115-25-1b: Pheasants;

It is recommended the **fall 2006** season for pheasants open statewide on the **first Saturday in November** and close on the following January 31. The daily bag will remain at 4 cock pheasants per day and possession of 16 cock pheasants on or after the fourth day. This recommendation will increase the current pheasant season by one week by changing the opener from the **second Saturday in November** to the **first Saturday in November**.

The **fall 2006** youth season for the taking of pheasant shall be a 2-day season starting the last Saturday in October. Only persons 16 years of age or younger, accompanied by an adult 18 years of age or older, may hunt during the youth season for the taking of cock pheasants. The entire state shall be open for the taking of cock pheasants during the youth season. The daily bag limit during the youth season for the taking of cock pheasants shall be two cock pheasants. The possession limit during the youth season for the taking of cock pheasants shall be four cock pheasants.

2005 Fall Proposed Upland Bird Season

Prairie Chicken, Eastern Unit

September 15, 2005 – January 31, 2006
Daily bag 2
Possession limit 4

Youth Pheasant and Quail Season

November 5 – November 6, 2005
Daily bag 4 quail, 2 cock pheasants
Possession limit 8 quail, 4 cock pheasants

Prairie Chicken, Northwest Unit

November 1, 2005 – January 31, 2006
Daily bag 2
Possession limit 4

Prairie Chicken, Southwest Unit

November 1, 2005 – December 31, 2005
Daily bag 1
Possession limit 4

Pheasant

November 12 (second Saturday in November), 2005 – January 31, 2006
Daily bag 4 cock pheasants
Possession limit 16

Quail

- Eastern Zone

November 12 (second Saturday in November), 2005 – January 31, 2006

- Western Zone

November 19 (third Saturday in November), 2005 – January 31 2006

Daily bag 8

Possession limit 32

2006 Fall Proposed Upland Bird Season

Prairie Chicken, Eastern Unit

September 15, 2006 – January 31, 2007
Daily bag 2
Possession limit 4

Youth Pheasant and Quail Season

October 28 – October 29, 2006
Daily bag 4 quail, 2 cock pheasants
Possession limit 8 quail, 4 cock pheasants

Prairie Chicken, Northwest Unit

November 1, 2006 – January 31, 2007
Daily bag 2
Possession limit 4

Prairie Chicken, Southwest Unit

November 1, 2006 – December 31, 2006
Daily bag 1
Possession limit 4

Pheasant

November 4 (first Saturday in November), 2006 – January 31, 2007
Daily bag 4 cock pheasants
Possession limit 16

Quail

November 11(second Saturday in November), 2006 – January 31, 2007
Daily bag 8
Possession limit 32

2004 Fall Upland Bird Season

Prairie Chicken, Eastern Unit

September 15 – October 15 and November 6 – January 31

Daily bag 2

Possession limit 4

Youth Pheasant and Quail Season

November 6 – November 7, 2004

Daily bag 4 quail, 2 cock pheasants

Possession limit 8 quail, 4 cock pheasants

Prairie Chicken, Northwest Unit

November 6, 2004 – January 31, 2005

Daily bag 2

Possession limit 4

Prairie Chicken, Southwest Unit

December 1, 2004 – January 31, 2005

Daily bag 1

Possession limit 4

Pheasant

November 13 (second Saturday in November), 2004 – January 31, 2005

Daily bag 4 cock pheasants

Possession limit 16

Quail

- Eastern opener

November 13 (second Saturday in November), 2004 – January 31, 2005

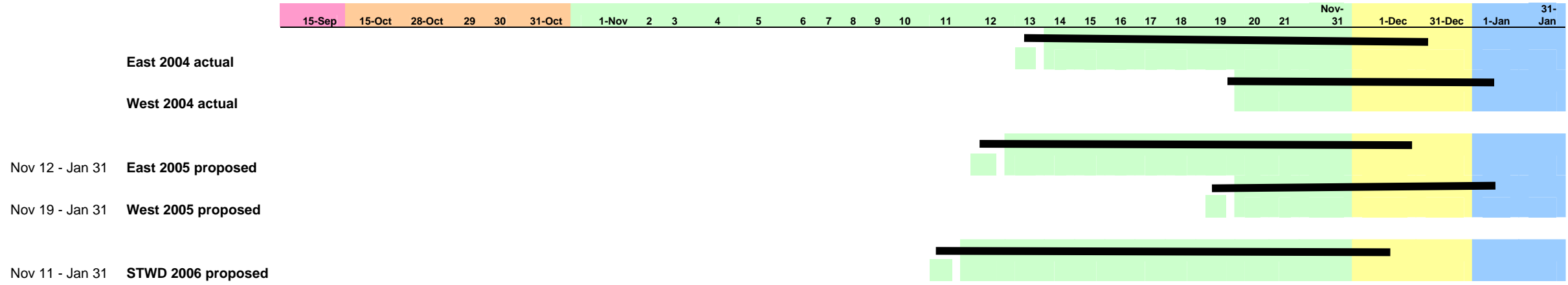
- Western opener

November 20 (third Saturday in November), 2004 – January 31, 2005

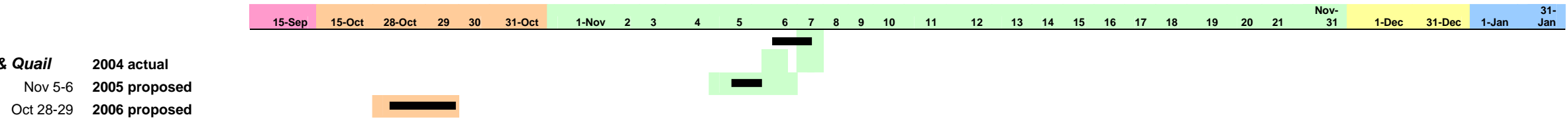
Daily bag 8

Possession limit 32

Quail



Youth Pheasant & Quail



RECOMMENDATIONS FOR 2005 "EARLY" MIGRATORY BIRD SEASONS

INTRODUCTION AND BACKGROUND

The U.S. Fish and Wildlife Service annually develops frameworks for migratory bird hunting seasons. These frameworks establish the most liberal seasons that will be allowed on a particular species or group of species. States may adopt more restrictive regulations than those allowed in the frameworks, but they may not adopt seasons more liberal than stated in the frameworks. At this time, we expect the proposed early season frameworks to be published by mid-July.

The following season dates are recommended for approval by the Commission, with authorization for the Secretary to make any adjustments required as a result of unforeseen framework changes.

EXPECTED FRAMEWORKS AND RECOMMENDATIONS

DOVE:

Dove regulations are now set by KAR 115 – 25 – 19, rather than annual Commission approval.

RAIL (Sora and Virginia):

Framework - Hunting season not exceeding 70 days between September 1, 2005 and January 20, 2006. Daily bag of 25 and possession limit of 25, singly or in aggregate, of sora and Virginia rail.

Recommendation - Season running September 1 through November 9, 2005 with a bag and possession limit of 25 and 25, respectively. There is no open season on king rail, common moorhen, and purple gallinule.

SNIPE:

Framework - Hunting season not exceeding 107 days between September 1, 2005 and February 28, 2006. Season may be split once. Daily bag and possession limit not to exceed 8 and 16, respectively.

Recommendation - Season running September 1 through December 16, 2005 with bag and possession limit of 8 and 16, respectively.

WOODCOCK:

Framework - Season not exceeding 45 days between September 21, 2005 and January 31, 2006. Season may be split. Daily bag and possession limit of 3 and 6, respectively.

Recommendation - Season running October 15 through November 28, 2005 with a bag and possession limit of 3 and 6, respectively.

TEAL SEASON:

Framework - Hunting season between September 1 and September 30, 2005, not exceeding: 1) 16 days if the blue-winged teal breeding population is above 4.7 million, or 2) 9 days if the breeding population is between 3.3 - 4.6 million, with a daily bag and possession limit of 4 and 8 teal, respectively. Last year's (2004) blue-winged teal breeding population was 4.1 million. The 2005 blue-winged teal breeding population total will not be known until June.

It is possible that only 8 days will be available for the September Teal Season in the High Plains. This potential restriction on the High Plains Teal Season is due to the 107-day annual limit (by treaty) on hunting of any one species. A regular High Plains duck season of 97 days allowed under the regular season liberal package, plus 2 days of youth hunting leaves only 8 days to reach the 107 day total.

Recommendation:

High Plain Zone - A bag and possession limit of 4 and 8, respectively, with the following season date possibilities:

A 9-day season running September 17 through September 25, 2005,

or, a 16-day season running September 10 through September 25, 2005,

or, an 8-day season running September 17 through September 24, 2005

Low Plains Zones - A bag and possession limit of 4 and 8, respectively, with the following season date possibilities:

A 9-day season running September 17 through September 25, 2005,

or, a 16-day season running September 10 through September 25, 2005.

SEPTEMBER CANADA GOOSE SEASON:

Background - Kansas is allowed a maximum of 15 days of Canada goose hunting during the first 15 days of September to assist with the control of nuisance Canada geese. The bag limit may not exceed 5 Canada geese, and there is no possession limit.

KDWP staff expects regular dark goose season frameworks will allow a 95-day season on Canada geese. These 95 days, plus the two-day youth hunt, utilizes 97 of the possible 107 days of Canada goose hunting allowed by treaty, leaving 10 days available for the September season.

Recommendation - **Adopt a 10-day Canada goose season, running September 3 through September 12, 2005, around the cities of Wichita, Topeka, Lawrence and Kansas City (see attached maps), with a bag and possession of 3 and 6 respectively.**

Discussion - Canada goose numbers in the cities of Wichita, Topeka, Lawrence and Kansas City have exceeded desired levels during much of the year. Resident Canada geese nesting near these cities are also contributing to the problem during the fall and winter period. Providing for additional harvest near these cities during the month of September, as allowed by the U.S. Fish and Wildlife Service, may assist with efforts to limit problem concentrations. The areas proposed for the September Canada goose hunt include areas of the state surrounding the cities involved, and to the greatest extent possible, are bounded by prominent highways for ease of description.

The recommended bag and possession limits are consistent with those established for the regular dark goose season to simplify regulations and reduce confusion.

September Hunt Area Boundaries - That part of Kansas bounded by a line from the Kansas-Missouri state line west on K-68 to its junction with K-33, then north on K-33 to its junction with US-56, then west on US-56 to its junction with K-31, then west-northwest on K-31 to its junction with K-99, then north on K-99 to its junction with US-24, then east on US-24 its junction with K-63, then north on K-63 to its junction with K-16, then east on K-16 to its junction with K-116, then east on K-116 to its junction with US-59, then northeast on US-59 to its junction with the Kansas-Missouri line, then south on the Kansas-Missouri line to its junction with K-68.

That part of Kansas bounded by a line from I-135 west on US 50 to its junction with Burmac Road, then south on Burmac Road to its junction with 279 Street West (Sedgwick/Harvey County line), then south on 279 Street West to its junction with K-96, then east on K-96 to its junction with K-296, then south on K-296 to it junction with 247 Street West, then south on 247 Street West to its junction with US-54, then west on US-54 to its junction with 263 Street West, then south on 263 Street West to its junction with K-49, then south on K-49 to its junction with 90 Avenue North, then east on 90 Avenue North to its junction with KS-55, then east on KS-55 to its junction with KS-15, then east on KS-15 to its junction with US-77, then north on US-77 to its junction with Ohio Street, then north on Ohio to its junction with KS-254, then east on KS-254 to its junction

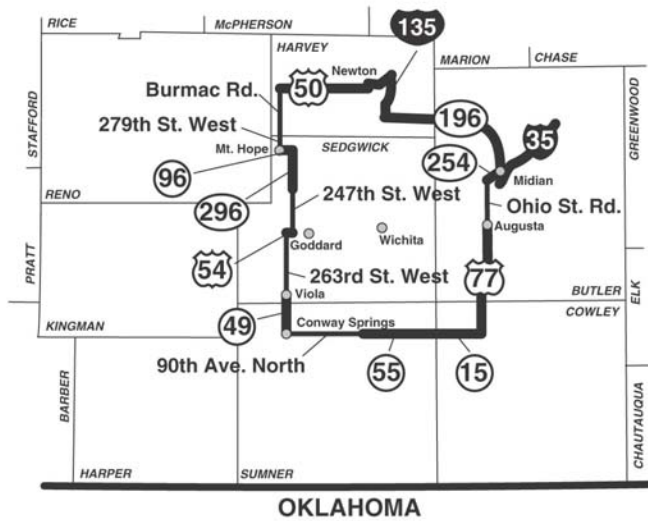
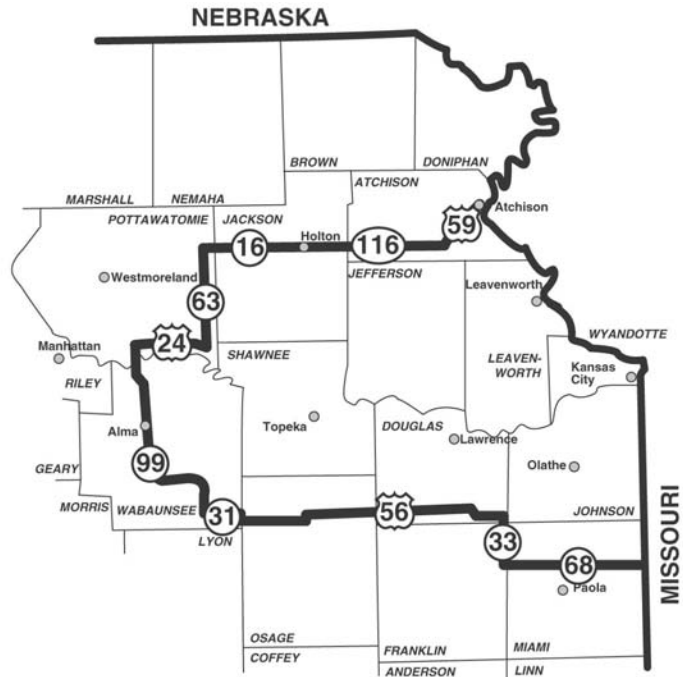
with KS-196, then northwest on KS-196 to its junction with I-135, then north on I-135 to its junction with US-50.

SHOOTING HOURS FOR ALL EARLY SEASONS:

Framework-Shooting hours frameworks are expected to be ½ hour before sunrise to sunset for all seasons.

Recommendation-Adopt maximum shooting hours allowed in the frameworks, probably ½ hour before sunrise to sunset.

September Canada Goose Units



KAR 115-9-9, Electronic licenses, permits, stamps, tags, and other issues of the department; other requirements.

Background

The regulation contains the following items:

- b)Requirements and procedures to purchase and use electronic licenses and permits.
- c)Procedure to validate electronic stamps
- d)Procedure to replace lost or destroyed electronic licenses and permits
- e)Procedure to purchase electronic permits which now require an application.
- f)Procedure for using carcass tags from electronic permits
- g)Procedure for using electronic temporary annual park permit

Discussion

Selling and using electronic licenses and permits will require some changes to procedures previously used with paper permits and license books.

Subsection (a) requires the customer to verify the information printed on the license or permit is correct. Having the customer check and verify their information will double check information entered by the vendor agents. After checking that all information is correct the customer will sign and attest that all information is true and correct.

Subsection (b) requires the customer purchasing a license or permit through a telephone vendor to carry the confirmation number issued by the telephone vendor. The confirmation number can be verified by any law enforcement officer through a toll-free number to the Kansas Outdoor Automated License System (KOALS) help desk. Using the confirmation number, the KOALS help desk can supply the customer name, date of purchase, privileges purchased and any other information contained in the automated database.

Subsection (c) allows a stamp to be validated by signing the issue showing the stamp purchase. The electronic license system will show stamp purchases as a line item on the issue with other privileges purchased. There will not be a separate issue printed for a stamp purchase unless the stamp is the only purchase.

Subsection (d) allows lost or destroyed electronic issues that can be purchased from an electronic or telephone license vendor to be replaced at any electronic or telephone license vendor. Any electronic or telephone license vendor will be able to enter the customer's identification number and verify what privileges that customer has purchased. An Internet customer may enter their customer number on the Internet sales page and select the purchase of a replacement for lost or destroyed issues. KAR 115-9-2 requires the customer to attest to the destruction or loss of the

current issue by signature. This section will specify that the attesting is done on the replacement issue, eliminating the need for an additional application for a lost or destroyed license.

Subsection (e) allows customers to purchase licenses and permits that formerly required a paper application from an electronic or telephone license vendor or over the Internet and eliminates the need for an additional application form. This section also provides for the signature on the electronic issue to satisfy any requirements for a signature on an application form.

Subsection (f) allows carcass tags purchased from an electronic vendor to be detached from the permit and remain valid. This will be necessary as all issues purchased from an electronic license vendor will be printed sequentially. Requiring the carcass tags to remain attached to the permit would mean that a hunter must take the game in the order that the carcass tags were printed. To allow enforcement of the single use of a carcass tag, a provision has been added that will invalidate any carcass tag signed before harvesting an animal for which the carcass tag was issued and invalidate either the permit or game tag the carcass tag was issued with.

Subsection (g) requires that a temporary annual park permit be visibly displayed as is required for an annual park permit. This section requires that a temporary annual park permit be exchanged for an annual park permit at a park license vendor or department office. This is necessary as the printing technology used at home printers for Internet sales and electronic license vendors other than department offices and park license vendors does not provide UV resistance. The temporary annual park permits will fade when exposed to sunlight.

Public Hearing



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

PHILL KLINE
ATTORNEY GENERAL

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

February 8, 2005

Chris Tymeson, Legal Counsel
Kansas Department of Wildlife and Parks
1020 S Kansas Avenue, Suite 200
Topeka, Kansas 66612

Re: K.A.R. 115-5-4, Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting hours, and general provisions
K.A.R. 115-11-1, Controlled shooting areas; license application, issuance priority, and reporting
K.A.R. 115-18-10, Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions
K.A.R. 115-25-5, Turkey; fall season, bag limit, and permits
K.A.R. 115-25-6, Turkey; spring season, bag limit, permits, and game tags
K.A.R. 115-25-7, Antelope; open season, bag limit, and permits
K.A.R. 115-25-8, Elk; open season, bag limit and permits

Dear Mr. Tymeson:

We have reviewed the above-referenced regulations for legality pursuant K.S.A. 77-420 and find no legal issues of concern. We have therefore approved these regulations.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
PHILL KLINE

Camille Nohe
Camille Nohe
Assistant Attorney General

CN:cn

Enclosure: Original document

cc: Rep. Senator Carl Holmes, Chair, Joint Committee on Rules and Regulations
Sen. Dennis Wilson, Vice Chair, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research

Document No.

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 Notice

Desired Date of Publication - February 17, 2005

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 Hearing of Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7:00 p.m., Thursday, April 21, 2005 at the Holiday Inn Express, 4020 Parkview Drive, Pittsburg, Kansas, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m., April 21st at the location listed above. The meeting will recess at 5:30 p.m. then resume at 7:00 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings 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 the hearing or other business matters, the commission will reconvene at 9:00 a.m. April 22nd at the location listed above.

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

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

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

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

K.A.R. 115-5-4. This new permanent regulation authorizes a nonresident bobcat, tagging, disposal, legal equipment, shooting hours and general provisions.

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

K.A.R. 115-11-1. This regulation relates to controlled shooting areas with regard to license application, issuance priority and reporting. The proposed change would not require daily reporting from controlled shooting areas.

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

K.A.R. 115-18-10. This regulation covers importation and possession of certain wildlife with provisions for prohibition, permit requirements, and restrictions. The proposed amendment would add the New Zealand mudsnail to the list of prohibited species.

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

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

John R. Dykes, Chairman



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

PHILL KLINE
ATTORNEY GENERAL

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

March 7, 2005

Chris Tymeson, Legal Counsel
Kansas Department of Wildlife and Parks
1020 S Kansas Avenue, Suite 200
Topeka, Kansas 66612

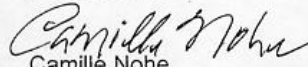
Re: **K.A.R. 115-25-9, Deer; open season, bag limit, and permits**

Dear Mr. Tymeson:

We have reviewed the above-referenced regulation for legality pursuant K.S.A. 77-420 and find no legal issues of concern. We have therefore approved this regulation.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
PHILL KLINE


Camille Nohe
Assistant Attorney General

CN:cn
Enclosure: Original document

cc: Senator Carl Holmes, Chair, Joint Committee on Rules and Regulations
Representative Dennis Wilson, Chair, Joint Committee on Rules and Regulations
Raney Gilliland, Legislative Research

Q:\PUBLIC\REGULATIONS\kdwp-115-25-9.wpd

Document No. _____

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 Notice

Desired Date of Publication - March 17, 2005

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 Hearing of Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7:00 p.m., Thursday, April 21, 2005 at the Holiday Inn Express, 4020 Parkview Drive, Pittsburg, Kansas, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks. This notice is in addition to the previously published notice.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m., April 21st at the location listed above. The meeting will recess at 5:30 p.m. then resume at 7:00 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings 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 the hearing or other business matters, the commission will reconvene at 9:00 a.m. April 22nd at the location listed above.

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

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations.

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

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

K.A.R. 115-25-9. This exempt regulation sets the open season, bag limits and permits for deer. Three changes are proposed for the 2005-2006 season. First, the extended firearms season is proposed for 8 days. Second, individuals must have an antlered permit prior to purchasing an antlerless whitetailed deer permit or game tag. Third, deer taken in Unit 16 are added to the list of units that must be registered at a check station.

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

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

John R. Dykes, Chairman

115-5-4. Nonresident bobcat hunting permit; tagging, disposal, legal equipment, shooting

hours, and general provisions. (a) Each permittee shall sign, record the county, date, and time of kill, and attach the carcass tag to the carcass immediately following the kill and before moving the carcass from the site of the kill.

(b) The carcass tag shall remain attached to the carcass or pelt until presented to the department for tagging with an export tag. The export tagging shall occur within seven calendar days of the harvest of the bobcat.

(c) Nonresident bobcat hunting permits shall be valid only for the hunting season specified in K.A.R. 115-25-11.

(d) Nonresident bobcat hunting permits purchased during the open season shall not be valid until the next calendar day.

(e) Nonresident bobcat hunting permits shall not be transferred to another person.

(f) Removal of the carcass tag from the nonresident bobcat hunting permit shall invalidate the permit for hunting, unless otherwise authorized by law or regulation.

(g) Legally acquired, skinned carcasses and meat of bobcats taken with a nonresident bobcat hunting permit may be sold or given to and possessed by another, and legally acquired raw furs, pelts, and skins of bobcats may be given to and possessed by another, if a written notice that includes the seller's or donor's name, address, and nonresident bobcat hunting permit number accompanies the carcass, pelt, or meat. A bobcat export tag as described in subsection (b) shall meet the requirements of written notice.

(h) Hunting equipment permitted during bobcat hunting season for use with a nonresident bobcat hunting permit shall consist of the following:

- (1) Firearms, except fully automatic firearms;
- (2) archery equipment;
- (3) crossbows; and
- (4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light.

(i) The following general provisions shall apply to the hunting of bobcats with a nonresident bobcat hunting permit:

- (1) Calls, lures, baits and decoys may be used in the hunting of bobcats.
- (2) Shooting hours shall be one-half hour before sunrise to one-half hour after sunset.
- (3) The bag limit shall be one bobcat for each nonresident bobcat hunting permit purchased. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective P-_____.)

ECONOMIC IMPACT STATEMENT

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

DESCRIPTION: This new administrative regulation establishes tagging requirements, disposal, legal equipment, shooting hours, and general provisions for the taking of bobcats under a nonresident bobcat hunting permit. Currently nonresidents are required to purchase a nonresident furharvester license to be able to harvest a bobcat during the furbearer season. Many people have requested the opportunity to harvest a bobcat, particularly while deer hunting, but would not desire to purchase a full furharvester license. This new permit would allow the take of a single bobcat per carcass tag purchased.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

115-11-1. Controlled shooting areas; license application, issuance priority, and reporting.

(a) Each application for a controlled shooting area license shall be made on forms provided by the department.

(b) Each applicant shall provide the following information:

(1) The size of the area;

(2) a map of the area;

(3) the legal description of the area;

(4) the species of game birds to be released and hunted;

(5) a description of the premises and facilities; and

(6) any other relevant information required by the secretary.

(c) Each applicant for renewal of an existing controlled shooting area license shall provide information as required by paragraphs (b) (1) through (b) (5) only if a change of status has occurred.

(d) The applicant shall submit, with the application, proof of ownership or lease for a five-year period of the area described in the application.

(e) An application for a controlled shooting area license that is not a renewal application may be submitted at any time.

(f) Each application for a renewal of a controlled shooting area license shall be submitted not later than July 1.

(g) ~~A~~ Each renewal application shall have priority over a new application for a controlled shooting area license in order that the maximum county controlled shooting area acreage limitation not be exceeded.

(h) A Each renewal application received after July 1 shall be considered a new application for purposes of subsection (g).

(i) Each licensee shall maintain ~~daily~~ records of game bird releases, a register of hunters, the number of animals or birds taken for each species of game animal hunted on the controlled shooting area, and any other relevant information required by the secretary on forms provided by the department. These records shall be available for ~~department~~ inspection by departmental staff.

(j) A final report consisting of the records and any other information required by the secretary shall be submitted to the department as a part of the renewal application or by August 1 if the controlled shooting area license is not renewed. A controlled shooting area license shall not be issued or renewed until a final report has been received by the department.

(k) This regulation shall be effective on and after July 1, ~~2002~~ 2005. (Authorized by K.S.A. 32-948; implementing K.S.A. 32-944, K.S.A. 32-945, and K.S.A. 32-948; effective Dec. 4, 1989; amended July 1, 2002; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-11-1. Controlled shooting areas; license application, issuance, priority, and reporting.

DESCRIPTION: This permanent regulation establishes application and reporting requirements for controlled shooting areas. The proposed change would eliminate the requirement of daily release records of game birds thereby allowing the Department and the controlled shooting areas the flexibility to establish a more cost efficient system of tracking game bird releases.

FEDERAL MANDATE: None.

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

ALTERNATIVES CONSIDERED: None.

115-18-10. Importation and possession of certain wildlife; prohibition, permit

requirement, and restrictions. (a) The importation, possession, or release in the state of Kansas of the following live wildlife species shall be prohibited, except as authorized by terms of a wildlife importation permit issued by the secretary:

- (1) Walking catfish (*Clarias batrachus*);
- (2) silver carp (*Hypophthalmichthys molitrix*);
- (3) bighead carp (*Aristichthys nobilis*);
- (4) black carp (*Mylopharyngodon piceus*);
- (5) snakehead fish (all members of the family Channidae);
- (6) round goby (*Neogobius melanostomus*);
- (7) zebra mussel (*Dreissena polymorpha*);
- (8) quagga mussel (*Dreissena bugensis*);
- (9) New Zealand mudsnail (*Potamopyrgus antipodarum*);
- (10) monk parakeet (*Myiopsitta monachus*); and
- ~~(40)~~ (11) Asian raccoon dog (*Nyctereutes procyonoides*).

(b) Any live member of a wildlife species listed in subsection (a) and possessed before the following dates may be retained in possession, in closed confinement, by making application to the secretary that provides information detailing the circumstances, including the location, by which the animal came into the applicant's possession:

- (1) February 1, 1978 for fish and bird species other than black carp, snakehead fish, round goby, zebra mussel, ~~and~~ quagga mussel, and New Zealand mudsnail;
- (2) February 1, 1986 for mammal species;
- (3) October 1, 2000 for black carp;

(4) May 1, 2003 for snakehead fish; ~~and~~

(5) August 1, 2004 for round goby, quagga mussel, and zebra mussel; and

(6) May 15, 2005 for New Zealand mudsnail.

The manner in which the animal is to be used shall be identified in the application.

(c) Wildlife importation permits for the importation or possession of live members of the wildlife species listed in subsection (a) may be issued by the secretary for experimental, scientific, display, or other purposes subject to any conditions and restrictions contained or referenced in a wildlife importation permit.

(d) Each individual desiring to import or possess live members of the wildlife species listed in subsection (a) shall apply to the secretary for a wildlife importation permit. The application shall be submitted on forms provided by the department and shall contain the following information:

(1) The name, address, and telephone number of applicant;

(2) the wildlife species to be imported or possessed and the number of wildlife involved;

(3) the purpose or purposes for importation or possession;

(4) a description of the facilities for holding and using the wildlife species;

(5) a description of plans to prevent the release of the wildlife species; and

(6) other relevant information as requested by the secretary.

(e) Each wildlife importation permit, once issued, shall be valid during the time period specified on the permit.

(f) In addition to other penalties prescribed by law, any wildlife importation permit may be refused issuance or revoked by the secretary if any of the following conditions is met:

(1) The application is incomplete or contains false information.

(2) Issuance of a permit would not be in the best interest of the public or of the natural resources of Kansas.

(3) The permittee fails to meet permit requirements or violates permit conditions.

(Authorized by K.S.A. 32-807 and K.S.A. 32-956; implementing K.S.A. 32-956; effective Dec.

27, 1993; amended Sept. 22, 2000; amended April 18, 2003; amended July 23, 2004; amended P-

_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restriction.

DESCRIPTION: This regulation lists species illegal to import or possess in Kansas. Listed species are considered nuisance species and pose a threat to native fauna if they become established in Kansas. The proposed amendment would add the New Zealand mudsnail to the prohibited species list. Individuals in legal possession of these species before the species becomes prohibited would be able to obtain a permit to retain those individual fish.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The Department does not anticipate any economic impact to the public, other state agencies, or the Department itself due to the addition of these species to the list of prohibited species.

ALTERNATIVES CONSIDERED: None.

115-25-9. Deer; open season, bag limit, and permits. (a) The open season for the taking of deer shall be as follows:

(1) Archery season.

(A) The archery season dates shall be October 1, 2005 through December 31, 2005.

(B) The entire state shall be open for the taking of deer during the archery deer season.

However, archery deer permits shall be valid in only two archery deer management units in addition to archery deer management unit 19, as specified in K.A.R. 115-4-6a.

(C) All archery deer permits also shall be valid during the portion of the extended firearm season beginning on January 1, 2006 and extending through the last open day in units open during an extended firearm season and shall be valid with any legal equipment authorized during a firearm season, but shall be valid only for antlerless white-tailed deer during those dates.

(D) The number of archery deer permits based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information shall be as established by the secretary with the concurrence of the commission.

(E) The urban antlerless-only white-tailed deer archery season shall begin on January 9, 2006 and extend through January 31, 2006 in all units designated as an urban deer management unit.

(2) Firearm season.

(A) In the Fort Leavenworth subunit, the Smoky Hill Air National Guard subunit, and the Fort Riley subunit, firearm season dates shall be not more than 12 days during the period beginning on November 1, 2005 and extending through December 31, 2005. Unless the appropriate officials of each military installation subunit select and report to the department the

dates for deer hunting on the military reservations, no permit or game tag shall be valid for hunting on the appropriate military reservation. The regular firearm season dates in all other deer management units shall be November 30, 2005 through December 11, 2005.

(B) The urban firearm deer season in all units designated in K.A.R. 115-4-6 as an urban deer management unit shall be October 15, 2005 through October 23, 2005. White-tailed either-sex firearm permits issued for a deer management unit adjacent to an urban deer management unit shall be valid only in the urban deer management unit during the urban firearm deer season.

(C) During the regular and extended firearm deer seasons, white-tailed either-sex firearm deer permits issued for a deer management unit adjacent to an urban deer management unit shall be valid in both the designated unit and the urban deer management unit.

(D) The number of firearm deer permits for each management unit based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information shall be as established by the secretary with the concurrence of the commission.

(3) Muzzleloader-only season.

(A) The muzzleloader-only season in all deer management units shall be September 10, 2005 through September 23, 2005. Muzzleloader deer permits shall also be valid during established firearm seasons using muzzleloader equipment, except that during the portion of the extended firearm season beginning on January 1, 2006 and extending through the last open day in units open during an extended firearm season, these permits shall be valid with any legal equipment authorized during a firearm season. During an extended firearm season, only muzzleloader deer permits for units open during these dates shall be valid, and only for antlerless white-tailed deer.

(B) The number of muzzleloader deer permits issued for each management unit based on a review of deer population indices, biological and ecological data, history of permit use and harvest rates, public input, and other relevant information shall be as established by the secretary with the concurrence of the commission.

(4) Season for designated persons.

(A) The season for designated persons to hunt deer shall be September 24, 2005 through September 25, 2005 in all deer management units.

(B) Only the following persons may hunt during this season:

(i) Any person 16 years of age or younger, only while under the immediate supervision of an adult who is 18 years of age or older; and

(ii) any person with a permit to hunt from a vehicle issued according to K.A.R. 115-18-4 or a disability assistance permit issued according to K.A.R. 115-18-15.

(C) All resident and nonresident deer permits and game tags shall be valid during this season.

(D) All persons hunting during this season shall wear blaze orange according to K.A.R. 115-4-4.

(5) Extended firearm seasons.

(A) Any unfilled firearm, muzzleloader, or archery permit or antlerless white-tailed deer game tag valid in unit 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, or 19, as applicable, shall be valid during the extended firearm season beginning January 1, 2006 and extending through January 8, 2006 in those units.

(B) Only antlerless white-tailed deer may be taken.

(C) Permits restricted to a specific unit shall remain restricted to that unit during the extended firearm season.

(D) Equipment legal during a firearm season shall be authorized with any permit.

(b) Unlimited resident hunt-on-your-own-land, special hunt-on-your-own-land, and nonresident hunt-on-your-own-land deer permits shall be authorized for all units. These permits also shall be valid during the portion of the extended firearm season beginning on January 1, 2006 and extending through the last open day in units open during an extended firearm season, but shall be valid only for antlerless white-tailed deer during an extended firearm season.

(c) Permit applications.

(1) Statewide applications for resident any-deer permits shall be accepted in the Pratt office from the earliest date that applications are available through July 15, 2005. Applications with a postmark date of not later than July 15, 2005 shall also be accepted.

(2) Applications for resident firearm white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through December 30, 2005.

(3) The following types of deer permits may be purchased at designated locations from the earliest date that applications are available through January 7, 2006:

(A) Resident archery deer permits;

(B) antlerless white-tailed deer permits;

(C) antlerless white-tailed game tags; and

(D) hunt-on-your-own-land deer permits.

(4) Applications for nonresident deer permits shall be accepted in the Pratt office from the earliest date that applications are available through May 31, 2005. Applications with a postmark date of not later than May 31, 2005 shall also be accepted.

(d) Any individual may apply for and obtain multiple deer permits, subject to the following limitations:

(1) Any individual may apply for or obtain no more than one deer permit that allows the taking of an antlered deer.

(2) Any individual may obtain no more than one antlerless white-tailed deer permit and no more than four antlerless white-tailed deer game tags, except that any individual may obtain no more than one antlerless white-tailed deer game tag that may be used in units 3, 4, 5, 6, 9, 10, 11, and 14. Antlerless white-tailed deer game tags shall not be valid in units 1, 2, 17, and 18.

(3) Any resident may obtain no more than one any-deer permit through the application period described in paragraph (c)(1).

(4) Nonresidents shall be eligible to obtain antlerless white-tailed deer permits and antlerless white-tailed deer game tags. Otherwise, a nonresident shall be eligible to apply for and obtain only those permits designated as nonresident deer permits.

(5) No resident or nonresident shall purchase any deer permit or game tag that allows the taking of antlerless deer without first having obtained a deer permit that allows the taking of antlered deer.

(e) The bag limit for each deer permit or game tag shall be one deer, as specified on the permit or game tag issued to the permittee.

(f) No deer permit or deer game tag issued pursuant to this regulation shall be valid after January 31, 2006.

(g) Each deer harvested during the regular firearm season in unit 1, 2, 3, 16, 17, or 18 shall be taken to a check station and registered within 48 hours of the time the deer is harvested. A registration tag shall be affixed to each deer harvested during the regular firearm season in unit 1, 2, 3, 16, 17, or 18.

(h) This regulation shall be effective on and after May 1, 2005, and shall have no force and effect on and after March 1, 2006. (Authorized by K.S.A. 32-807 and K.S.A. 2004 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 2004 Supp. 32-937, and K.S.A. 32-1002.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-25-9. Deer; open season, bag limit, and permits.

DESCRIPTION: The proposed exempt regulation establishes hunting bag limits, application periods and season dates for the 2005-2006 firearm, muzzleloader and archery deer seasons. There are three main changes from the 2004 seasons. First, the extended firearm season for antlerless white-tailed deer in January is lengthened to eight days. In 2004, the season was a total of two days. Second, individuals must have an antlered permit prior to purchasing an antlerless permit or game tag. Finally, any deer taken in unit 16, in addition to last season's units 1, 2, 3, 17 and 18, must be registered at a check station to allow for sampling and collection of deer parts with regard to chronic wasting disease. Otherwise, the proposal merely changes dates to fit the 2005-2006 calendar.

FEDERAL MANDATES: None

ECONOMIC IMPACT: Due to the reduced availability of white-tailed antlerless-only game tags, it is highly probable that the total numbers of permits and game tags sold will decrease for the 2005-2006 seasons. The amount of reduction, however, is difficult to anticipate at this time. Even if this reduction could be accurately estimated, however, estimated impact would be difficult to calculate because the actual economic impact from the 2004-2005 seasons is still unknown. As part of changes made 2001, a large proportion of deer permit sales in 2004-2005 occurred through other-the-counter sales, including sales through county clerks and private vendors, and therefore the department does not yet have total sales figures for last year. However, if the economic impact to the department, the general public, and other agencies from the 2005-06 seasons were to be similar to the estimate for the 2004-2005 seasons, total revenue to the department from the sale of all resident, nonresident, and landowner/tenant deer permits and game tags is estimated to be approximately \$5,000,000.

Approximately 415,000 days of hunting activity by 83,000 hunters are anticipated. A 2001 survey conducted by the U.S. Fish and Wildlife Service estimated that big game hunters spent approximately \$512 per year on trip and equipment expenditures, thus the 2004 deer seasons in Kansas are anticipated to generate approximately \$42.5 million worth economic benefit to businesses providing big game goods and services. No other economic impact to state agencies is anticipated.

ALTERNATIVES CONSIDERED: None

Deer Permit Quotas 2005 Season

Limited permit quotas are established using a variety of data, including hunter report cards, estimated harvest, estimated hunter success rates, landowner surveys, deer/vehicle accidents rates, and public tolerance.

Nonresident permit quotas, as required by statute, are allotted as a percentage of the permits sold to resident hunters the previous year. For the 2005 deer season, KSA 32-937 allows the department to provide nonresident firearm and muzzleloader permits equal to 16 percent of the firearms permits purchased by residents in 2004, by deer management unit. The number of nonresident white-tailed either sex archery permits for 2005 is 21 percent of the total archery permits purchased by resident hunters in 2004.

An amendment to KSA 32-937 in 2004 required the establishment of no fewer than nine archery deer management units. Nine archery units were established, and numbers of resident hunters per unit were estimated to establish the number of nonresident archery permits allotted per unit for 2005.

SECRETARY'S ORDERS
2005 DEER SEASON PERMIT QUOTAS

The Secretary of the Kansas Department of Wildlife and Parks, as authorized by K.A.R. 115-25-9, hereby establishes the 2005 deer season permit quotas in the following deer management units:

2005 DEER SEASON PERMIT QUOTAS, KANSAS RESIDENTS

HIGH PLAINS; UNIT 1:

Any Deer 540
Muzzleloader Any Deer 225
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter

SMOKY HILL; UNIT 2:

Any Deer 330
Muzzleloader Any Deer 150
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter

KIRWIN-WEBSTER; UNIT 3:

Any Deer 450
Muzzleloader Any Deer 200
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags *^b

KANOPOLIS; UNIT 4:

Any Deer 150
Muzzleloader Any Deer 50
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags *^b

PAWNEE; UNIT 5:

Any Deer 100
Muzzleloader Any Deer 75
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags *^b

MIDDLE ARKANSAS; UNIT 6:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags *^b

SOLOMON; UNIT 7:

Any Deer 250
Muzzleloader Any Deer 75
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags *^a

REPUBLICAN; UNIT 8:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags *^a

TUTTLE CREEK; UNIT 9:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags *^b

^a A maximum of four game tags per hunter may be used within the area of DMUs 7, 8, 12, 13, 15, 16, and 19.

^b A maximum of one game tag may be used within the area of DMUs 3, 4, 5, 6, 9, 10, 11, and 14.

KAW; UNIT 10:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags..... *^b

OSAGE PRAIRIE; UNIT 11:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags..... *^b

CHAUTAUQUA HILLS; UNIT 12:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags..... *^a

LOWER ARKANSAS; UNIT 13:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags..... *^a

FLINT HILLS; UNIT 14:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags..... *^b

NINNESCAH; UNIT 15:

Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags..... *^a

^a A maximum of four game tags per hunter may be used within the area of DMUs 7, 8, 12, 13, 15, 16, and 19.

^b A maximum of one game tag may be used within the area of DMUs 3, 4, 5, 6, 9, 10, 11, and 14.

RED HILLS; UNIT 16:

Any Deer200
Muzzleloader Any Deer125
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter
Antlerless Only Deer Tags..... *^a

WEST ARKANSAS; UNIT 17:

Any Deer300
Muzzleloader Any Deer200
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter

CIMARRON; UNIT 18:

Any Deer120
Muzzleloader Any Deer 100
Whitetail Either Sex one per hunter
Whitetail Antlerless Only one per hunter

KANSAS CITY URBAN; UNIT 19:

Antlerless Only Deer Tags..... *^a

HUNT-ON-YOUR-OWN-LAND;

UNITS 1-19:

Any Deer one per hunter

ARCHERY; CHOICE OF TWO
ARCHERY UNITS:

Any Deer one per hunter

2005 NONRESIDENT DEER SEASON PERMIT QUOTAS

Secretary's Orders

2005 Deer Season Permit Quotas

Page three

HIGH PLAINS; UNIT 1:

Muzzleloader Any Deer36
 Whitetail Either Sex100
 Whitetail Antlerless Only one per hunter

SMOKY HILL; UNIT 2:

Muzzleloader Any Deer24
 Whitetail Either Sex88
 Whitetail Antlerless Only one per hunter

KIRWIN-WEBSTER; UNIT 3:

Muzzleloader Any Deer32
 Whitetail Either Sex210
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^b

KANOPOLIS; UNIT 4:

Muzzleloader Any Deer8
 Whitetail Either Sex186
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^b

PAWNEE; UNIT 5:

Muzzleloader Any Deer12
 Whitetail Either Sex206
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^b

^a A maximum of four game tags per hunter may be used within the area of DMUs 7, 8, 13, 15, 16, and 19.

^b A maximum of one game tag may be used within the area of DMUs 3, 4, 5, 6, 9, 10, 11, and 14.

MIDDLE ARKANSAS; UNIT 6:

Whitetail Either Sex308
 Whitetail Antlerless Only.....one per hunter
 Antlerless Only Deer Tags.....*^b

SOLOMON; UNIT 7:

Muzzleloader Any Deer 12
 Whitetail Either Sex442
 Whitetail Antlerless Only..... one per hunter
 Antlerless Only Deer Tags.....*^a

REPUBLICAN; UNIT 8:

Whitetail Either Sex656
 Whitetail Antlerless Only.....one per hunter
 Antlerless Only Deer Tags.....*^a

TUTTLE CREEK; UNIT 9:

Whitetail Either Sex544
 Whitetail Antlerless Only.....one per hunter
 Antlerless Only Deer Tags.....*^b

KAW; UNIT 10:

Whitetail Either Sex812
 Whitetail Antlerless Only.....one per hunter
 Antlerless Only Deer Tags.....*^b

OSAGE PRAIRIE; UNIT 11:

Whitetail Either Sex1586
 Whitetail Antlerless Only.....one per hunter
 Antlerless Only Deer Tags.....*^b

CHAUTAUQUA HILLS; UNIT 12:

Whitetail Either Sex 582
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^a

LOWER ARKANSAS; UNIT 13:

Whitetail Either Sex 188
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^a

FLINT HILLS; UNIT 14:

Whitetail Either Sex 836
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^b

NINNESCAH; UNIT 15:

Whitetail Either Sex 600
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^a

RED HILLS; UNIT 16:

Muzzleloader Any Deer 20
 Whitetail Either Sex 302
 Whitetail Antlerless Only one per hunter
 Antlerless Only Deer Tags..... *^a

WEST ARKANSAS; UNIT 17:

Muzzleloader Any Deer 32
 Whitetail Either Sex 172
 Whitetail Antlerless Only one per hunter

CIMARRON; UNIT 18:

Muzzleloader Any Deer 16
 Whitetail Either Sex 80
 Whitetail Antlerless Only one per hunter

KANSAS CITY URBAN; UNIT 19:

Antlerless Only Deer Tags..... *^a

HUNT-ON-YOUR-OWN-LAND;

UNITS 1-19:

Any Deer one per hunter

WHITE-TAILED EITHER SEX
 ARCHERY:

ARCHER UNIT A1 206
 ARCHER UNIT A2 138
 ARCHER UNIT A3 318
 ARCHER UNIT A4 336
 ARCHER UNIT A5 120
 ARCHER UNIT A6 922
 ARCHER UNIT A7 430
 ARCHER UNIT A8 336
 ARCHER UNIT A9 936

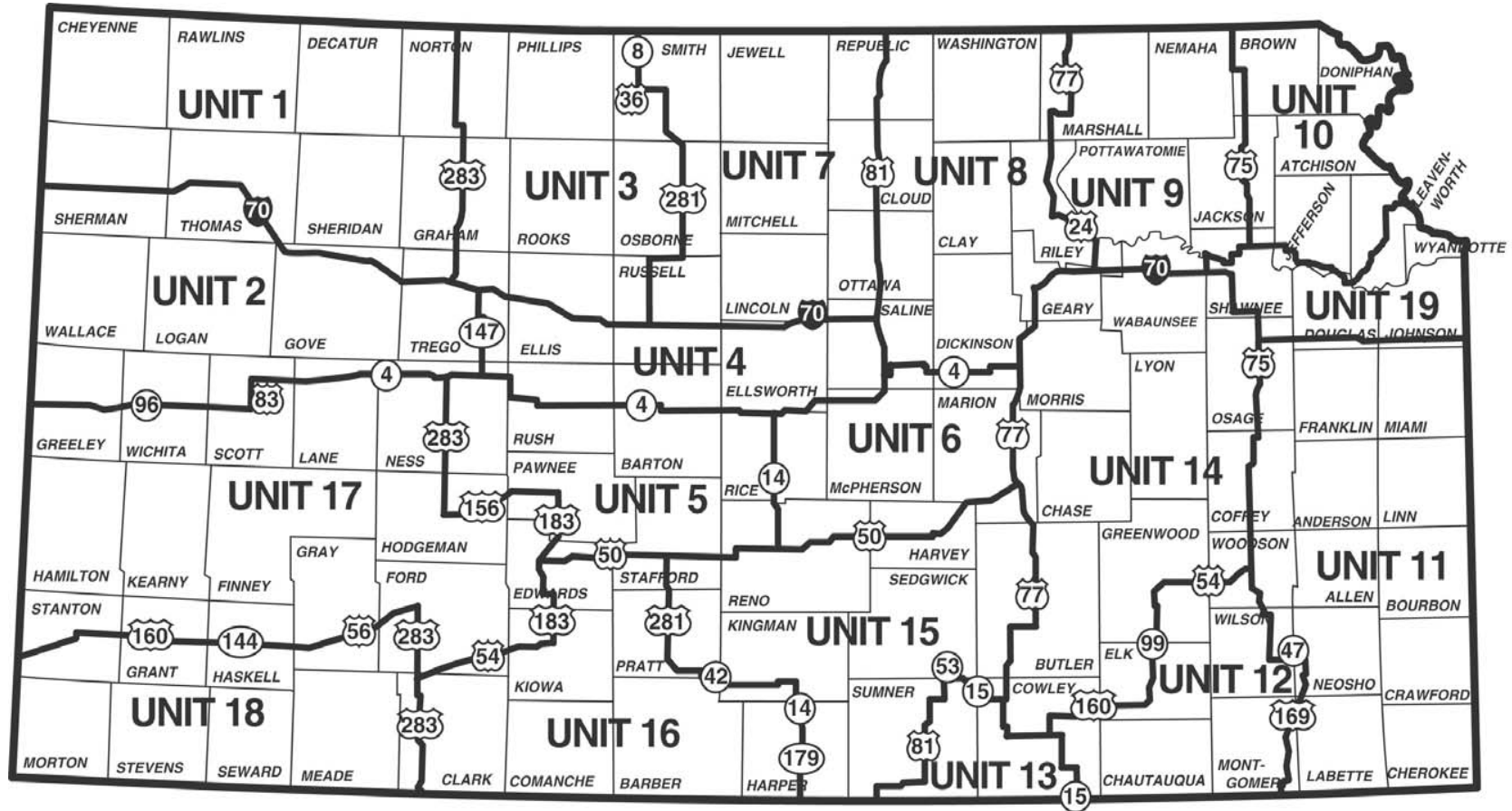
^a A maximum of four game tags per hunter may be used within the area of DMUs 7, 8, 13, 12, 15, 16, and 19.

^b A maximum of one game tag may be used within the area of DMUs 3, 4, 5, 6, 9, 10, 11, and 14.

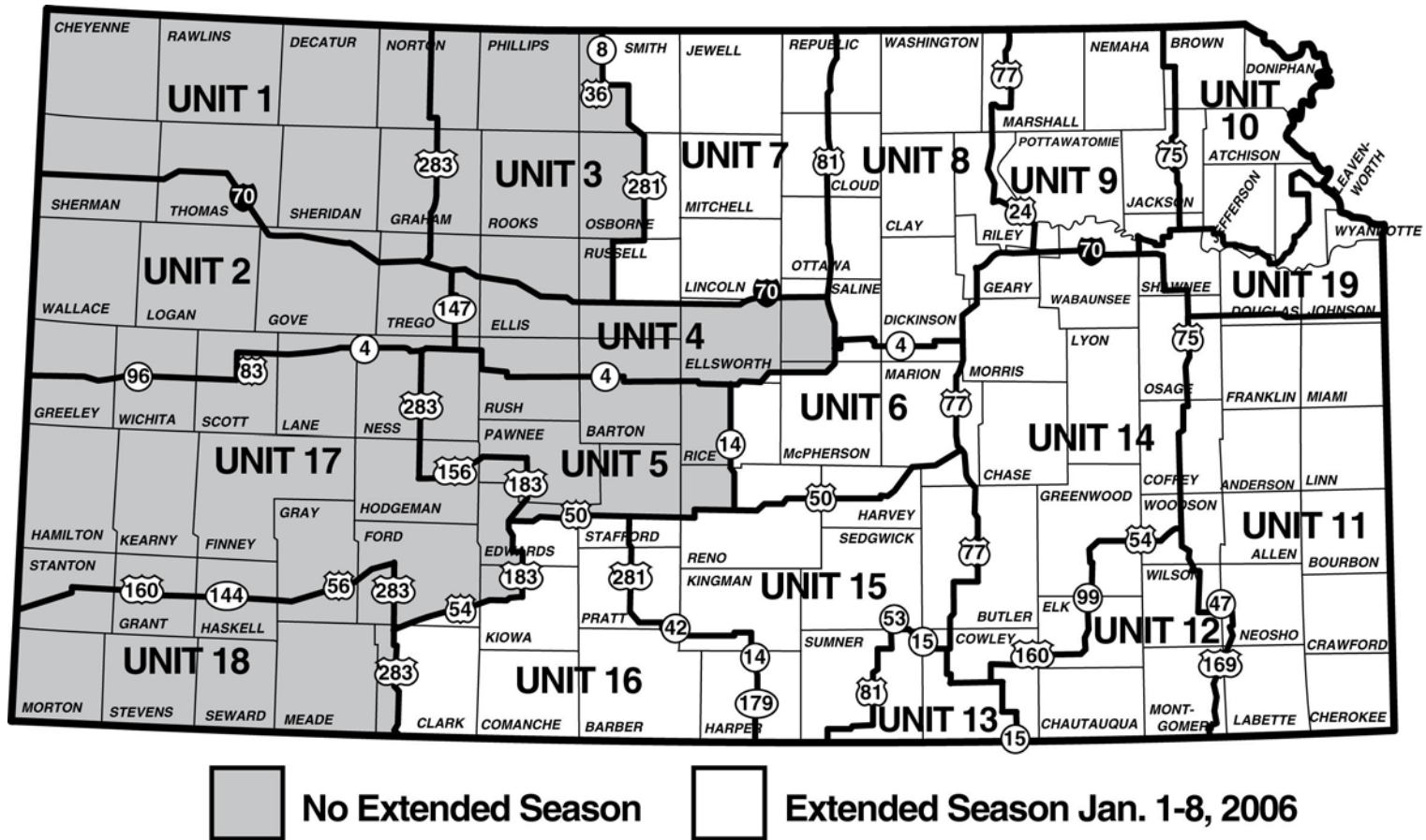
_____ Secretary

_____ Date

Current Deer Firearms Deer Management Units



Extended Season Deer Management Units



Game Tag Deer Management Units

