

Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, March 23 2017
Capitol Plaza Hotel, Emerald I & II Rooms
1717 SW Topeka Blvd, Topeka, Kansas

Approved Subject to
4/20/17 Commission
Approval

The March 23, 2017 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at the Capitol Plaza Hotel, Topeka. Chairman Lauber and Commissioners Ward Cassidy, Emerick Cross, Tom Dill, Gary Hayzlett, Aaron Rider and Harrison Williams were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

The Commissioners and Department staff introduced themselves (Attendance roster - Exhibit A).

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Chairman Lauber – Kyle Jackson will be the presenter on New Consolidating Licensing Reservation System.

Sheila – Moving General Discussion Items 1 and 2 to the evening session.

IV. APPROVAL OF THE January 5, 2017 MEETING MINUTES

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

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Tim Nedeau – Since 2005 attended five meetings as this is a public meeting. I asked questions because live questions are televised. Kansas has constitution and bill of rights, 2 and 3 give rights. Placed decals on side of vehicle and made signs. I've been ridiculed and scolded. Also, made pamphlets and brochures. In these documents I have printed the truth. Not discussed by this department. When I tell the truth people say that is not what they understood. To get the truth out is my goal. Since I brought up and challenged department, record deer killed on my property. Man who poached deer on my property was charged with eight crimes, I was charged with 11 crimes. I don't feel I am in violation. I bought two more landowner/tenant/manager turkey tags at a wildlife and parks office. I feel I qualify for those tags, you did not, but Osage county prosecutor did not prosecute me. Chairman Lauber – What does free speech decal say? Tim – Has picture of a deer skull with antlers, "stolen by KDWPT, Kansas state record 198 7/8". The reason I used that term is because the state gives away 10,000 salvage tags a year. I was told in first communication with the agency that it was illegal to give me a set of antlers and the only legal was to possess a set of antlers was to have hunted it through legal means. That is not the truth. I did not kill this deer. I had law enforcement on our property in 2009 begging them to help

with road hunting; also in 2010 and 2011. The advice I got was to put my land in walk-in hunting. Chairman Lauber – Are you landowner tenant? Tim – Mother’s name is on the deed, I am manager. Chairman Lauber – People call me all the time, no way to prove that and told to take your word for it. We have a set of rules, not uncommon that district attorney chooses not to prosecute. All people in law enforcement realize they have a thankless job. Hard to tell who is milking the system. Tim – I have two documents from the department that make me feel I am qualified for this purchase. Chairman Lauber – Don’t feel any way your malcontent will be satisfied, but you are entitled to your free speech. Tim – I want truth out there and that is why I come to these meetings - spoken at five since 2012.

VI. DEPARTMENT REPORT

A. Secretary’s Remarks

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. I have three handouts (Exhibit C, D). We have some staff folks here that you do not see on regular occasion, and I’d like to introduce them. Eric Blankenship, engineering, Debbie Rosacker, HR director. Terry Bruce replaced Amy Thornton as legal counsel. Legislative Research department report was also shared, seen in newspaper reports, came out first of March. Park Fee Fund (PFF) revenue is good, ahead of last year by 7 percent, typical – it spiked then goes back down. To sustain continued growth is good. We had a big year in 2014; 2015 similar to this year, last year at this time we had about \$4.5 million. Include year to dates from past years for comparison. I also added cash balances to see how Wildlife Fee Fund (WFF) is performing. Last page is graph, sharp dive in PFF balance, two reasons, took recession plan from Governor, \$500,000 from EDIF funding, so had to switch to PFF earlier. When started fiscal year did not convert back to PFF as quick as we wanted to. Beginning of July, we have to switch over to EDIF funds manually, and it wasn’t done as early as we needed this year. Graph is a little off, but showing what is actually happening. Don’t expect to make it to \$5 million balance unless we have a really good spring.

Audience – Cut funding by \$500,000, what is funding now? Jennison – Instead of EDIF received \$500,000 additional appropriation.

2. 2017 Legislature – Chris Tymeson, chief legal counsel, presented this update to the Commission. We are in the first year of a two-year cycle. This is a different legislature – 65 new members, so education is ongoing. Tracking 112 bills, 18 on website. All bills should be across the floor and be in conference by next Friday. End of regular session rapidly approaching. Education and budget issues still have to be resolved. SB 24 – Establishing the channel catfish as the state fish of Kansas; just want state fish, one of just four states without one, important to teach kids. SB 25 – Cabin fees, dynamic pricing, started with giving department ability to price with going through the commission, Senate amended to add camp sites. Passed Senate 26-14, then referred. Committee was going to work bill last Thursday, but we ended up with no bill, tabled yesterday afternoon. SB 26 – raised vessel registration cap from \$30 to \$60 – would allow us to raise fee in order to match federal funds for boating projects. Passed out of Senate 35-4 vote, passed House general orders today, 86-34, anticipate similar bill tomorrow. SB 77 – would rename bison herd at Mined Land wildlife Area, the Bob Grant Bison Herd, but it’s languishing

on consent calendar. SB162 – dangerous regulated animals, Senate, no hearing, HB 2226 in House; heard proponent testimony. Jennison – Possibly will address some concerns of Tanganyika. Tymeson – HB 2068 – nonpayment of support orders, Dept. of Children and Family send us a list, no skin in that game. Did not go anywhere after hearing in February. HB 2098 – Also Bob Grant bison bill, not gone anywhere, not sure will move this year. HB 2191 – licenses, permits, stamps and clarifies as we move towards electronic licensing that only physical license is suspended or surrendered, notice to appear for person to be charged. Recently a person was taken to county attorney, but judge dismissed because no citation issued, trying to fix that in this bill. On Senate general orders below the line. Did pass both houses unanimously a few years ago and died. HB2192 – rename Lake Scott state park to Historic Lake Scott State Park, passed, on way to Governor. HB 2193 – required completion of boater education, to phase in over period of time, did not go anywhere, fourth or fifth time introduced. HB 2199 – conservation easement bill, three proponents and 25 opponents, did not go anywhere. HB 2207 – started out as hunting on own land by written permission only bill, substitute bill made to House floor and referred to committee; could not trail game on private property, couldn't retrieve pheasant over the fence. HB 2208 – transferability of deer permits proposed by Kansas Livestock Association, a way to have unlimited whitetail permits, after all permits sold allow landowners to get transferrable permit; however 95 percent of people who put in for draw get permit. HB 2256 – noxious weeds, several attempts in last few years to get this passed. HB 2276 - dangerous animal bill I talked about earlier. HB2363 – sale of surplus property, would have allowed Dept. of Administration to sell some of our land, even talked about selling Cheyenne Bottoms. Monies would have gone into state general fund and then our department would have been in diversion as in many cases federal money paid for our property; didn't go anywhere. One bill came out on today's calendar: donations of lands to state have to be reviewed by Dept. of Revenue. This is an onerous bill - state can mess up probate plans (HB2407). House Concurrent Resolution 5008 - would have made sales tax amendment to constitutional amendment dedicated to the water plan fund, had a hearing in February and didn't go anywhere. Chairman Lauber – Bill on transferrable deer permits, where is it at? Tymeson – In House Ag. and Natural Resources, HB 2208, attempt this week to put in cabin bill in Commerce and Labor and some members of committee decided they would rather have no bill than allow that to get out. Tim Nedeau – What was the right-of-way bill? Tymeson – HB 2199, conservation easements. Nedeau – On HB 2207, bill where you have to have permission to go on someone's land? Tymeson – Written permission, on posted or unposted land, would have required to go on any property to have written permission to retrieve wounded game; original bill would have required written permission to go on anyone's land. Kansas has law to get permission to hunt, except not to trail game. Substitute bill would have required written permission, if posted, to trail wounded game. Nedeau – Written permission if posted with purple paint or signs, but didn't it say permission, even verbal, if not posted? Tymeson – Bill was unclear on that. Nedeau – Opposed to that? Tymeson – No, neutral. Nedeau – I was a proponent of that bill. Spent 30 years developing our land to where it is good hunting for my family and my guests, not for a neighbor who claims they are pursuing a wounded animal and are really driving deer off of our property onto theirs. Glad you were not opposed to it. Aaron Popelka, Kansas Livestock Association - We have different take on bill Chris mentioned on transferrable deer permits (Exhibit E – letter). Like opportunity to work with department and commission. Proposed a bill for transferrable tags. Low to negative revenues and farmers and ranchers are starting to struggle. Deer are destructive, this was a way for them to recoup that. Met with staff to come up with solution. Don't characterize it as unlimited permits. Make sure

you received money from the draw permits. On transferrable tags farmer/rancher would receive half of the value or face value for antlered permit. I have written letter on extended deer season, but can't be here tonight. Limited to one day for does in some units. Like to see changes in regulations to move that to one week in all units. We will work with the department. Tymeson – Aaron did come to speak with us, did come back with bill that addressed some of our concerns. Chairman Lauber – Aware of transferrable permits we had in the past, understand purpose, but potential for unlimited permits and people gained and schemed unfairly. Jennison – I was architect for that transferrable deer permits when I was in the legislature, fell down because of scheming. Chairman Lauber – Poor way to try and manage the herd. If resident continues to purchase an improper permit, can we decline to sell permit to that person? Tymeson – I don't think so, when purchasing a permit you are stating under law they feel they are qualified for that permit. Do random checks to check documentation to see if warrants a citation or forwarding to county attorney. Chairman Lauber – If I don't pay child support in Missouri, for example, can refuse to sell me a permit, why not on this? Tymeson – We cannot substitute ourselves for the courts. Nedeau – If Wildlife and Parks feels I am in violation they can write me a citation. I will challenge it in court and I am 100 percent confident I will win. Issue me a ticket. I was charged with 11 crimes, I am a hardened criminal. I have been called out on this. This is why I come to these meetings. The treatment from the department to me brings me here.

Break

Public Comment on Nonagenda items (continued) – Ron Kaufman – Correspondence between this lady written to me regarding KSA 32-703 and 115-203 and youth hunting without adult supervision, (read letter - Exhibit F). Chairman Lauber – No request, just questions in the letter. Appreciate you reading into the record. Coffman – Could you read that regulation? Tymeson – state statute says youth can hunt if completed hunter education, previously until 2010, any youth could hunt with completion of hunter education. Made change in legislation away from 7-year-olds coming to hunter education, now have to be 11, that is when they retain information they are given. Vastly different than what it was before. Chairman Lauber – Don't know if reason to read the statute. Not sure we need to spend more time on this. Tymeson – I will summarize the law, if over 16 can hunt unsupervised, but youth between 12-16 can hunt without hunter education if they have completed hunter education. Coffman – Read the statute, you put out those numbers and we need to know what they say. Commissioner Dill – Even if we read it, this commission could not change this, it is a state statute. We can change regulations, but state statute has to be changed by the legislature. Coffman – read statute. Chairman Lauber – We are done. Commissioner Ward – I had a letter from Harlan Hobbs, he has something I was unaware of (read letter) disability assistance permit, how beneficial it is to him. Possibly of three types of disability permits; something nice that people appreciate having. Chairman Lauber – Like correspondence where appreciative of what we do.

B. General Discussion

1. Tuttle Creek State Park Blue Chip Award – Linda Lanterman, parks division chief, presented this update to the Commission (Exhibit). **Moved to evening.**
2. Blue Cross Blue Shield Parks Support Update – Linda Lanterman, parks division

director, presented this update to the Commission (Exhibit). **Moved to evening.**

3. New Consolidated Licensing/Reservation System – Kyle Jackson, Licensing Section chief, presented this update to the Commission. Update on new licensing system implemented in February 2017. Have overview of how licensing system works. All customer information was retained. Improved website platform where you can review your customer information (on website); also where customer can reprint license. Point of sale, all agents received new printer and some received touch screen terminals and are all web-based platform that allows our licensing agents to sell licenses as they have in the past. Have marketing features that will allow packaging deals to provide benefits in the future. Improved flexible business rule structure, sometimes new laws require costly product change, with new business rules can avoid product change requests. One difference is carcass tags are only available from licensed agent sales and over the phone, 24/7 phone system. We will mail permits or an individual can go to any licensing location to get carcass tag permits. I see that as benefit to agents, start to see more foot traffic for turkey and deer seasons. Went live February 22, 2017; we actually stopped old system on February 19 to move all of data from one system to the other, heavy lifting process and to test the new system. Up and running 8:00 am on February 22, at least online and phone sales up and running and about 100 agents, problems with some others. Working on getting all license agents selling, trying to figure out issues. As of yesterday, 383 licensed agents have sold a permit on new system. We are in the process of trying to call all agents who sell licenses to find out what kind of issues they are having. With all of the issues we have had, curious how it would affect sales, compared February 22 to March 22 for 2016 and 2017, not a lot of impact, up \$20,000 for 2017, so they are still finding place to purchase. Express gratitude to everybody for patience during the change, hopefully everybody up and running in next couple of weeks. Commissioner Dill – How many agents? Jackson – Not sure exact number, but I think about 600. Commissioner Dill – Did agents have to pay for equipment? Jackson – No, unless their computer couldn't handle system then they would have to. Carcass tags not online, only at agent or phone sale system. Commissioner Dill – Frustration from sellers in my area, time out was an issue and with vendor ID, but corrected that I believe. Three total complaints. Frustrated at leaving phone messages with agency and vendor and had not heard back and I am passing that on. Jackson – In process of making phone calls to every agent, whether up and running or not. Trying to capture all of that information and get them all up and running as soon as possible. Commissioner Dill – Passcode changing for vendors was a problem. Chairman Lauber – I assume Wal-Mart is our largest vendor other than our own? Jackson – Yes, in number of stores. Chairman Lauber – Wal-Mart struggled with computer, slowly moving toward providing licenses now. I have gone through computer conversations and vendors promise too little. Can blame the state when they can't get system to work and call commissioners when they can't reach department. Frustration amplified by not much winter and people wanted to buy licenses early. Can't encourage you enough to hustle and get it taken care of. Ron Kaufman – Kyle is a patient understated gentleman, tremendous effort of Kyle and his crew, Jason Dickson and IT crew and Mike Miller and his crew in answering phones, as well as others in the department. Linda Lanterman - and state parks crew. Jackson – Will be good system when up and running.

4. Early Raccoon Hunting Season – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit G). At the January 2017 KDWPT Commission Meeting,

a representative from the Kansas Federation of Houndsmen asked the Commission to consider establishing a September 1 – October 31 “early” raccoon season. Harvest would be restricted to hunting. Proposal centered around the facts that raccoons are abundant, pelt prices are currently low and the raccoon population needs to be reduced for damage and disease control. Department supported recent proposals to extend running season as early as 2013, but staff do not support this recommendation. The raccoon has typically been our most important furbearer in the state in terms of total harvest and pelt value and provided figure in handout, 50 to 60 percent of pelt value so most valuable, and values fluctuate rapidly season to season. Right now pelt prices are low. When prices come up, controversy around this proposal will escalate. Nebraska has similar season and have large opposition to this and not popular. Fur dealers I have talked to not supportive of this proposal. Only 2 percent to 3 percent of the total harvest occurs during this season. Have 500-1,000 houndsmen and 6,000 to 8,000 furharvesters. For game species, killing an animal without attempting to use it would be considered wanton waste. Furbearers are not covered by the wanton waste regulations because of some of the complications of furharvesting. The department staff support the concepts of the wanton waste regulations that can be applied here and result in our opposition to this proposal. Not worth taking home for 10 cents.

L.J. (Lucy) Coffman - Are raccoons considered exotic? Can all 16-year-olds tell difference between rabbit and raccoon? Describe difference? Chairman Lauber – I don’t think that deserves comment. Coffman – 16-year-olds can hunt when? Chairman Lauber – Year around. Coffman – Can they tell the difference, take firearm without an adult any time? Chairman Lauber – Yes. Coffman – What level is that...

Terry Porter, Federation of Houndsmen – I made this proposal. See coons all over highway and wish I could hunt them with my dog. Not only coon hunters, open season on coyotes and see no effect on population, don’t think abundant raccoon will be affected.

Bruce Anderson – President, Kansas Federation of Houndsmen – Don’t see it as controlling population, as much as point more to disease control and as guy that has been hunting a long time. You could walk down any creek and see raccoons with distemper, Mother Nature will control populations, but not the way we want to. In 1983/1984 you were at 80 percent and coons were at \$80. Would like to see more coon hunters, got dogs in traps before. When price is high more coons harvested. We are not necessarily looking at it as population tool, but more as September hunters and sportsmen, for the sport and getting dogs ready for big hunt to keep him pumped up and going. Keep completion more active. Coyote season year around for as long as I can remember and don’t see it hurting population and don’t see wanton waste.

Dan Barrow, Denison – Grew up as houndsmen and doing trapping, started trapping in Colorado in 1971, and I’ve been a licensed furharvester in Kansas for 45 years. Support what houndsmen want, consider Matt personal friend and love to see this season. You folks will sell more licenses, but main reason, when I was a little boy hunted with grandpa and hunted in October. Killed 68 coons this year and neighbors who killed over 40. We have an over population of coons in my area. Prices are low and we know houndsmen kill a few out to their dogs. One of species of furbearers in Kansas and value of the furbearers I can remember one season when we sold more dollars of possums than total value of all coons caught in Kansas and maybe year before. I can guarantee trappers in this state have killed and threw away thousands of possums. I don’t coon hunt for the money, doing it for a sport. Nice to have season where young kids can go, starting November 15 don’t get to do much until nicer weather after the first of the year. Matt has done good job for you, the public and us in fur dealer business. Don’t think waste would be one tenth of one percent compared to what coon hunters would kill compared to other furbearers. Other

situation is, trappers I bought coons from this summer, threw more coons away than would be hunted in this 30 days. So few coons killed are small percentage of waste.

Ken Hickman - Held former offices in Federation of Houndsmen. Furbearers are legal to sell for consumption and been that way for a long time. If this proposal was put through suggest if we kill one must be brought out of woods and used. Thank you for listening to all of this, as well as everyone else on other issues. Chairman Lauber – My father was a coon hunter and there was no closed season when we hunted. I understand houndsmen not in it for the money, but in it for the dogs. Matt put in one paragraph as aesthetic point of view, important consideration. Believe motives all good. I trap to make a social statement, gave possums away because grandson was watching. Don't know if anxious to ask Matt to reconsider his opinion. Ask him to review in a year or two to find way for running season, which isn't the same. Wish we could have it both ways. Matt should do what he thinks is best.

Barrow – Heard your opinion, like to ask for other comments. Commissioner Rider – Have hunt around season, when did we start restricting seasons? Barrow – Because of price of furbearers, trappers out there for the money. Since prices dropped they weren't important any more. One reason started season issue to look at populations. In 1964, parvo and distemper killed 95 percent of them, killed thousands. Population rebounded in 1970s and fur harvesting started to rebound. Beaver season never opened until 1951. So many changes in fur business. In Missouri, trappers killed and sold 450,000 skunks in 1934. I want to ask other commissioners. We took day off to come here today. Commissioner Rider – What is trapper opinion of this? Barrow – Opposed to it because what they are doing is not a sport; every license in state is to enjoy sport, except furbearers. I trap for sport, for grandkids. I won't set a trap that will kill your dog. Situation is that having a sport that people have to buy a license for. If closed fishing season and only time you could fish was when it is warm. Family tradition for us for years, went coon hunting every Halloween night. Dog wants feathers in his mouth. Commissioner Williams – Is that why you want early because weather is good? Barrow – A lot of people own a dog that will not take that dog during our regular kill season because they don't want him caught in a trap. I grew up trapping. In Nebraska can hunt on county right-of-way right in your driveway if they want. People who have a dog will not take out in kill season because legal to trap. Average coon hunter will not hunt 30 nights during kill season. Benefit to trappers, he can hunt 15, 20 or 30 nights. I think win/win situation. Environmental people and wanton waste and no one will be trapping. Outlawed bobcat trapping in California. This is one step in helping getting two groups working together. Commissioner Rider – Open to looking at this again in the future. You make valuable points but not enough information right now. Commissioner Hayzlett – I went coon hunting one time in my life in Wallace County, appreciate comments, you have a lot of information. Commissioner Dill – Matt did spend a lot of time working on this. Commissioner Cross – Never been coon hunting in my life, but depend on staff and appreciate feedback so I can make informed decision. Commissioner Ward – Best time in my life was coon hunting, been about 10 times. Matt is our expert, love to revisit this and you made me want to go coon hunting again. Barrow – Respect Matt but don't want to give up on this. Chairman Lauber – Still think some sport in trapping, I am not in it for the money. Barrow – Every coon hunter I know in Kansas hunted this winter and even during running season. High percentage of trappers never set a trap, but if they did they were after a bobcat because it was worth something.

C. Workshop Session

1. Webless Migratory Bird Regulations – Rich Schultheis, migratory game bird biologist, presented this report to the Commission (Exhibit H). No changes to federal frameworks; however, we are recommending change to Eurasian and collared doves that are not governed by those laws. Include Eurasian Collared and Ringed Turtle Doves in KAR 115-20-2, which would allow year-round take with much broader method of take. An additional amendment to KAR 115-20-2 is needed to require a fully feathered wing on all Eurasian Collared or Ringed Turtle doves taken during the migratory dove season if birds possessed exceed the daily bag of migratory doves. Housekeeping changes are also recommended for KAR 115-20-7 to apply only to migratory doves (mourning and white-winged doves) and 115-25-19. Finally, a change to the species table in KAR 115-16-3 is suggested to remove feral pigeons (rock dove), which is included in KAR 115-20-2. Chairman Lauber – Looking at invasive doves all year long and don't have to have feather on them? Schultheis – Have feathered wing if over bag limit in migratory bird season; could complicate issues for take of birds. Commissioner Cross – Is feral pigeon a game species? Schultheis – No, but similar species.

Break

2. Waterfowl Regulations – Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit I). Briefing item included background information and season staff recommendations for the 2017 and 2018 September teal, duck, goose, youth and extended falconry seasons. There was an error in the original briefing item with a closing date on white-fronted goose, should be February 18, not February 12. The only change in federal frameworks from last year is the reduction in daily bag limit for northern pintails, from two to one. Staff recommendations and season dates similar to previous seasons with minor changes to adjust for calendar shift and moving Canada goose split from January to November. Chairman Lauber – Same weekends as last year, and every indication of liberal package? Bidrowski – Yes, federal frameworks are out and we will have liberal package. Commissioner Rider – Do like that we moved goose season back, a positive move. Don't like closed on January 1 which is a holiday, for opportunity, but fighting the calendar. Bidrowski – Correct. Chairman Lauber – People favorable of moving Cedar Bluff? Bidrowski – Yes, favorable comments.

3. Threatened and Endangered Species Regulations – Chris Tymeson, legal counsel, presented this report to the Commission (Exhibit J). Keeping as placeholder until I can get regulations written. Changes to Threatened and Endangered Species Act are due to a bill that took effect in July and required us to put some of our regulations into statute. It generally takes about 90 days; most of them dealing with farming and ranching practices that do not require permits. Hopefully will get done soon and Chris Berens can come back. Chairman Lauber – Not a lot of difference? Tymeson – No.

4. Public Land Regulations – Stuart Schrag, Public Lands Division director, presented this regulation to the Commission (Exhibit K). Recap, two proposed changes to reference document under KAR 115-8-1: section 15 of under daily hunt permits, under Region 3, add Marion Wildlife Area and Region 1 want to take out wording for Glen Elder Wildlife Area that says Granite Creek Area during youth/mentor seasons, remove this wording so entire wildlife area would be included in daily hunt permit. Legislative comments will require all walk-in hunting access to include in reference document, as by posted notice now, so no change.

5. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit L). This regulation covers the deer seasons on military areas. Changes could be made after standard deer regulations are set. They have provided us with their preferences. Smoky Hill has requested to have deer hunting seasons at the same dates as the seasons established in KAR 115-25-9. Fort Riley has requested the same seasons with three exceptions, additional archery dates September 1-10, 2017 and January 2-31, 2018; youth and designated persons season October 6-9, 2017 rather than pre-rut; and firearm season dates of November 24-26, 2017 and December 16-24, 2017. Fort Leavenworth also has a couple of exceptions, several two and three day periods, Firearm season November 18-19, November 23-26, December 2-3, December 9-10 and December 16-17, 2017; extended firearm season for antlerless-only whitetails January 1-14, 2018; and extended archery season for antlerless only whitetails January 15-31, 2018. On Fort Riley and Smoky Hill, allow one antlerless-only whitetail permit, Fort Leavenworth up to five antlerless-only permits.

VII. RECESS AT 3:38 p.m.

VIII. RECONVENE AT 6:30 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

XI. DEPARTMENT REPORT

B. General Discussion (continued)

1. Tuttle Creek State Park Blue Chip Award – Linda Lanterman, Parks Division chief, presented this update to the Commission. **Moved from afternoon.** An award was presented to Todd Lovin, Tuttle Creek State Park manager, because of the community events the state park hosts and participates in: OK Kids, races, wounded warriors veterans banquet.

2. Blue Cross Blue Shield Parks Support Update – Linda Lanterman, parks division director, presented this update to the Commission. Blue Cross representative could not come, rescheduling to August meeting.

Chairman Lauber – Asked Kevin Jones to stand up; just two days left on the job, congratulated him on his retirement. (*applause from audience*).

D. Public Hearing

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

1. KAR 115-25-7. Antelope; open season, bag limit, and permits – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit N). – This regulations has been presented a couple of times; season dates are standard. Will go through equipment type and allocations. **Archery** unlimited for residents and nonresidents; **firearm**, limited to residents, Unit 2 – 122 permits, Unit 17 – 44 permits, Unit 18 – 14 permits; **muzzleloader**, limited to residents, Unit 2 – 34 permits, Unit 17 – 10 permits, and Unit 18 – 6 permits. These are down some from last year due to buck ratio, down six percent or 14 permits. Commissioner Williams – Lose antelope in fires in Clark County? Peek – Yes, game warden found 23 dead, mostly along fences where they probably got caught up and unable to get through; estimated 70 percent. Number was small to begin with.

L.J. Coffman – Muzzleloader, what is that? Peek – A weapon you load through the barrel.

Discussion. Coffman – Why use antique firearm? Chairman Lauber – No more comments on this. Peek – On Clark County, not open to hunting right now, so no allocation of permits.

Commissioner Ward – What happened down there as far as dead wildlife? Peek – A lot of mortality on wildlife, at least anything that couldn't fly, I think.

Dan Broxterman – Ask about seasons on muzzleloading deer? Peek – Wait for deer discussion.

Commissioner Tom Dill moved to approve KAR 115-25-7 as presented to the Commission. Commissioner Aaron Rider second.

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

Commissioner Cassidy	Yes
Commissioner Cross	Yes
Commissioner Dill	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 7-0.

2. KAR 115-25-8. Elk; open season, bag limit, and permits. Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit P). – Basically unchanged since 2010. Season structure off of Fort Riley is longer, running through March 15, 2018. On Fort Riley archery and muzzleloader season through month of September. On firearm, any weapon may be used on Fort Riley, three month-long segments, October, November and December. Recommending 12 either-species elk permits and 15 antlerless-only permits authorized on Fort Riley, five antlerless permit holders allowed to hunt in each monthly segment. For Units 2 and 3, an unlimited amount of hunt-on-your-own-land antlerless-only permits and either-sex permits. Unlimited over-the-counter antlerless-only and either-sex permits authorized in Unit 3. Commissioner Dill – Include commissioner's elk tag? Peek – No separate on top of that.

Commissioner Gary Hayzlett moved to approve KAR 115-25-8 as presented to the Commission. Commissioner Tom Dill second.

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

Commissioner Cassidy	Yes
Commissioner Cross	Yes
Commissioner Dill	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 7-0.

3. KAR 115-4-2. Big game and wild turkey; general provisions. – Matt Peek, furbearer research biologist, presented this report to the Commission (Exhibit R). Changes in section 2, replacing “deer” with “big game animal”; this allows elk and antelope to be electronically registered. Don’t have any gender specific permits with pronghorn, but could be for antlerless elk.

Commissioner Gerald Lauber moved to approve KAR 115-4-2 as presented to the Commission. Commissioner Harrison Williams second.

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

Commissioner Cassidy	Yes
Commissioner Cross	Yes
Commissioner Dill	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as presented passed 7-0.

4. KAR 115-4-11. Big game and wild turkey permit applications. – Matt Peek, research biologist, presented this report to the Commission (Exhibit T). Clean up in this regulation, middle of page 2, references to 115-25-9 and application period. Changed from another regulation into this regulation.

Commissioner Gary Hayzlett moved to approve KAR 115-4-11 as presented to the Commission. Commissioner Harrison Williams second.

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

Commissioner Cassidy	Yes
Commissioner Cross	Yes
Commissioner Dill	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes

The motion as presented passed 7-0.

5. KAR 115-25-9. Deer; open season, bag limit, and permits. – Matt Peek, research biologist, presented this report to the Commission (Exhibit V). Hit each of season types and stipulations, may be discussion on these. Archery season: September 11 to December 31, 2017 and archery permits are valid in extended seasons that begin January 1 and revert to any legal equipment at that time for whitetail deer only. In urban units antlerless-only white-tailed season January 18-31, 2018 in DMU 19. Regular firearm season is November 29 to December 10, 2017; also, pre-rut season in all deer management units, October 7-9, 2017, includes Columbus Day so extra day for this early season. During these seasons whitetail either-sex permits valid in unit adjacent to an urban unit, DMU 19, is valid in both specified unit and urban unit. The muzzleloader-only season September 11-24, 2017, permits are also valid during firearm season using muzzleloader equipment, except during extended firearm season beginning January 1 where any legal equipment can be used on whitetail antlerless deer. Designated persons, commonly referred to youth/disabled season, September 2-10, 2017 where any person 16 or under while under the immediate supervision of an adult 18 or older may hunt or any person with a permit to hunt from a vehicle or a disability assistance permit; all resident and nonresident permits are valid in that season and all persons hunting must wear blaze orange because this season overlaps with the archery season. The extended firearm begins January 1, typically each unfilled deer permit valid in Units 6, 8, 9, 10, 16 or 17 shall be valid in extended antlerless-only firearm season on January 1, 2018; a one day season this year. This season has ran through the first weekend and been less than a week long, but since the first is on a Monday, rather than run for an entire week proposal is for a one day season. In Units 1, 2, 3, 4, 5, 7, 11, 12, 13 or 14, the extended antlerless-only firearm season is January 1-7, 2018; those units are where up to four additional antlerless-only deer permits will be allowed. Each unfilled deer permit in 10, 15 or 19 will be extended antlerless-only firearm January 1-14, 2018; third tier of extended season. During this extended season it is whitetail antlerless-only deer that may be taken and permits are restricted to specific unit on permit and any equipment legal in firearm season may be used. Unlimited hunt-own-land and special hunt-own-land and nonresident hunt-own-land permits shall be authorized for all units. Any individual may apply for and obtain one deer permit that allows the taking of an antlered deer except when unsuccessful in a limited draw and alternative permits are available at time of application. Any individual may obtain no more than five antlerless whitetail deer permits and this includes one antlerless whitetail deer permit that is valid statewide except in Unit 18, including on lands managed by the department; four additional permits valid in select units on lands not managed by the department; there are some exceptions to that including Glen Elder, Kanopolis, Lovewell, Norton, Webster, and Wilson Wildlife Areas as well as Kirwin National Wildlife Refuge. Cedar Bluff is mentioned in the regulation, but we have an amendment to strike them out of this regulation. So the four additional permits will not be valid on Cedar Bluff. Both residents and nonresidents may obtain the antlerless-only whitetail deer permits, but they must first have a permit that allows them to take an antlered deer unless the antlerless-only permit is purchased after December 30. Chairman Lauber - Letter from KLA, complaint from earlier, only one day for special doe permit, however set to controlling populations still getting extra day in pre-rut that may offset that to some extent for those that feel it is important? Peek – Talked to that individual, the pre-rut season is during harvest is not

satisfactory to them. Commissioner Rider – Can still shoot does in regular firearm season. Peek – Correct. Commissioner Williams – Doesn't 115-4-4 (b) address that? In Units 1, 2, 3, 4, 5, 7, 11, 12, 13 or 14, January 1-7, 2018? Peek – In some units it is a full week. His concern was around Unit 8 which is a one-day January season. Commissioner Rider – It used to be three days? Peek – It usually would cover the first weekend so it could be anywhere from two days up to six days. In this case it was a full seven days and we typically don't go that long. The last time this situation arose when January 1 fell on a Monday the Commission voted to give them December 31 to give them a weekend day, a two-day opportunity to hunt. Discussed at last meeting and decided to give extra day as Columbus Day for the early season. Chairman Lauber – The purpose of the extended season is to reduce population, and in some places don't need population reduced to appease political factions. Now KLA said this is only time farmers can hunt. I recommend we follow the department's recommendation. Don't think we need to reduce population in some areas.

Dan Broxterman – Muzzleloading deer, what is purpose of setting season so early? If you try to hunt in early September it is really hot. October 2 or 3 really helped. Hunt in western Kansas and it is too hot. Don't understand why can't have last week of September and early October, so much easier to take care of deer. It was in mid-90s last year. All of us have been bowhunters for 30 plus years and tried muzzleloading a few years ago. Some bowhunters may complain getting into October. Why so early? Chairman Lauber – Came up several years ago too. Feeling from bowhunters that they were being infringed upon. Every hunter prefers first weekend in November and can't give it to everybody. A matter of compromise and strong effort by bowhunters. Broxterman – Bowhunters have plenty of days to hunt, a few days in October will not hurt any bowhunters. I have print out of average temperatures in September. Chairman Lauber – Continue to reflect and consider this. Bowhunters are organized group, lost weekend for pre-rut, blaze orange questions and a million others. Encourage Matt to continue to work on it. Commissioner Williams – I am bowhunter, warm everywhere and affects all of us. Across the whole state, blame it on global warming or whatever, but affecting everybody. If make changes trying to predict the weather, too hard. Broxterman – Muzzleloader season is very short, but bowhunting season is long. Chronic wasting disease is bad where we go. Commissioner Williams – Not just western Kansas, the whole state. Tymeson – Exacerbated by the calendar too, pushed forward in last couple of years.

Garran Allison – Suggestion, bowhunter who hunts mule deer, those unsuccessful turn in tag and get whitetail permit.

Bob Griffin, Lebo (Kansas Bowhunters Association) – Talked to bowhunters about first week of October, we all choose our weapon/season and that is part of it.

Nate Vockner (*did not sign roster*) – Muzzleloader hunter and I hunt with Dan. Bowhunters hunt while we hunt and they get a few more weeks, and it doesn't bother us, so why can't we hunt in October. Bowhunted for years, harder for muzzleloaders in hot season.

**Commissioner Harrison Williams to bring KAR 115-25-9 before the Commission.
Commissioner Gary Hayzlett second.**

Commissioner Tom Dill moved to amend KAR 115-25-9. Commissioner Harrison Williams second.

Chairman Lauber – What is the benefit of the amendment? Peek – The area manager asked that Cedar Bluff be stricken from part of regulation that allowed four extra whitetail antlerless-only permits; he indicated deer population in his area had declined quite a bit.

The roll call vote to amend KAR 115-25-9 as recommended was as follows (Exhibit W):

Commissioner Cassidy	Yes
Commissioner Cross	Yes
Commissioner Dill	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion to amend KAR 115-25-9 as presented passed 7-0.

The roll call vote on regulation KAR 115-25-9 as amended was as follows (Exhibit W):

Commissioner Cassidy	Yes
Commissioner Cross	Yes
Commissioner Dill	Yes
Commissioner Hayzlett	Yes
Commissioner Rider	Yes
Commissioner Williams	Yes
Commissioner Lauber	Yes

The motion as amended on KAR 115-25-9 passed 7-0.

6. Secretary's Orders for Deer – Matt Peek, research biologist, presented this report to the Commission (Exhibit X). Secretary's Orders are where deer permit allocations are provided. I received various calls from around the state, some with too many deer and some with not enough deer. Collect population-type information to base recommendations off of. We look at harvest information from prior season; in 2016, harvest down by 7,300 animals, mostly whitetail antlerless deer as a result of us selling fewer permits than years past. People calling to say deer numbers were down responded by not buying the permits and killing the antlerless deer; to some degree they help resolve their own concerns about lack of deer. One of the big things we look at, relevant to harvest survey, is permit success of primary permits; whitetail either-sex and any-deer permits for residents and nonresidents; success rates are almost identical, killed deer at same rate as year before. Also, look at deer/vehicle accidents, just got preliminary data from KDOT for 2016, up slightly to back over 10,000; not obtained mileage rates to create an index out of this. Public may look at that number, but we try to also apply deer/vehicle accidents per million miles, a less biased way for to represent the population. We look at spotlight deer surveys that the department conducts; stability over last five or six years at statewide level, we have not detected declines in deer herd. Also bowhunter index; bow hunters keep track of all of the deer they see during the year and they also indicate stability in recent years. Our four completely independent measures we use to monitor the deer herd indicate relative stability. In deer management unit (DMU) 16, 80 percent of Clark County burned and a local warden indicated that he and others he knew put down about 150 to 200 deer, 25- to 30-percent of deer herd population in area that

burned. A large fire with devastating consequences, you don't see many fires that kill deer and coyotes and stuff like that. When we look at unit as a whole, DMU 16, less than 20 percent of total unit burned; five percent of deer in the unit loss. The question is, should we have made or recommended changes to affect 80 percent of that unit based on the 20 percent; a fair question, however, we decreased Unit 16 in 2015 from five whitetail antlerless permits and moved into shorter season, so only has one-day season this year. Spotlight deer surveys showed an increase in trend over last several years in unit as a whole; situation was good to improving based on our data. Looking at percentages, made a decision not to change recommendation as a result. May gain more information later to prove us wrong or right, but had to make a decision. Landowners and hunters have the right and ability to harvest deer as they see fit, if populations are down as they perceive they may chose not to harvest deer in that area.

For resident permits, an antlered deer permit type, for statewide archery and any weapon hunt-on-own-land are open with unlimited availability over-the-counter. In western mule deer unit proposing 1,425; and in eastern mule deer unit 500; same numbers allocated last season.

Throughout all recommendations, the same as last season, no changes at this time.

Antlerless deer permits; in Unit 18, no permits authorized and no extended seasons. In Units 6, 8, 9, 10, 16 or 17, one permit is authorized to be used on private land or any KDWP managed land. All other remaining units, 1-5, 7, 11-15 and 19, one permit valid anywhere as well as four additional permits for whitetail antlerless deer. Nonresident permit quotas; allowed to purchase same antlerless permits available to residents or as what I just read. Permit recommendations from last year are the same as this year, about five years of stability; down 1,700 nonresident permits from five years ago. Recommendation same as last year. Commissioner Dill – For several years we've been asking Lloyd about the possibility of instead of paper surveys for archery hunters that identify different wildlife seen throughout, to have an app or application on Smartphone and still have ID number and enter daily or weekly submit to department. Lloyd said someone younger than him would have to do that. Any consideration for that? Peek – Wrote it down; sounds like good suggestion and may improve participation in our survey, will see what we can do in that regard.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

April 20, 2017 – Pratt, Headquarters Downstairs Conference Room

June 22, 2017 – Kansas City, George Meyn Community Center

August 10, 2017 – Cheney State Park, Ninnescah Valley Yacht Club (will need special event permit for park entrance)

October 19, 2017 – Scott City, Bryan Conference Center

XIV. ADJOURNMENT

The meeting adjourned at 7:25 p.m.

(Exhibits and/or Transcript available upon request)