

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
Thursday, April 22, 2010
Great Plains Nature Center
6232 E 29th St N, Wichita, Kansas**

~~Subject to
Commission
Approval~~
Approved 6/24/10

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

The April 22, 2010 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Kelly Johnston at 1:30 p.m. at the Great Plains Nature Center, Wichita, Kansas. Chairman Johnston and Commissioners Debra Bolton, Gerald Lauber, Frank Meyer, Doug Sebelius, Robert Wilson and Shari Wilson were present.

II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS

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

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Under Secretary’s Remarks, item number 2, remove “Agency and State Fiscal Status.” Dick Koerth is not here to present. There are handouts on the back table.

IV. APPROVAL OF THE MARCH 11, 2010 MEETING MINUTES

Commissioner Frank Meyer moved to approve the minutes, Commissioner Doug Sebelius second. *Approved.* (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Joe Donley – Begin dialog to extend pheasant season into February for a few reasons: 1) there’s very little to do in February; 2) there is little financial downside -- no other states open, so it could mean additional revenue; 3) licensing cheap, could increase fee or change license structure for variable licensing – it’s done with deer, ducks and geese already; and 4) how would a landowner react to letting hunters on their land? No reason not to hunt in February other than tradition. Why not give it a try for a year and revert back. Chairman Johnston – You said we, do you represent a group? Donley – No, just myself and fellow hunters. Mike Hayden – The department has gradually expanded season to the end of January, have goose season in February. Would have to examine and Joe (Kramer) could have his folks dialog with other states and see what it would affect. (See his notes on statement – Exhibit KK).

VI. DEPARTMENT REPORT

Special Award Presentation to the Higgins Family – Jerry Hover, director of Parks Division, gave them a VIP award and introduced Dustin Ward and Seth Turner from El Dorado State Park.

Ward – We would like to thank the Commission and Jerry for helping us recognize this special family. They help run our OK Kids Day fishing derby, and last year we had the top site as a direct result of their efforts. They have an average of 15-30 family members help run the event, and we are grateful that we can recognize them today (presented a framed art print). Family Member – We are extremely proud to be nominated for this. We appreciate what Dustin has done. Our father passed away six years ago, and we decided that since he was an avid fisherman and loved kids we would set up a memorial to help with the fishing derby at El Dorado. We look forward to work with Dustin. Thank you for award.

A. Secretary's Remarks

1. Agency and State Fiscal Status – Chairman Johnston - Dick Koerth is not present today but there is a handout on the back table (Exhibit C). Staff would be happy to answer any questions if you have them.

2. 2010 Legislature – Chris Tymeson, chief legal counsel, gave this report to the Commission. I would like to make an announcement about volunteer Hunter Education (HE) instructor, Larry McAdow, who was inducted into the International Hunter Education Instructor Hall of Fame. There are now three Kansan's (he joins Wayne Doyle, Ed Augustine) in this natural hall of fame.

Bills not out of House are basically dead, and there is not a lot of action on the Senate side. Only 15 days left -- a lot of budget items up in the air. They are meeting today. Ways and Means set budget, but not how to fund it. SB 380 – Our bill would allow the Secretary to set fees for public use cabins owned and operated by the department. After passing the Senate, who only had a few questions, this bill was referred to the House Ag and Natural Resources Committee who added a "Transient Guest Tax." It was not worked on the floor, and the bill was stricken from the calendar and is basically dead. SB 577 - This bill would require watercraft (even canoes) to be titled. It got on Senate floor, and that is where it remains. Right to bear arms bill is alive and going to vote in November. Omnibus bill is all encompassing started out as HB 2434, which originally would designate the Prairie Spirit Rail Trail. The bill was amended on the House floor to require the department to reopen the west entrance to Tuttle Creek State Park and passed. Senate Natural Resources Committee struck the amendment relating to Tuttle Creek State Park and added in the provisions of the original Senate Bill No. 380, relating to setting fees for cabins, and House Bill No. 2646, relating to blaze orange. This bill passed the Senate as amended and is in conference committee. At an impasse and we don't know if it will go anywhere. HB 2649 - This bill designates little bluestem as the state grass of Kansas. The bill passed both houses and was signed by the governor.

Steve Sorensen – What about the bill to change requirements of the Secretary? Tymeson – HB 2738, it appears that the topic is dead, but there is a lot of ways to run a bill and there are 15 days

left in the session.

B. General Discussion

1. Kansas Involvement in the National GIS database and Resulting Benefits to Agencies – Jerry Hover, Parks division director presented update on GIS database (Exhibit D). Kansas has played a lead role in development of the National GIS database, aided by Kansas Recreation and Parks Association (KRPA) and its grant from the Sunflower Foundation. National Recreation and Parks Association (NRPA) piloted a program during the summer and wants to take the process nationwide soon. Dr. Sid Stevenson, K-State University is here to show you this program.

Sid Stevenson, PhD, Recreation Resources Research Service – (PowerPoint Presentation - Exhibit E). We have been working on this for a few years; Google RecFinder is an interactive database where you can go and search for a trail by area/region or type of trail. It is still first generation, but we are in the process of enhancing the mapping. Kansas is a major player in taking this national. Two people besides me worked on committees to be picked up on the national model. We will be converting the Kansas database to national model, hopefully by October. Set up by county so a person can do this on their own, as well as KDWP and Corps of Engineers can do their own updates. This comes directly out of the SCORP plan. Once we know where parks are, we need to determine where gaps are. For instance, how many people live within ¼ mile of a trail head or park? Once set up on the national level, we can refine system and fill in the gaps. Reports are continually updated. We will eventually put a link to KDWP and NRPA websites. We went back after initial inventory and added schools because of play grounds and athletic activity centers. Had to go out and individualize the number of courts (for instance if six tennis courts in one area, they are counted as six not one). There is an up-to-the-minute inventory: parks – 4,984 (1,553 schools as parks and 3,431 parks); facilities – 18,000 (5,000 school facilities and 13,000 park facilities); and 772 trails. All parks, not including schools, RV parks, roadside parks and spectator venues equals only 1.76 percent of the state's acreage. Parks with the highest per capita ratio of acres per 1,000 county residents are typically rural.

Communities are categorized by size.

Levels of service considerations: maps show a quarter-mile around a service area and summarize who is in area, then we can fill in the gaps. State park representation is good, and there aren't many gaps in counties with growing populations and ties in with other data sets such as camp sites, etc. Maps also show a quarter-mile level of service for walkable trails in selected Kansas communities like El Dorado, Hays, Great Bend and others. Lawrence is an example of a city pretty well served. Trying to come up with a way to score trails for shared use, and link proximity, scenic view, accessibility, etc. (walkable = single and shared use with walking/hiking as a designated use). As we started to do this, we had problems with categorizing parks. There are a lot of hybrids. We started working on service areas for facilities instead (showed a map with swimming pools in the state as an example). Working on walkable distances only, and there are still some gaps. We are planning on using census data and health statistics in the future.

Commissioner Bolton – On the maps you didn't show a trail in Garden City. Stevenson – It is in there. Commissioner Shari Wilson – I have sent people over to this website over the years, it is a little hard to find. As you are gathering more data, you should consider gathering data on how

people are using the trails, ages, etc. and tie that to health data. Such as, are we providing what they need? Stevenson - Dr. Kazinski at K-State is working on that and hoping to address what you are looking for. Commissioner Shari Wilson – You should work with the local health departments, there 105 of them. Stevenson – Good point.

2. Fishing Regulations – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit F). We haven't started sampling or fall testing so we will go over this in workshop a few times before voting on it. On the reference document, we are proposing changes that include staying in sync with Missouri who made changes on their side of the Missouri River. Other changes include: 1) changes to 115-25-14 to include four new locations for trout stockings; 2) allowing for additional handfishing opportunity during the open season from June 15 through August 31 which would expand handfishing sites to include the entire length of the Arkansas River (not just from the John Mack Bridge in Wichita to the Oklahoma border). This also would allow handfishing on all federal reservoirs (the upper end boundary being the public wildlife area) except within 150 yards of any dam, to be consistent with our trotline, setline, and floatline regulations. All other existing handfishing regulations would stay the same - this proposal comes after the three-year pilot handfishing study. 3) Regulations deal with weigh-in bass fishing tournaments and the use of the tournament black bass pass. On tournament black bass pass, we have identical weigh-in requirements with minimum fish handling procedures needed to make sure fish are taken care of properly. This proposal would keep the tournament black bass pass, abolish the lengthy registration and mandatory reporting process, and combine 115-7-8 and 115-7-9 to require all weigh-in tournaments (whether they are using the black bass pass or not) to abide by our minimum fish handling procedures. Commissioner Lauber – You are talking about raising the sauger length limit, which is generally 15 inches. Why raise it on these reservoirs? Nygren – That proposal came from my staff. Commissioner Meyer – Will there be signs 150 yards from the dam? Nygren – We don't use those signs anymore, they are in these regulations. Johnston – What about the change on walleye to 18 inches at Perry? Nygren – Statewide it is 15 inches. Commissioner Lauber – Wasn't it 21 inches? Nygren – Leave it at 15 inches, we are not taking away opportunity because sauger don't exist in El Dorado right now; a 21-inch length limit on walleye would be difficult. We need to do education to teach the difference between walleye and sauger. Lauber – I fish at Perry and that is where I will hear about it. Nygren – I can talk to staff about leaving sauger at 15 inches. Lauber – At Perry put it 15 for sauger/18 for walleye; and leave it 15/15 other places. Nygren – I will talk to staff about your concerns. Chairman Johnston – On bass pass regulations, when originally discussed a lot of detailed discussion on how undersized fish would be handled in weigh-in procedure and I was impressed with how they were handled. In briefing book the description says, "minimum fish handling procedures". Nygren – We would adopt what we have in place, which is basically identical and wouldn't allow bass pass in the heat of the summer. We will maintain the same requirements. Commissioner Shari Wilson – You mentioned Missouri unilaterally changed regulations. Are you comfortable with those changes? Nygren – Yes. They changed their regulations along a much bigger stretch than the 150 miles we share, and they are good recommendations. Commissioner Shari Wilson – When a person is on the river, they are not sure whether they are in Kansas or Missouri.

3. Chronic Wasting Disease (CWD) Update and Contingency Plan – Shane Hesting, wildlife biologist (CWD), presented this report to the Commission (Handout - Exhibit G; Contingency Plan – Exhibit H; PowerPoint – Exhibit I). Found in 19 states, two Canadian provinces and Korea (imported from Canada). In Iowa it is in captive pens only. Originally found in captive elk in Harper County; now in one captive herd in Oklahoma, two in Colorado, and in Missouri in a captive whitetail herd. Current grant, AP7 runs through July \$215,000. We've spent \$165,000 so far because we pay two contractors and we collected 2,710 samples. In 2009/10 samples we found 11 positives in white-tailed deer: Decatur (5) one currently presumptive, Rawlins (2), Thomas (1), Sheridan (1), Graham (1), Logan (1) for a total of 25 white-tailed deer. The animals have been found along the south fork of the Republican River, Sappa Creek, Beaver Creek, north and south fork of Solomon River, south fork of Sappa Creek, Prairie Dog Creek and the Smoky Hill River. All in northwest in DMU 1 and DMU 2. Three new counties this year: Thomas, Graham and Logan, all with clinical symptoms. With assistance from USDA we sampled more in 2007. Since we began sampling in 1996, we've taken approximately 18,420 samples with 26 positives: three 2.5 year-old does; one doe fawn; one unknown age buck; nine 2.5 year-old bucks; eleven 3.5 year-old bucks; and one captive bull elk. There will be no major changes in surveillance strategy for AP8, with 460 deer to be sampled in surveillance zones in the northcentral, southwest, southcentral and east and 500 to 900 in the assessment zone (where the positives have occurred). In 2001, we created the contingency plan, but we can't stop CWD. It is viewed as a disease with negative long-term effects. I had help writing the plan, but we need to rely on education more. There are five parts to plan: management; education; surveillance/testing; notifications; and media relations. We need to be more careful on rehabilitating fawns. One from northwest Kansas went to a Hutchinson Zoo and we had to euthanize it. It tested negative. Spider web flowchart shows who is notified in the case of a positive animal being found. Other states are trying some other techniques. In Illinois, for 2-3 years, they have been shooting deer in the endemic area, 2 percent of population in 2004, culled to 1.4 percent. They have 75-80 percent who agree with culling, and I would guess we wouldn't have that type of procedure and 50 percent agree with total eradication. Deer don't know state boundary lines. If you don't have a way to treat the environment, there is no way to get rid of it. Wisconsin is proposing culling along the southern part of their state. I don't believe you can win by shooting deer in the endemic area. In Kansas, Lloyd is doing distance sampling in the northwest and USGS has requested information from me and I am putting that in a proposal to identify. There is no evidence that CWD can jump from deer to people, but it can transmit into cattle. It didn't jump as much in mule deer. Don't know if jumps to other animals. From mule deer, it can jump right to sheep.

Chairman Johnston – We have previously discussed the baiting of deer and you mentioned that as part of education baiting should not be done. Why is it allowed in outlying units? Hesting – Baiting and feeding is point source food, and there are trails coming in and anytime you concentrate animals it is not just CWD, but bovine TB and other diseases you have to worry about. I don't know of any research that shows that baiting increases prevalence, not based on research and findings. We have salt blocks, small food plots and hay fields all over the country. Some people call it unethical, but don't know if there is solid evidence to ban baiting at this time. We would need further input. Chairman Johnston – Why is it part of the contingency plan? Commissioner Lauber – That was my thought too. Hesting – Other states have been proactive,

but we don't have numbers to show that it is working. Nebraska still allows it. Commissioner Lauber – I agree with Kelly, it is inconsistent to not pursue that. Chairman Johnston – In two counties there were no samples, Wichita and Greeley. What is the problem? Hesting – No contractors right there and hunters come from another state and take deer right home. Not much interest in this disease in the hunting community, so they don't come to us with those heads. Commission Lauber – What do you mean by contractors? Hesting – People who collect lymph nodes and we pay them \$12 for each deer. Also, we use taxidermists. Commissioner Lauber – Locker plants avoid that because if testing done and a positive is found that could really hurt their business. Hesting – That has to do with the company that removes the guts because they don't want to know. It has been a pain.

R.J. Robel – At what threshold level do you implement CWD contingency plan. Hesting – It seems to be contained in the northwest and we haven't discussed when or if we will start culling animals. We hope Wisconsin will lead the way and if they can't do it I don't think we should. Prions are shed in the environment. Robel – Deposit is positive dependent. Hesting – It is a unique and strange disease. Possibly passed through scrapes and rubs and there is a gentlemen in Nebraska doing a study on that right now. Mike Pearce – What is your job title? Hesting – wildlife disease coordinator. Pearce – How many were tested in Decatur County? Hesting – We do zones, not just counties, so about 40 with 10 percent of them mule deer.

Marvin Whitehead – If you get into baiting and food plots, where do you draw the line between a food plot and a farmer's field? Deer don't evenly spread out across a field. Chairman Johnston – Mr. Hesting has already mentioned that, we or some other states are discussing ~~outlying~~ **outlawing** baiting. There is density of positives on Sappa Creek in northwest Kansas. Why shouldn't we ban baiting on that watershed if no place else? Hesting – Right now I would rather see it in one area, rather than all over. Chairman Johnston – It seems it is spreading, and we will not be able to keep it in one area of state. Is there anything that can be done, besides just testing and monitoring? Have staff discuss and reconsider baiting, especially as it relates to CWD.

Break

4. Deer Season Structure – Pre-Rut Rifle Season – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit J). Chairman Johnston asked for this topic to be discussed today. Historically we have looked at ways with seasons and permits to expand or detract seasons. We are looking at different mechanisms. Several states are looking at ways to increase harvest of antlerless deer. I put together a survey of states and Canadian provinces. I provided you with maps of the states with pre-rut, peek-rut or post-rut seasons (Exhibit K). Nebraska is one of the leaders in a pre-rut season and some southern states have had it for a long time. Works in northern areas and Canada where there is good escape cover and it is a locally accepted manner. In Kansas we fall in between. One example of a pre-rut firearm season is in Unit 19, which allows either sex during that 9-day October season. Preliminary results: surveyed 32,000 and have responses from 17,000 (email and online completion); of those 17,000, 796 hunted in DMU 19 where there are five additional permits with adjacent units allowing two. Those hunters obtained 986 permits, only 54 would have been a result of the extra three permits. We are providing opportunities, but they are not using them. Harvested 429 deer and of that only 39 were taken during that 9-day October season. Of those 39, 18 were taken with archery; only

21 as result of pre-rut and allowed crossbows with only nine of those taken. Approximately 15 percent to 25 percent of harvest is in the January season. The permits don't seem to encourage hunters to take additional deer in pre-rut season. The department does not have a recommendation for change. We are recommending regular seasons. This is a topic that frequently will cause a lot of discussion and concern. Traditions have a large factor in how these are accepted. Commissioner Meyer – What are the white states on the maps? Fox – Those didn't respond or are so complex they wouldn't fit in yes or no context. Commissioner Lauber – Hunters who have discussed having a firearms season in pre-rut perceive it as being able to harvest a larger buck. I shudder to think of consequences if we change this. Commissioner Meyer – Received emails on that, and in talking to hunters I respect, I found nobody in favor. Chairman Johnston – Assume number of antlered deer remains static, if assumed true if we open season, it could distribute dates of harvest. Fox – Yes, it would change chronology. Chairman Johnston – I have had contact from several citizens who want pre-rut season and those contacts are why I asked this be brought before the Commission. Mike Hayden – On Unit 19 data, limited access is a problem, do we have any data on public land versus private land? Fox – Yes, but only have Clinton WA in that dataset and very few deer are taken in that time period, but some on Clinton. Concern of our staff, was pressure was just going on public land. I can break it out. Hayden – If only redistributing chronology, it doesn't impact the population. I agree because of limited access in that area because Clinton is the only public land. Even we open pre-rut season, look at Clinton and see if increased demand or not. Fox – I will do that and compare it with DMU 14. Commissioner Bolton – Talked to Dr. Fox, based on emails, against or for, he confirmed that, so I have no opinion. Commissioner Sebelius – No reason to make change. I agree with Gerald, see traditions set and beneficial in our area and experience with changing pheasant season was particularly bad in my area, so I don't encourage it. Commissioner Robert Wilson – Given data from Unit 19, don't see why we would do that, given all the negative data. What were we trying to accomplish? Chairman Johnston – My motive was to bring to discussion to increase rifle hunting opportunities. We have been confined to after Thanksgiving and aware, from personal experience, that we are one of the states with complicated structure. Just curious why we didn't offer multiple general seasons, not during the rut? That could be a policy objective. Commissioner Shari Wilson – Received 22 emails and only one in favor. Look for biological reason if we have a valid reason for doing it, basically just changing dates and not sure if that is worth moving ahead with or not. Commissioner Lauber – When we changed pheasant season, net result was everyone wanted to be there first. Everyone gripes about deer in Unit 19, but no one lets you hunt there. If you open that, everyone will want to hunt that first season because they don't want somebody to get their buck. Mike Pearce – As a biologist, in Unit 19, tremendous amount of cover, a lot of crops cut, do you have a guess what that would change on mule deer versus whitetail if you have a late October season? Fox – Developing some interest of harvesting mule deer with archery, not many actually doing it. Pearce – That is not what I asked. I meant vulnerability of mule deer and whitetail? Fox – We are conservative on mule deer harvest and not sure we want to place any additional pressure. High success rate of any deer harvest of mule deer and they are more vulnerable because of foliage situation. I would like to listen to comments from field personnel before going any further with this. Chairman Johnston – No consensus to move forward, but would like additional information Secretary Hayden referred to. We will not go forward at this point.

5. Report on Lead Reduction in ammunition and Lead Ingestion – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit L). Lead is a naturally occurring metal in the environment and is easily mined. We have it in Kansas, and it has been used by people for a wide variety of purposes for thousands of years. A lot of people have traditions that use lead shot/bullets and fisherman have used it for sinkers. Lead has no beneficial biological value to organisms and can cause a number of problems even in low amounts. It is easy to obtain, easy to work with and is relatively inexpensive. Lead is also one of the toxic metals and has been documented for centuries as the cause of various ailments. Even at low levels in a body, the substance may cause behavioral and developmental damage. A growing body of scientific information has documented a hazard to certain species of wildlife from spent lead shot, fishing tackle lost in the environment, and fragments of lead bullets in meat and carcasses of animals. The most serious of these problems has been with waterfowl picking up spent shot while they feed in marsh sediments. Raptors and scavengers also consume lead fragments while they eat carcasses and offal from hunter-killed game. The most serious of those problems has been documented with the endangered California condor. Loons are affected from picking up lures. As a result, there is a potential for people to consume lead while eating venison taken with lead bullets. Alternatives to lead shot, lead bullets and lead fishing weights are available. Some of these products perform as good as, or better than, the traditional lead-based product. However, public acceptance of these alternatives is currently weak with 70 percent to 85 percent of hunters opposed to additional regulations requiring non-toxic ammunition. There is need for education on this subject. Foremost conservation organizations, such as The Wildlife Society (TWS), have reviewed available data on lead used in hunting and fishing. They have summarized scientific articles and developed position statements on the subject. While TWS advocates for the replacement of lead-based ammunition and fishing tackle, they also recognize that long-term elimination of lead from outdoor recreational activities will require collaboration among affected stakeholders, a series of incremental regulations, and explicit and targeted educational strategies. Outdoor sporting goods manufacturers need assurance from regulators that consistent regulations and practices will be developed within established timelines before they can convert their production to non-toxic alternatives. For those regulations to be most beneficial, they need to be similar among states and provinces. The Association of Fish and Wildlife Agencies has a committee working on this issue. They will be a key source of direction for state wildlife agencies. Sportsmen are leaders in natural resource conservation in North America and have incorporated new ideas and techniques. They have adapted to the needs and desires of society. The issue of spent lead shot, lost lead fishing tackle, and fragments of lead bullets in meat and animal carcasses are issues that sportsmen will evaluate based on the best scientific information and the guidance of leaders in conservation. No recommendation for change is currently being proposed on the use of lead bullets for firearms deer seasons, based on information from North Dakota and Minnesota. Hunters who were consuming venison on a regular basis did have higher blood lead levels, but below public health problem. Iowa DNR has looked at 500,000 children under age 6 and 20,000 adults and has not found results of lead poisoning from ingesting game meats. In Kansas, we have about 150 cases each year, but none documented from lead from ammunition or meat of game animals. There is a concern about donating meat to persons in need, and there are people opposed to that. Suggestions to minimize

potential exposure to lead in venison: practice marksmanship and outdoor skills to make lethal shots away from major muscle areas; consider alternative non-lead ammunition such as copper or others that have high-weight retention or lower velocity lead bullets; lead fragments in meat may be too small to be seen or felt, so trim a generous distance away from the wound channel and discard any meat that is bruised, discolored, or contains hair, dirt or bone fragments; clean and check meat grinders to ensure that lead fragments are not present; and do not use vinegar or marinates with a high acid level on meat that might contain lead fragments. While testing about 40,000 people a year for lead, the Department of Health and Environment has not found any issue with consumption of game. Commissioner Bolton – Are they asking if they are consuming game meat? Fox – I would have to check on that. Kansas has highest levels of lead poisoning because of industry. It is found in intestinal track of those people. Birds can be brought back to health if treated. Don't know if they are asking about lead shot, but they are asking about lead solder, ceramics, etc. Commissioner Meyer – How many tons of lead shot is used in Kansas? It is not wise to totally ban, but educate the people. I now have 80 percent of the people who work for me using copper. Use lead to sight rifle. Commissioner Robert Wilson – What state is lead in when most volatile? Fox – Inhalation, indoor ranges and dry sweeping or dust. Commissioner Robert Wilson – How do they check doves? Fox – Experiments, feed lead to doves and waterfowl and looked at mortality. They are now looking at quail. It is a toxic substance, but may not be a population consequence to mourning doves and bobwhites. Distinction between person levels to population level.

R.J. Robel – Agree with recommendation to not change from lead bullets. Scotland harvests 300,000 red deer (elk) each year, which go to game dealers, some exported and have no problems with lead poisoning. They shoot them through chest, not shoulder muscle. All meat goes into the food chain and no lead poisoning was detected. This is a justified recommendation. Chairman Johnston – No recommendation to move forward.

6. Concealed Carry, Open Carry, and Use of Sound Suppressors – Kevin Jones, Law Enforcement Division director, presented this report to the Commission (Exhibit M). Make correction to second page, full paragraph: silencers – class 3 firearms license is required to be a dealer, but for an individual to possess it is \$200 and they must pass a background check. Most of the information related here concerns big game and hunting wild turkey. After having read the Commission minutes on possession during spotlighting, decided to expand on this topic. I don't have entire legislative history, but approved and allowed concealed carry in Statute 21. In 2007, after passage of conceal carry laws, we requested Attorney General (AG) opinion to see how this applied to certain circumstances and the AG rendered an opinion that we can limit seasons for special purposes. If you look at laws as they currently exist, it is generally allowed during hunting activities, but restricted in some areas such as big game, archery and muzzleloader seasons and similar language is in turkey regulations and also a couple of regulations on furbearers, while checking traps at night and while hunting with dogs. Running seasons for furbearers and rabbits, a restriction restricts firearms or any other weapons. In 32-1003, spotlighting, no rifle, pistol or firearm. From my view, Kansas has had a liberal view of conceal carry except for certain circumstances. Either through legislative or regulation process to manage hunting activities, it is unlawful to carry during these certain circumstances. The season is restricted to equipment, not necessarily firearms; you must carry legal equipment for that season;

however furharvesting regulations limit hunters to .22 caliber rimfire or handguns. It appears that through the process, it was deemed appropriate to limit those types of weapons. From a law enforcement standpoint, basically it is illegal to possess. I noted in the minutes that personal safety was an issue, from wild animals and other people. Members of the National Association of Conservation Law Enforcement Chiefs (NACLEC) were asked whether the possession of firearms during an archery season was allowed in their states. When I looked through states that responded to the survey, of the 30 jurisdictions responding, 17 allow the carry of firearms while archery hunting and the remaining five states, Alaska, Colorado, Montana, Wisconsin and Wyoming allow the carry of firearms during an archery season by anyone, not just conceal carry permittees. The state of Washington was proposing to change the limitation from concealed carry permittees only to also allowing the general open carry of handguns during an archery season because of predators. Of the 13 states that did not allow the carry of firearms during an archery season, Missouri was proposing to change their law to allow the carrying of firearms. Recently, a question arose over whether silencers or sound suppression devices should be allowed to be used for hunting. We have never had reason to discuss this. Because of current hunting regulations, it is illegal unless allowed, and we do not specifically allow the use of silencers or sound suppression devices; therefore they may not be used for hunting. The possession of silencers or sound suppression (the most accurate term) devices for firearms was formerly prohibited by Kansas law. In 2008, Kansas law was changed allowing individuals holding a class three Federal Firearms License to legally deal in and possess silencers for firearms, shotguns with barrels less than 18 inches long, and automatic weapons. The supplemental information on the bill made no mention that the intention of this legislation was to impact hunting equipment in Kansas. NACLEC members were asked if silencers or sound suppression devices may be used for hunting in their jurisdictions. Twenty-one states responded, with 13 stating that these devices were not allowed. Hunting is a highly-regulated activity, and regulating the possession and use of equipment is consistent with applying the management strategy to a given situation. Regulations should provide clear direction about the equipment that may be possessed and used for hunting, defining the limitations placed on the activity and helping reduce the opportunity for the regulation to be violated. The equipment allowed for hunting should be limited to meet the need and desired outcome for the management program. Consideration should be given as to whether the equipment is practical, functional, meets the standards of fair chase, and does not lend itself to violating other laws. Regulations must be enforceable. Regulations that are vague, confusing or unclear have little value in achieving their intended purpose for wildlife management. While it is important that individuals maintain their rights as citizens, it is also important that the harvest of wildlife is controlled in a manner that is consistent with the management goals. It appears there are issues on both sides of the line. In my opinion, laws have served us well for a number of years and issues of personal safety and aggressive confrontations in the field do rise to the occasion for personal safety, but if that is the only change, how does that pose as the hunting sport in Kansas? There are no large carnivores or bears in state. Commissioner Robert Wilson – Number 4 on first page, are we talking about state parks? Jones – Some wildlife areas also. Commissioner Robert Wilson – Can you carry on public lands? Jones – Can't target practice, was prohibited unless hunting in 1960s regulation and not in current regulation. Commissioner Robert Wilson – If we adopted the use of suppressors would that make your job harder? Jones – Officers are taught to be vigilant at all times, and we don't

know who is carrying or not. I don't deem the conceal carry law as a problem because of the way we train, but it would change the circumstances involving potential violations. It would make the job a little more complicated. Commissioner Lauber – This is a more ideological question more than anything. Archery hunters don't want to shoot a deer with a gun. More second amendment infringement on conceal carry. On suppressors, you're looking at hundreds of dollars, but I don't think they will make a lot of difference. Second amendment supporters are pushing this. I think voters would allow concealed carry. Commissioner Meyer – Most sportsmen understand language that says carry equipment that is legal for season, so they should understand why. I don't see a problem with what we've got. Commissioner Sebelius – There's not a true personal safety issue here, not one that overrides second amendment rights. So few situations that we have conceal carry restrictions on anyway. It's pushing the envelope where it doesn't need to be pushed. Give reasonable consideration, but not complicate law enforcement efforts. I don't like to see anything further out there to put officers in danger. Why ramp it up a little more. Commissioner Bolton – Have not seen any statistics to believe hunters need it for protection. Chairman Johnston – Conservation officers constantly are vigilant of weapons. You didn't comment on sound suppressors in regards to law enforcement officers. Jones – In limited research, one of the aspects of sound suppression is that it is not totally quiet, but gives misrepresentation to location of the shooter, not definite location. Who would use it for illegal means as opposed to totally legal? We have ran into a few ill designed home-built sound suppressor devices. Knowing where hunters are and how to approach the area is a safety concern. Commissioner Lauber – Don't think real issue is safety for hunter or conservation officer, but political issue for gun rights.

Travis Lowe, Chief of Police, Burton – I am a conceal carry instructor and a huge proponent of citizens feeling they are protected. Personally, I have run into instances where hunters were attacked by dogs. While in a rural county, if somebody is out hunting, they may not have the aid of readily available law enforcement. However, it is my opinion, it is lawfully privileged to carry into a Wal-Mart or anywhere else where it is legal. I can't see why they can't carry into archery or muzzleloading activity. Many people would feel unarmed if going into rural area without the sidearm they have been used to carrying. Not prohibited in some states to carry whether conceal carry permit holder or not. It is restricted by "legal hunting equipment" which probably needs to define situation better. While provision says not to carry a firearm, if it is not a hunting caliber then I would have an argument in favor of allowing them to carry. If privileged to carry, struggle with need to be disarmed in a hunting environment.

R.J. Robel, Manhattan – Divide the questions, conceal carry and suppressor. Much rather face a person with conceal carry training than one without. Suppressor should be separate issue.

Lowe – As far as silencers, I would rely on your officer's opinion; see some merit for feral pigs or varmint hunting and hunter advantage on that. Had comment from another individual in Chautauqua County, who came upon meth labs and was in a violent shooting confrontation with a person under the influence.

Cory Howe, Haysville – I own silencers, one for a .22 and a 9mm for shooting targets. For firearms, they cost \$800 plus other expenses such as tax stamps. Homemade silencers are illegal. On the archery, if I fell out of a tree stand, I could shoot three arrows in the air and nobody would hear it, but I could have a firearm in case of an emergency. Just because I'm out in sticks doesn't mean you are safe. If people don't know if someone is hunting on their land, those are poachers,

not hunters. On a game warden not being able to determine where they are, he has orange on and sound suppression; it could be a courtesy to people who live in the area.

Chairman Johnston – Early comments in first part of presentation discussing management aspect of these regulations, if we seriously considered conceal carry permittees, should that be a subject addressed by game management biologists as well? Jones – See if concerns from law

enforcement officers and other staff and what should be considered. It was a question of big game hunting that is one set of regulations. To have clarity, it is a little different, as far as harvesting furbearers like hunting coons at night or spotlighting. Chairman Johnston – Mr.

Tymeson, ~~if you brought this up at legislative session, would you expect different ramifications if proposed amendment passes, what would be the ramifications?~~ Tymeson – Feel it would be irrelevant. There are litigations going on nationally. There are a number of ways to part these out, but don't think individual right to collective right will have any forbearance on these issues.

Chairman Johnston – Haven't heard consensus to move forward on either one, and they should be separated. Easy to check on whether a hunter had a conceal carry license, not concerned about making that kind of change, but what about nonresidents. I do see a can of worms for that. I think we would have to attend to questions of continued to be concealed, not open carry. Tymeson –

Open carry is permissible in this state, except during archery. I can carry a conceal carry and open carry with a shotgun during pheasant season. Commissioner Lauber – May be reciprocity issues, not same freedom that they had in their particular state. Chairman Johnston – What is

nonresident reciprocity on conceal carry? Tymeson – Allowed, there is a website where you can check that, but you follow the law of our state when in our state. Chairman Johnston – On suppressors I am not in favor of them because of what Kevin has said on that in regards to safety of law enforcement officers. Don't see consensus to move forward on either of these topics.

7. Late Migratory Bird Seasons – Faye McNew, waterfowl biologist, presented this update to the Commission (Exhibit N). Late season waterfowl frameworks are established annually by the U.S. Fish and Wildlife Service. These frameworks establish the limits which states must operate within when establishing waterfowl seasons and will be published mid-August, after results from the May Breeding Duck Survey, which provides duck abundance as well as pond numbers, and recommendations from Flyway Councils are available. We do not anticipate major changes in the frameworks for geese. We anticipate that the season length for Canada geese will be again be 107 days, the maximum allowed by Migratory Bird Treaty Act. At this time there is little information upon which to base speculation concerning the duck season frameworks for 2010. We expect to have the liberal package – 74-day Low Plains Season, 97-day High Plains Season, (package selected since 1997): daily bag limit of 6 birds with various species restrictions. We will not know if Hunter's Choice will be operational for the 2010-11 duck season until August. If Hunter's Choice becomes operational, the daily bag limit for the liberal and moderate alternatives shall be five ducks, with species and sex restrictions as follows: scaup, redhead – 2; wood duck – 3; and only 1 duck from the following group – hen mallard, mottled duck, pintail, canvasback. Within the restrictive regulatory alternative, the daily bag limit shall be 3 ducks, with species and sex restrictions as follows: scaup, redhead and wood duck – 2; and only 1 duck from the following group – hen mallard, mottled duck, pintail, canvasback. The possession limit shall be twice the daily bag under all regulatory alternatives. If Hunter's Choice does not become operational, the bag limits will revert to the federal frameworks. In summary,

we are expecting 107-day goose season. Commissioner Robert Wilson – Why were we the only state last year to stay in the Hunter’s Choice? McNew – Didn’t want to have hunters have to change for one year. Didn’t work as well in Texas. They would have to have a season within a season and no fair answer to whether they will allow that. Also, there may be new pintail strategy that had 45 options, Flyways did have a recommendation and it’s possible Hunters Choice would not be needed.

C. Workshop Session

1. Early Migratory Bird Seasons – Faye McNew, waterfowl biologist, presented this update to the Commission (Exhibit O). The framework is for an early teal hunting season between September 1 and September 30, 2010, 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. The daily bag and possession limit would be 4 and 8, respectively. Last year’s (2009) blue-winged teal breeding population was 7.4 million. The 2010 blue-winged teal breeding population total will not be known until June. It is possible that only eight days will be available for the September teal season in the High Plains. Season recommendation for the High Plains Zone is a bag and possession limit of 4 and 8, respectively, with the following season date possibilities: 9-day season running September 18 through September 26, 2010; or, a 16-day season running September 11 through September 26, 2010; or, an 8-day season running September 18 through September 25, 2010. 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. For the Low Plains Zone a bag and possession limit of 4 and 8, respectively, with the following season date possibilities: 9-day season running September 18 through September 26, 2010; or, a 16-day season running September 11 through September 26, 2010. Shooting hours allowed by the frameworks are ½ hour before sunrise to sunset.

Broke for evening meal, moved remaining items to evening agenda.

VII. RECESS AT 5:10 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

None

2. KAR 115-25-9a. Deer; open season, bag limit and permits; additional considerations – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit P). The proposed season at Fort Riley for either-species antlerless only. Proposed dates: November 26, 2010

through November 28, 2010, December 18, 2010 through December 22, 2010, and December 26, 2010 through December 29, 2010. The proposed season dates for designated persons includes the dates established in K.A.R. 115-25-9 plus the dates of October 8, 2010 through October 11, 2011. Either species, antlerless-only deer permit are used in areas where additional herd control on mule deer is desired. These permits are available in limited numbers for units specified in the Secretary's Orders. They are available on a first-come basis after the drawings for either sex limited quota deer permits. A special extended firearm whitetail antlerless-only season is proposed for Units 7, 8, and 15, and the dates for that season would be from January 10, 2010 through January 16, 2010. Final action on this regulation will be taken at the June Commission Meeting. Commissioner Meyer – Is special season for Fort Riley working out and accomplishing what they want to do? Fox – I believe so. Shawn Stratton from Fort Riley is here, we can ask him. Shawn Stratton, Fort Riley Conservation Office – I didn't ask for an early season. The extra segment includes Columbus Day so that is a day that soldiers can take their youth hunting.

3. KAR 115-25-9b. Deer; nonresident limited-quota antlered permit application period – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit Q). This proposes keeping the earlier nonresident limited-quota application dates. These permits allow a nonresident deer hunter to obtain a permit to hunt for an antlered deer. In recent years an effort has been made to conduct the nonresident application earlier in the year, thus requiring this separate regulation to be created. The deadline for nonresident deer hunters seeking a limited-quota antlered deer permit use to be May 31. That deadline was changed for the 2009-10 season to April 30. The deadline for 2011-12 applications by nonresidents for a limited-quota antlered deer permit is proposed for April 30, 2011. A Public Hearing on this regulation is scheduled for the June Commission meeting.

4. KAR 115-8-1. Hunting; furharvesting, and discharge of firearms - Brad Simpson, public lands section supervisor, presented this update to the Commission (Exhibit R). There are a number of changes under consideration for the 2010 special regulations. The changes are listed as well as the refuge section which is in the briefing book in its entirety.

5. KAR 115-14-Series - Falconry Regulations – Mike Mitchener, wildlife section chief, presented this report to the Commission (Exhibit S). I have presented on these changes for the falconry regulations at the last two meetings. Questions?

Chairman Johnston introduced Representative Roj Goyle.

6. KAR 115-2-1. Amount of fees (to set price for elk landowner/tenant HOL) - Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit T). The Department wishes to establish a hunt-own-land either-sex elk permit for \$125.00, the same price as landowner/tenant which is half of the general resident price.

XI. DEPARTMENT REPORT

D. Public Hearing

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

1. KAR 115-4-4. Big game; legal equipment and taking methods – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit V). We will cover three regulations at the same time as the changes will be the same in all three. The proposal is to change the diameter of the arrows from thirteen-sixteenths of an inch (13/16-inch) to three-quarters of an inch (3/4-inch). Our recommendation is to allow hunters to possess non-broadhead arrows while hunting deer and wild turkey hunting, but they could not use that type of arrow for the hunting of big game or turkey. This would change the language in all three of those regulations: the big game equipment; the wild turkey equipment; and the crossbow hunting by persons with disabilities. The equipment would be standard.

Commissioner Shari Wilson moved to bring KAR 115-4-4 before the Commission. Commissioner Frank Meyer seconded.

The roll call vote on KAR 115-4-4 as recommended was as follows (Exhibit W):

| | |
|-------------------------------|------------|
| Commissioner Bolton | Yes |
| Commissioner Lauber | Yes |
| Commissioner Meyer | Yes |
| Commissioner Sebelius | Yes |
| Commissioner R. Wilson | Yes |
| Commissioner S. Wilson | Yes |
| Commissioner Johnston | Yes |

The motion as presented KAR 115-4-4 passed 7-0.

2. KAR 115-4-4a. Wild turkey; legal equipment and taking methods – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit X). Same as KAR 115-4-4, but wild turkey instead of big game.

Commissioner Debra Bolton moved to bring KAR 115-4-4a before the Commission. Commissioner Shari Wilson seconded.

The roll call vote on KAR 115-4-4a as recommended was as follows (Exhibit Y):

| | |
|-------------------------------|------------|
| Commissioner Bolton | Yes |
| Commissioner Lauber | Yes |
| Commissioner Meyer | Yes |
| Commissioner Sebelius | Yes |
| Commissioner R. Wilson | Yes |
| Commissioner S. Wilson | Yes |
| Commissioner Johnston | Yes |

The motion as presented KAR 115-4-4a passed 7-0.

3. KAR 115-18-7. Use of crossbows for big game hunting by persons with disabilities: application, permit, and general provisions – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit Z). Same as KAR 115-4-4 and 4-4a, but deals with crossbows for people with disability permits during archery season. Commissioner Meyer – Can someone help them cock the crossbow? Fox – Yes.

**Commissioner Frank Meyer moved to bring KAR 115-18-7 before the Commission.
Commissioner Debra Bolton seconded.**

The roll call vote on KAR 115-18-7 as recommended was as follows (Exhibit AA):

| | |
|-------------------------------|------------|
| Commissioner Bolton | Yes |
| Commissioner Lauber | Yes |
| Commissioner Meyer | Yes |
| Commissioner Sebelius | Yes |
| Commissioner R. Wilson | Yes |
| Commissioner S. Wilson | Yes |
| Commissioner Johnston | Yes |

The motion as presented KAR 115-18-7 passed 7-0.

6. KAR 115-25-9. Deer; open season, bag limit and permits – Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit BB). Since the last meeting, we have changed one item for your consideration -- an extended firearms season for all units. The special extended season is covered under an additional regulation and is only in DMUs 7, 8 and 15. It is one additional week. Statewide would be the extended season - January 1, 2011 to January 9, 2011 and only in those other three units would the additional seven days occur. Proposed amendment is to correct a typo error in the last section from July 19 to July 9 for postmark (Exhibit CC). Chairman Johnston – What is the reason for extending the antlerless season statewide? Fox – The deer herd continues to grow; comments and crop damage complaints are coming in, so I reviewed this with field personnel and recommended this season. Hunters in western Kansas have suggested they would like the same opportunities as other parts of the state.

Patrick Murphy, Wichita – Broad based comments about my situation. I am a lifelong hunter. Overall point is nonresidents -- minimize number of nonresidents. Consider bag limits, reverse trends back to pre-1994. I have four children, have lack of spots to hunt, it is extremely difficult. Statistics for hunters are dropping. Think Commission is doing a good job, but I really think Kansas is on verge of losing an entire generation of hunters. You have to affect kids now. The regular guy has a hard time finding spots to hunt. It is prohibitively expensive. Trading current income bubble for lifetime of income we are going to lose. You are losing hunters. Walk-in hunting is great, but I drove past a spot between Great Bend and Garden City and there was nothing to hunt on it. Don't have public hunting opportunities. I won't get into numbers of actual deer being killed. The overall picture is we are going in the wrong direction. What are you guys

doing through limits, etc. to ensure the future of youth of Kansas? Commissioner Meyer – Pick up a Walk-In Hunting magazine, we have over a million acres, as far as leased land, private land can be leased to anybody they wish. We can't control that. Fox – Difficult to address, life is more complex than when I grew up. Technology changes things and society changes. Farmers are controlling more land and looking for ways to make money and they are going to promote those ideas to their legislators. What we can do is establish hunting seasons that allow opportunities. We have a variety of seasons to provide a variety of interests. Seasons for disability, muzzleloaders, archery, firearms, additional harvest of antlerless deer to balance both aspects. We have to do our best to adapt to this new world and change the way we get access to land than we did in the past. I wish it was easier and we lived in a simpler world. Commissioner Meyer – Do something for the farmer and he will do something for you. Murphy – Appreciate the advice, I will make out because I have relatives all over the state. (Read a quote from Commissioner Lauber's reappointment.) I think you are missing my point. Times are changing, because of this Commission, the future is not unreversible. It is not as simple as helping farmers out. What I need from the Commission is for you to say that you are going to set rules for 9 and 10 year olds, not nonresidents and TV shows. Commissioner Lauber – From a practical standpoint, restrict quotas to drive down demand. More land leased by residents than nonresidents. If we do that we will find ourselves back with the legislators telling us what to do with our deer instead of us. If we do what is disadvantageous to farmers, we will lose control as we don't have the clout that Farm Bureau or other groups have to deal with agriculture. Need to talk to legislators. Every state that that has a deer herd has a leasing problem. Walk-in hunting is an attempt and we can only pay so much an acre; we can't compete with private dollars. Understand where you are coming from, but not sure what we can do in practical political framework. Commissioner Shari Wilson – Share your concerns with where your kids are, but the bigger issue is just getting kids outside at all. A lot of us are working on this issue across the state. Important to future of our natural resources in the state, whether hunt, fish or just look at wildlife. These are critical issues, none of us be up here would be working towards these things if we didn't believe in it. Children and Kids in Nature, I am involved and so is Jerry Hover. Children's Outdoor Bill of Rights. A number of people take that very seriously. I appreciate you taking the time to state your thoughts. Commissioner Sebelius – Anything else other than nonresident quotas? Murphy – Can go on and on. On the legislative issue, car/deer accidents have more to do with speed limits in areas around Wichita. Something to consider, question whether you should issue more permits to nonresidents. Was going to be percentage of non-used permits and was one deer statewide. Not just nonresidents. I lease ground for pheasant hunting, but the good stuff gets taken. Chairman Johnston – Since I started serving six years ago, I have witnessed the pulling at both ends when it comes to management and economic use of the deer herd, between biologists and Kansas legislators. We will feel the response from the legislators if we dig in our heels. We have some equilibrium and it has come at the cost of thousands of nonresident hunters. We hear opposition, but don't feel we have another way to go. A few years ago the department pushed pretty hard to purchase Circle K Ranch near Kinsley, which would have been the largest public hunting tract in Kansas and we couldn't get it past the legislature. That is one example of the tug of war. You are right that the future of Kansas hunting and fishing is in our children, but I think the single most substantial reason why fewer young people are getting licenses every year is the migration off the farm to urban areas, which has been going on since the depression and not likely to change. We

have gone to great lengths to have a youth season for every season, youth fishing days, free park days and free fishing days to give parents and grandparents an opportunity to take their kids out of the city. Don't know of a way to reverse 80 years of depopulation of western Kansas. Important to have this discussion often and need to never lose sight of it.

Commissioner Debra Bolton moved to bring KAR 115-25-9 before the Commission. Commissioner Shari Wilson seconded.

Commissioner Shari Wilson moved to amend KAR 115-25-9. Commissioner Debra Bolton seconded.

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

| | |
|-------------------------------|------------|
| Commissioner Bolton | Yes |
| Commissioner Lauber | Yes |
| Commissioner Meyer | Yes |
| Commissioner Sebelius | Yes |
| Commissioner R. Wilson | Yes |
| Commissioner S. Wilson | Yes |
| Commissioner Johnston | Yes |

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

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

| | |
|-------------------------------|------------|
| Commissioner Bolton | Yes |
| Commissioner Lauber | Yes |
| Commissioner Meyer | Yes |
| Commissioner Sebelius | Yes |
| Commissioner R. Wilson | Yes |
| Commissioner S. Wilson | Yes |
| Commissioner Johnston | Yes |

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

5. KAR 115-25-7. Antelope; open season, bag limit and permits – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit EE). No changes from presentation at last meeting. Season dates and numbers are: firearms – October 1-4, 2010, Unit 2 – 94, Unit 17 – 36, and Unit 18 – 8 firearm permits; muzzleloader – September 27 – October 4, 2010, Unit 2 – 24, Unit 17 – 12, and Unit 18 – 10 muzzleloader permits. A total of 138 firearms and 46 muzzleloader permits, an increase of 8 firearm and 2 fewer muzzleloader permits from last year's quota. In Unit 18, this is the first year firearm permits have been authorized because of interest from the public and our survey indicates the population will withstand this small amount of additional harvest. Firearm and muzzleloader permits are restricted to residents with half assigned to landowner/tenants. Archery permits are authorized for both residents and nonresidents on an unlimited basis.

Commissioner Frank Meyer moved to bring KAR 115-25-7 before the Commission. Commissioner Debra Bolton seconded.

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

| | |
|-------------------------------|------------|
| Commissioner Bolton | Yes |
| Commissioner Lauber | Yes |
| Commissioner Meyer | Yes |
| Commissioner Sebelius | Yes |
| Commissioner R. Wilson | Yes |
| Commissioner S. Wilson | Yes |
| Commissioner Johnston | Yes |

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

6. KAR 115-25-8. Elk; open season, bag limit and permits – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit GG). We are proposing three permit types: limited number of statewide, except for Morton County, mainly on Fort Riley – 12 either-sex and 15 antlerless; unlimited over-the-counter statewide, except for Morton, Riley, Clay, and Geary counties, which would provide a buffer around the Fort Riley and Cimarron populations, available for antlerless and either-sex; and antlerless HOL available statewide, and we are adding HOL either-sex. This is why 115-2-1 was added to establish an either-sex hunt-own-land fee for that. Statewide limited draw will be divided between military and nonmilitary applicants as in the past. People won't have to go into draw, they can buy over-the-counter.

Commissioner Gerald Lauber moved to bring KAR 115-25-8 before the Commission. Commissioner Shari Wilson seconded.

The roll call vote on KAR 115-25-8 as recommended was as follows (Exhibit HH):

| | |
|-------------------------------|------------|
| Commissioner Bolton | Yes |
| Commissioner Lauber | Yes |
| Commissioner Meyer | Yes |
| Commissioner Sebelius | Yes |
| Commissioner R. Wilson | Yes |
| Commissioner S. Wilson | Yes |
| Commissioner Johnston | Yes |

The motion as presented KAR 115-25-8 passed 7-0.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

June 24, 2010 – Herrington, Herrington Community Building

August 12, 2010 – Mankato, Community Center

October 14, 2010 – Goodland, location to be determined.

XIV. ADJOURNMENT

The meeting adjourned at 7:56 p.m.

(Exhibits and/or Transcript available upon request)

Exhibit II – Letter from National Rifle Association of American, Jordan Austin – regarding
conceal carry and sound suppressors

Exhibit JJ – Several E-mails supporting conceal carry and sound suppressors

Exhibit KK – Joe Donley’s comments on “Request to Extend Hunting Season Through February
– Pheasant”