

**Kansas Department of Wildlife and Parks
Commission Meeting Minutes
KDWP Region 2 Office
300 SW Wanamaker Rd, Topeka**

Approved
4/21/11

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

The March 10, 2011 meeting of the Kansas Wildlife and Parks Commission was called to order by Chairman Kelly Johnston at 1:30 p.m. at the KDWP Region 2 Office, Topeka. 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). Chairman Johnston introduced Linda Craghead, Assistant Secretary Parks and Tourism; and Becky Blake, Tourism Director.

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis - Revised agenda – added item No. 4 under general discussion “Duck zone regulations 2011 through 2015” and previous No. 4 to No. 5. Commissioner Meyer – Change to CST not MDT.

IV. APPROVAL OF THE January 6, 2011 MEETING MINUTES

Commissioner Frank Meyer moved to approve the minutes, Commissioner Shari Wilson second. Approved. (Minutes – Exhibit B).

V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Bill Long, Friends of Fancy Creek Range – We will have a dedication of one section of the range in April. We began construction of the range 10 years ago, and it was originally set up in three sections: 100 meter, pistol and 50 meter, which was never completed. We got money last fall, and that section is soon to open for 25 and 50 meter. I am extending a personal invitation to you to attend the dedication, April 16, 9:30 am, open range day. The range is open the first and third weekends and last Thursday of each month. All volunteers are range certified. Contractor did the 50 meter range, but volunteers are doing signs and benches, etc. Also we have a Women on Target in May and kids’ event in June. (Brochure – Exhibit C)

Commissioner Lauber – I would like the department to consider clarifying regulations for snowmobiles, ATVs that are used on the ice on department-managed waters; not necessarily approved by regulations, but want brief background. Kansas is not a big ice fishing state, but

there are clear windows of opportunity. Our job fosters economic activity, promotes resources and maximizes the most we have to offer. The Corps of Engineers (COE) has made some feeble attempts to regulate the use of machines on the ice. We've had discussions, but it is a local area issue. Have no control over what COE may or may not do. I would like to have clarification if permissible on our end; there are two to six weeks where this could be used. Don't want ATVs running around our parks, specific trails on land, but limit use at existing boat ramps and access areas. COE gives guidance on their website of ice thickness for vehicles. Have law enforcement review, one opinion, like to see it clearly permissible in KDWP managed areas. Chairman Johnston – I agree this deserves clarification. We should be careful with safety issues like driving vehicles on ice, consider minors in vehicle and think about life preserver guidelines. Mr. Tymeson, any downside to discussing this further? Tymeson – No, we can discuss it at the next meeting.

Commissioner Meyer – Welcome Secretary and Travel and Tourism, we are here to work with you and help you. We have a lot to offer; welcome to our unit.

VI. DEPARTMENT REPORT

A. Secretary's Remarks

Acting Secretary Robin Jennison – I look forward to working with all of you. We've made the transition in fairly good shape. There were some ongoing decisions that needed to be made, and I think we have made those without slowing down too much, and I think that is due to the tremendous staff that Wildlife and Parks has; the professionals who have the ability to bring someone up to speed and make them understand the issues. Anyone who has read the newspapers is well aware, as you talked about already, of the Governor's ERO, which should take effect after March 28. Then when we start the fiscal year, Linda (Craghead) will be the Assistant Secretary for Parks and Tourism and Becky (Blake), who has been over at Travel and Tourism, will be the Director. And Keith's (Sexson) title will change and Parks will come out from under his purview, and he will become the Assistant Secretary of Wildlife, Fisheries and Boating. Those are the structural changes that you are going to see. I do think it is important to bring up that we realize that there are pitfalls that we need to avoid. The Governor's office announcement had Tourism's budget in ours, and as you can imagine we immediately had folks wanting an understanding of what we were going to do. That originally came from the tourism folks, largely urban tourism folks who were concerned that all we were going to do was promote hunting and fishing, and that is not going to be the case. We realize that different people have different things they like to do, and we are going to cover all of those things. We will deal with all sorts of tourism. Of more concern to me, and the bigger pitfall, is our resident hunters have apprehension when you begin seeing our natural resources to promote the state or to bring more folks in to share in the natural resources that we have. I want the Commission to know that we understand that is a pitfall and will be very careful not to mess with that. In fact I have told several of the legislative committees that our biggest concern is big game and deer. Our numbers are still going to come from Lloyd Fox and his folks. Marketing is not going to guide our wildlife biologists. Our wildlife biologists are going to be doing what they do, and then if there is an opportunity for

the marketing folks to take advantage of that and talk about what Kansas has that is going to be fine; that standpoint is not going to change. Personally, my goals are not a lot different from former Secretary Hayden or former Secretary Steve Williams. My goals, as far as the natural resources to start are two: create more opportunity for youth and create more access. As you know we get very little general funding from the state and they made a run at trying to decrease that yesterday, and it may get decreased before this session is over. For the longevity of this organization, we have to create the next generation of outdoorsmen, and that is not necessarily for the next five years, but for 20 years down the line we need to do that, and that will be one of our goals, and what we are working toward. The idea of access is -- I think it is important, if we are going to talk about opportunities in Kansas. I have never had a problem with the commercial hunting industry, but by the same token that is not our job. Our job is to provide access for people who enter the outdoor recreation, or for dad or mom to take their kids, and our goal will be to provide that immediate access that is reasonably priced that we can avail people of the opportunity to for those. Those are going to be our goals over the next few years. We are off to a good start because of the great staff the department has. Chairman Johnston -- I think you will find each and every Commissioner in complete agreement. Commissioner Shari Wilson -- I totally endorse the Secretary's goals. Many of us have been working on this for a long time and you will be hearing more about this effort in a little bit.

Jennison -- As a point of interest, as of Monday, former Secretary Hayden has a new role as the Executive Director of MORAST, which is the Missouri River Association of States and Tribes.

1. 2011 Legislature -- Chris Tymeson, chief legal counsel, gave this report to the Commission. We are past turn around, one more week of bills, then the legislature goes to the floor for a couple of weeks. It's nearing the end, but not over until it's actually over. We are watching 92 bills, but we have only 15 on website that are of interest to constituents. SB 3 -- would establish the Kansas Natural Resources subcabinet for coordinating water natural resource goals of executive agencies. I doubt it will go anywhere. SB 120 -- This bill is known as the vessel titling act and would require boat owners to obtain a certificate of title proving ownership. There is concern because a manufacturer's origin or bill of sale would be required. Not sure it will go anywhere. SB 123 -- This bill would allow cabin fees to be established by the Secretary's Orders with consideration of the Kansas Wildlife and Parks Commission, streamlining the process of adjusting fees for existing cabins and setting fees for new cabins coming on line. This bill passed the Senate, came into House and passed out of Committee unamended. It goes to floor next week. SB 152 -- This bill would allow a person with a concealed carry permit to carry a concealed handgun while legally hunting and would also allow any person who lawfully possesses a firearm suppressing device to hunt with that device. It was blessed early in Senate last Friday and passed out of Senate yesterday. I anticipate it will go to the House and have a hearing quickly and pass out of House. HB2013 -- This bill repeals laws that currently restrict the sale and delivery of rifles and shotguns to or from residents of states that are contiguous to Kansas. Doesn't impact handguns. Allow residents to go to Texas to buy a firearm and allows an out-of-state person to buy here in Kansas. Had a hearing Tuesday in Committee and will go to Senate calendar and anticipate it passing. HB2089 -- this bill would allow a licensed hunter or

furharvester to retrieve their hunting dog from posted land without permission. This bill was referred to Agriculture and Natural Resources, but day before hearing canceled and will not go anywhere. HB2149 -- this bill would require the legislature's approval of any KDWP land purchase greater than 160 acres (it is currently 640 acres), and removes the legislative approval exemption for land purchased at less than appraised value. This bill was passed out of the Committee on Agriculture and Natural Resources with a recommendation that it be passed as amended. The amendment allows the Senate Finance Council to approve land acquisitions during times with the Legislature is not in session. This bill passed General Orders and is on final action in the House (Feb. 23). Referred to Senate Ways and Means, but don't expect it to go anywhere. HB2152 -- this bill strengthens the penalties for the offense of operating a vessel under the influence of drugs or alcohol. Discussion on DUI penalties, but I'm not sure why it stopped. HB2168 -- this bill would waive the state park vehicle entrance fee for veterans. Proposed the same as National Guard license; tabled and don't expect action this year. HB2295 -- (this year's deer bill) this bill would amend statutes and repeal existing sections to exempt a landowner's immediate family members from hunting license requirements while hunting on that landowner's land; would remove the current disability exemption that allows the use of a crossbow during the archery season to allow anyone to use crossbows during the archery season; would extend the "extended season for female white-tailed deer hunting with the use of firearms through January 23, 2012"; amends the formula used to establish nonresident deer permit quotas so that the percent increase in permit numbers by unit required the first year (2008) the formula was used to be adhered to every year; would allow a landowner's immediate family members to purchase hunt-own-land permits whether or not they were domiciled with the landowner; would establish a mandatory contribution of at least \$2 to activities of Kansas hunters feeding the hungry, Inc.; and raises the maximum price that could be charged for nonresident big game permits to \$800, \$300 for nonresident mule deer stamp, and \$50 for an application fee. Bill was referred to the Committee on Natural Resources, then referred to a sub-committee, and I don't expect to go anywhere. HB 2321 -- This bill just popped on the radar. It would change the definition of muzzleloaders to conform with federal law. Currently in state law, muzzleloaders are defined the same as firearms. House Concurrent Resolution No. 5017 -- this resolution proposes amending the constitution of the state of Kansas relating to the classification and taxation of watercraft. This bill was referred to the Committee on Taxation. Could take action today, tomorrow or next week. No immediate impact. It would probably be 2013 before some sort of change. Executive Reorganization Order No. 36 -- Will be effective 60 days after introduced unless majority vote of either house votes against it. Some resolutions take effect, but not until July 1. Renaming the Department of Wildlife and Parks as the Department of Wildlife, Parks and Tourism; abolishing the Assistant Secretary of Operations position and creating an Assistant Secretary of Wildlife, Fisheries, and Boating and an Assistant Secretary of Parks and Tourism; and transferring the Division of Travel and Tourism Development at the Department of Commerce to the Department of Wildlife, Parks and Tourism. Commissioner Lauber -- On titling of boats, do we have an opinion? Tymeson -- There are pros and cons. From law enforcement's point of view, it would provide security to boat owners. In order to transfer a boat, it would have to have title. The disadvantage is there are a lot of boats out there without proper papers and there will be a surprise factor for owners when a boat has to be titled before they can be registered. This would also add another fee, and could be the straw that drives more people to register their boats in other states. Commissioner Lauber -- Is there someone pushing this? Tymeson - State Treasurer's

Association. Commissioner Lauber – Boat taxes are too high. Will we lose revenue if this were to pass? Tymeson – I could encourage boat owners to register their boats in Kansas, which would increase number of boats registered. Commissioner Meyer – Would this include canoes, or non-motorized boats? Tymeson – Only those required to be registered by the department now.

Michael Pearce, Wichita Eagle – When is your confirmation? Jennison – KBI is done with me. They were backlogged at the KBI, but they are about done with cabinet secretaries. I thought it would be done yesterday and then I will be introduced to the Senate. Tymeson – Formal introduction will be made to the Senate.

Commissioner Bolton – On concealed carry, I thought we were done with that and now it is about to pass? Tymeson – This is an NRA issue that also includes suppressors and has been brought before legislatures in other states. Commissioner Lauber – We were looking at these only as they deal with our regulations. However, for an appointed group to make arecommendation takes a long time, but it moves fast in the legislature if both sides of aisle are in agreement. Tymeson – From our point of view, we'd much rather have something in regulation than statute. Commissioner Meyer – Small weapons are sold for concealed carry, very inaccurate and there are a lot of people out there with those; I am not in favor of that.

2. Agency and State Fiscal Status – Dick Koerth, Assistant Secretary of Administration, presented this update to the Commission (Exhibit D). The department has received the FY 2012 budget recommendations from the Governor, which are in the attached table. Also included is the FY 2012 recommended capital improvements budget. In summary, the Governor's recommendations provide for continued operations of the department with several enhancements. In addition, the Governor's recommendations transfer the Division of Travel and Tourism from the Department of Commerce to KDWP, which will enhance statewide tourism efforts. The recommendations provide for total expenditures of \$69 million with less than \$5 million being financed from the State General Fund (SGF), a decrease of \$204,290 from the prior year. In addition, it should be noted that the recommended budget includes \$4,333,429 to finance the Division of Travel and Tourism, being transferred to KDWP. None of this financing is from the SGF. The FTE recommended is 430.5, which includes 12 positions for the Division of Travel and Tourism. The budget provides for the existing level of expenditures with no reduction in services to the public. In addition, the following enhancements were included: acquisition of new amphibious backhoe Cheyenne Bottoms WA; expand program for control of Asian Carp; replace vehicles (41); create KDWP marketing program; operating funds and 1.0 FTE for Parsons Wildlife Area; entrainment reduction project for Lovewell Reservoir; and restore KDWP road maintenance funds to prior year's level. These recommendations were based on a request submitted prior to Acting Secretary Jennison's appointment. After review, the following changes were made: 1) Reduce the amount recommended for land acquisition from \$2 million to \$300,000 to allow for expansion of the WIHA program by \$620,000 and the F.I.S.H. program by \$310,000. Increased public access can be provided more efficiently by expanding programs for leasing rather than acquisition. 2) Provide \$600,000 for improvements at the Milford Fish Hatchery to prevent entrance of zebra mussels into the hatchery. The failure to do this will jeopardize the operation of the hatchery and would allow for transfer of the mussels into waters stocked with fish from the hatchery. 3) Provide an amount of \$100,000 for minor repairs on the

dams at three state fishing lake dams. (Leavenworth, Shawnee and Douglas). 4) Include an amount of \$70,000 for a possible study of providing improvements at the Rocky Ford Fishing Area. These changes do not increase the total budget recommended by the Governor but will allow the use of funds to address priorities critical to the future operations of the department. The House Committee on Appropriations and the Senate Ways and Means Committee have completed their initial review of KDWP budget recommendations for FY 2012. Both Committees have amended the funding for Stream Monitoring to shift \$40,000 for the program from the State Water Plan Fund to the Wildlife Fee Fund. In addition, both Committees concurred with the department request to reduce funding for land acquisition and use the funds for other purposes as described above. The Senate Committee on Ways and Means is requesting KDWP to include language to allow for hunting licenses and park permits to include a provision for the applicant to make a voluntary contribution of \$2.00 or more to support the annual licenses issued to Kansas disabled veterans and Kansas National Guard members. This recommendation is not included in the House Committee report. The House Committee on Appropriations report includes several items not included in the Senate Committee report: take wildlife and Law Enforcement vehicles that are replaced and use them within the parks, if feasible; provide a report detailing the income of the agricultural leases made by the department and to review the cash flow to the State Agricultural Production Fund; provide to the House Subcommittee for the department budget a plan to replace SGF appropriations with Park Fee Fund revenue or other sources within a 3-5 year period. The House Committee is taking a very serious approach to reviewing FY 2012 SGF requests and during the discussion regarding KDWP, budget motions were made to delete or reduce the amount of SGF to the department. The Governor has provided a FY 2012 SGF budget recommendation to the Legislature that has an ending balance of \$7.5 million for the SGF on a total budget of approximately \$6 billion. The Governor's recommendations include reductions in expenditures for agency operations including continuation of the plan to review employee salaries and provide for increased revenue to the SGF by transferring monies from other funds such as the State Highway Fund and lottery revenue. In addition, the transfer of \$6 million from the SGF to the State Water Plan Fund is not recommended for FY 2012. The receipts to the SGF through February 2011 are at the estimate, which is encouraging. Commissioner Shari Wilson – In regard to the budget, does that include all staff? Koerth – Yes, no reductions. Commissioner Meyer – Does the SGF stay the same or go down? Koerth – Down, for the last 4-5 years they have tried to make budget work, but they're running out of places to go to. They are talking about taking away longevity pay, so they are serious. Commissioner Meyer – Economy is coming back, and we are one of few state departments that still make money. Commissioner Robert Wilson – What about the expansion of program for control of Asian carp? Doug Nygren – We will be covering that today when we discuss wild-caught bait. We are concerned about vectors moving Asian carp from point A to point B. If there are more questions after that presentation, we will answer them. Commissioner Sebelius – On the road maintenance money, where did that come from? Koerth – Last year we had \$.6 million. Commissioner Sebelius – We got \$1.6 million back. Chairman Johnston – Reductions in land acquisitions and transferring to WIHA. Are there any land acquisitions abandoned because of that? Koerth – Not at this time. We still have a vehicle to use it if we are considering buying anything. Jennison – We cut the funding to acquire land for upland game but left alone funding for wetland acquisition. Chairman Johnston – Funds for WIHA, how many acres currently enrolled and how much increase? Koerth – Have 1.5 million acres in WIHA, but

we want some closer to urban areas where we'll have to pay more per acre. Through a federal program, Jake George is working on additional payments on WIHA land for habitat improvement. Commissioner Shari Wilson – Creating marketing program, where would that be located? Koerth – Hired a person about six months ago, prior to learning about the merger, that person will work with them.

B. General Discussion

1. Kansans for Children in Nature Plan – Doug Vance, Kansas Recreation and Parks Association, and Charlie Black, Wildscape, presented this update to the Commission (Exhibit E).

Doug Vance – Executive Director of KRPA and one of conveners for Kansans for Children in Nature (KCN) plan. In April 2009, Governor created KCN through an Executive Order to address the growing disconnect of children with nature. The Conveners, including representatives from KDWP, Kansas Recreation and Park Association, and Kansas Wildscape, have developed a plan for increasing the number of children spending time outdoors. Shari Wilson and Jerry Hover, before his retirement, were working on this. We reached out to other organizations to make it a statewide effort. The plan takes a community approach focused primarily on utilizing or building on existing resources environmental education and encourages structured and unstructured play. Kids today spend seven hours a day in front of a screen and 30 minutes outside. Kansas is the first state to attack this. KCN is gathering and plans to give a report to the Governor soon. We encourage KDWP's support and endorsement for the plan.

Charlie Black, Kansas Wildscape, is also on conveners group – this concept benefits our Wildlifer Challenge program, which Wildscape will spend \$50,000 on to market this to children statewide. KCN has already brought together many entities, and with your endorsement and other high profile endorsements will put spotlight on need for programs. It will help to not have redundancy -- one unified message, nobody protecting their turf. Chairman Johnston – Briefly explain Kansas Wildscape. Black – Nonprofit 501c3, created 20 years ago by then Governor Hayden, work with OK Kids and cabins. Commissioner Meyer – Vital program and fits in with rail trail programs we are working on. Discovery trail from Herington to Osawatomie, walking bridge this side of Lyndon is ours. Black – Take a kid with you. Chairman Johnston – Thank Commissioner Wilson for your help with this. Commissioner Shari Wilson – Thank Doug and Charlie for coming today. Thank Charlie and Linda for talking to state board of education and Secretary for reviewing this plan and endorsing it. May come at this from different angles but at end of day we all want to get kids outside, provide opportunities and use outdoors as tool for learning. Thank everyone who helped with that and thank Commission for time on agenda. Craghead – We have posters everyone can take.

Steve Sorensen - Kansas Wildlife Federation also is one of the conveners and Audubon of Kansas also endorses it and asks that you endorse this.

Motion to endorse – Commission Bolton, second by Commissioner Sebelius second, Approved.

2. Early Migratory Birds – Faye McNew, waterfowl biologist, presented this report to the Commission (Exhibit F, PowerPoint – Exhibit G). Framework allows hunting season between September 1 and September 30, 2011, not exceeding: 1) 16 days if the blue-winged teal breeding population is above 4.7 million, or 2) 9 days if the breeding population is between 3.3 - 4.6 million, with a daily bag and possession limit of 4 and 8 teal, respectively. In 2010, blue-

winged teal breeding population was 6.3 million. The 2011 blue-winged teal breeding population total will not be known until June, but expect the same. The department's recommendation is: High Plains Zone - A bag and possession limit of 4 and 8, respectively, with the following season dates: a 9-day season running September 17 through September 25, 2011 with regular season 96 days. Low Plains Zones - A bag and possession limit of 4 and 8, respectively, with the following season dates: a 9-day season running September 17 through September 25, 2011; or, a 16-day season running September 10 through September 25, 2011. Shooting hours and bag limits have not changed. Webless migratory bird season: considering changes on sandhill crane restrictions, in discussion with USFWS. Mexican crow and rusty blackbird. Commissioner Lauber – Since whooping cranes were killed we've restricted shooting hours; we decided on the most restrictive one hour after sunrise; one-half hour after sunrise would have been sufficient. I would like to move the start of shooting hours back to one-half hour after sunrise. It's still later than Service requests and will enhance opportunity for sandhill crane hunters, which is limited. McNew – Current regulation is one-half hour after sunrise. Commissioner Lauber – If we open at sunrise we are still 30 minutes before the frameworks of one-half hour before sunrise. McNew – USFWS listed the reason we can keep our sandhill crane season is because of later opener. We'd need to sit down and review this proposal. Wait until next cycle and give us a year to work on it. Commissioner Lauber – Sooner is better than later. McNew – It would also be a good idea to go through Flyway Committee. Commissioner Robert Wilson – What about nontoxic shot on blackbird depredation orders? McNew – For nuisance bird control using firearms, USFWS requires the use of nontoxic shot.

4. Duck zone regulations 2011 through 2015 – Faye McNew, waterfowl biologist, presented this report to the Commission (Exhibit H, PowerPoint – Exhibit G). The U.S. Fish and Wildlife Service (Service) considers requests at five-year intervals from states wanting to change the type of duck season "Option" they utilize. Split into high plains and low plains zones using the 100th meridian, which goes down Highway 283. The Early Zone includes Cedar Bluff Reservoir and we want to move that into the High Plains Zone. The basic option is a statewide season with one zone with two splits (three segments); alternative options, which must be selected during the five-year open-window period, include: two zones with one split (two segments); three zones with no splits (continuous season in each zone); and for 2011 the following two options may be available: three zones, plus the High Plains area of Kansas, with the option for one split (two segments) in each zone; and four zones, plus the High Plains area of Kansas, with no splits. We'll discuss three zone boundary changes today. The first is a six-mile change, and we're not expecting overall harvest to go up much, but it would provide opportunities. The second change is early Zone boundary, putting all of McPherson Wetlands in the Early Zone, creates LE issue. The third recommendation would create a third zone and is pending approval of new option. We've conducted public meetings across state and learned that a later opener would be detrimental and cause hunter to lose days due to ice. The Southeast Zone would follow Hwy. 68 from the Missouri border, go down I-35, go down 77, jog around El Dorado and down 77 to Oklahoma border. If denied by the Service we will defer to the original map. Commissioner Lauber – As wood duck hunter, what do you envision s later start date would be in northern part of early zone? McNew – November 5, one week difference. Commissioner Bolton – I have one constituent who is happy about the Cedar Bluff change. Pearce – Where are we with changes? McNew – High Plains change has to go through Flyway,

through technical committee, then USFWS. Early Zone change os in current guidelines, and we are submitting a letter April 1. New zone system, including the Southeast Zone will probably not occur this year. We had to do an environmental assessment and got hung up. Sorensen – I'd like a clarification on Early Zone opener of November 5? McNew – That would be the opener in new Southeast Zone. Chairman Johnston – I like new Southeast Zone myself.

Break.

4. Furbearer Regulations – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit I). We are bringing forth five items for your consideration. Numbers are included in the briefing book, but I'll jump to recommendations: 1) a request was made to the Commission to allow .17 caliber rimfire rifles to take trapped or treed furbearers with the aid of light. The .17 is a faster round with a flatter trajectory than the .22 WMR, but its energy is less. In regard to safety and efficiency, it appears comparable to the variety of .22 rimfires we currently allow. 2) Traps must currently be "tagged with the user's name and address" so that the user may be identified. Trappers have occasionally requested that they be allowed to tag traps with a unique identification number in order to protect their identity from the general public, while allowing them to be identified by any KDWP employee. The KDWP number would uniquely identify each furharvester, and any department employee with access to KOALS could identify the trap user. 3) Specify that foothold traps must be smooth jawed, and establish a maximum jaw spread allowable in non-water sets. This would eliminate the use of serrated or tooth-jawed traps, which are basically obsolete today. Many new beaver traps have a jaw spread of more than 7 inches, but there are larger traps on the market. It is unnecessary to use such large traps to capture terrestrial furbearers or coyotes, and injury to target and nontarget captures, as well as public perception, become concerns when using such large traps in land sets. I'll come back to item number 4. 5) Currently, "water set" is defined as "any trapping device that has the gripping portion placed or set in flowing or pooled water and remains in contact with the flowing or pooled water." Requiring water set to be half submerged would reduce the likelihood that size 280 or 330 body-gripping traps could be used in terrestrial animal sets. Though few problems of this type have occurred, there seems to be a potential for nontarget capture, particularly during years with low water levels. This change will not significantly affect one's ability to trap beaver, as in most cases, 5 inches of water will be available in which to make the set. Fluctuating water levels will have to be taken into consideration, but this is already the case. In most cases, the rivets where the jaws of a body gripping trap pivot would be underwater if the trap was half submerged – making this easily measureable for the trapper and enforceable for law enforcement. This regulatory change should prevent a dog from being captured in a water set, which happened at Kanopolis last year. In addition to this change, the department intends to increase signage near public access points, particularly in those areas with established public trails, better notifying the public that trapping is allowed on wildlife areas. I'll open the first four items for discussion, then go to river otters. Commissioner Lauber – On a water set, I was contacted by constituent and I own a 330 -- How do you measure one-half submerged? Peek – If two rivets are under water, it is half submerged vertically. Commissioner Lauber – With snapping parallel to the ground rather than perpendicular to the ground? Could you have it different if set that way. Peek – You'd have to be aware of fluctuating water levels. Commissioner Lauber – Could it b placed lawfully in three inches of water where something could step in it? Peek – Yes, but that is not how the trap is

designed. It is set as square-type of frame and the animal goes through it. Commissioner Lauber – Concerns are well placed. I just want to know how this was passed. Peek – This is not the result of one issue, but eliminating unnecessary risk out there. A water set is intended for use on aquatic or semi-aquatic animals. But the trap could be placed as terrestrial set at a beaver den or along shoreline near beaver dam, and that would be one risk of that set. Chairman Johnston – On second page, second to last paragraph, it mentions increased signage; how soon could we expect that to happen? Brad Simpson – Intend to implement signage by this fall. We are discussing wording, and are in the designing phase right now. Chairman Johnston – I understand there are five or six trails that go through public hunting areas. Where are those? Simpson – We plan to sign all of those this fall, but we won't have all boundary signs replaced this year. Peek – In the Hunting and furharvesting regulation summary, we will include an informational page, which will include information on how to take a dog out of a body gripping trap and what to do if you encounter one. Commissioner Meyer – What about flag warnings? Peek – We have not decided to require that. Trappers highly oppose that because they try to remain unseen. Chairman Johnston – Out of concern for theft of traps and disturbing of traps amongst furharvesting industry? Peek – That is correct. Commissioner Lauber – I know what Matt is trying to do and this is good policy. There are always knee jerk recoil on restrictions on trapping and I want to make sure this doesn't become an annual reduction on trapping. Not the best image among non-trapping people. Commissioner Shari Wilson – I agree with more restrictions, and it looks like this gives a few things to furharvesters as well. Have you received comments? Peek – Most were positive or neutral, and most of these recommendations have come about as result of requests we have received. Chairman Johnston – I approve recommendations on signage. The common kernel is dog owners didn't know trapping was occurring. We have limited lands that are multi-use and the signage change will meet those incidents that we are sorry happened. These changes as a whole are sound and reasonable and measured and will have limited impact on the furharvesting community. No response to Mr. Lauber's comment. Will not tie hands of public from passing future laws? Commissioner Meyer – Not familiar with .17 calibers, are they available in handgun? Peek – Yes.

River Otters - 4) (PowerPoint – Exhibit J) River otters ranged historically in most of the U.S., but were gone from the Midwest by early 1900s. Beginning in 1976 in Colorado, reintroductions began, Twenty-one states released 4,500 otters. Largest release was in Missouri -- 845 between 1982 and 1992. We have released 19 otters, from 1983 to 1985, in Chase County. By 1995, otters were found on Flint Hills and in Crawford and Cherokee counties in southeast Kansas (expected immigrants from MO). Survey of all furbearers was conducted in 2005 and keeping track of trapped, incidental trappings and roadkills. We have estimated their range and populations appear secure range-wide. Forty-six of 47 states indicated river otter population, and only one state indicated the population was in decline. Most have trapping seasons; Missouri has had one for several years now. In 2009, a graduate student from K-State did surveyed otters in eastern Kansas. The significance of this findings was that he found otters in all watersheds; average populations ranged from .1 to .83 in southeast region. We've been keeping track of observation points since 1999. In 2009 we reported 30 otters and 30 observation reports in 2010. Incidental take has been through beaver trapping. Summary of distribution: most eastern counties are occupied. Hopefully, you see with each new survey expansion. Otters need water, so they will run out of that as they near central Kansas. Western Kansas areas don't have water. We conducted general health necropsies on 78 otters taken or road killed from 2003 to 2010. Results

indicated excellent physical health, Twenty-nine percent have subcutaneous nematode worm, which is common in other furbearers and has little or no health implications on animal. We looked at stomach contents, and from November to March it was mostly fish and crayfish, which is the common summertime diet. However, they will also eat mussels and mice. We collected a canine tooth for aging and found that the average age is 1.4 years. Younger otters are more prone to being trapped because they are on outside of range and moving through dispersal. If you plugged numbers into a model, we have many in reproductive age and we expect growth. Not many adult females were found at reproductive ages. However, we found some evidence of reproduction in one-year-olds. We didn't think they would reproduce until they reached two years old. The average litter is 3.4, small sample size, average is 2 to 2.5. Population is physically healthy, young, exhibiting reproduction and increasing in number. Population model – many came from Missouri so no basis. Used Shardlow formula to come up with number of otters per watershed. A total of more than 1,400, not population estimate, because none were counted outside this area. There are some in southcentral or northcentral on small lakes and streams. Not great numbers, but not zero either. My point is to be conservative. Otter populations can be viewed negatively because they are capable of impacting fisheries. Note received on February 11, and we continue to get more calls on otters; about one a week. Allowing a harvest will allow us a means to address some of these problems. There is some demand from trappers to take or keep the ones they take. They are a trophy furbearer; relatively valuable and can be disruptive to beaver trapping. Greatest complaints come from along the Missouri border. Department's mission is to conserve and enhance Kansas natural resources, provide opportunity and that can include allowing harvest of river otters. Commissioner Bolton – How soon would we see season? Peek – This season would be our recommendation. Commissioner Meyer – In 13 years on Lake Herington I've seen an otter three times. Chairman Johnston – Doesn't sound like any opposition from Commission to commence on river otter season.

5. Trails Grant Update – Linda Lanterman, parks division assistant director, presented this update to the Commission (Exhibit K). Every year the agency solicits applications for the Recreational Trails Program, whether or not we have funding. We've received limited applications for substantial projects. One project did not get funded. Not asking for anything from the Commission. We've already submitted projects to the Federal Highway Administration.

C. Workshop Session

1. KAR 115-25-7. Antelope; open season, bag limit and permits – Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit L). Since the last meeting we have allocations: 154 firearms and 48 muzzleloader permits proposed; archery permits are unlimited. In Unit 2 – 100 firearm and 26 muzzleloader; in Unit 17 – 40 firearm and 12 muzzleloader; and in Unit 18 – 14 firearm and 10 muzzleloader. Commissioner Meyer – Have we included Morton County in the past? Peek – This is the second year we have included Morton County.

2. KAR 115-25-8. Elk; open season, bag limit and permits - Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit M). We have recommendations for elk: 10 any elk be allocated in Units 2 and 3, typically known as Fort Riley permits. That number is down from 12 last year. Landowners first season, so took more conservative approach and 15

antlerless-only, the same as last few years, also valid in Units 2 and 3. In Units 2, hunt-own-land available in addition and in Unit 3, general resident and hunt-on-your-own-land available. We were using county boundaries in the past, units are helping. Pearce – What were success rates on draw permits? Peek – On limited draw permits – have 1,000 applicants. Pearce – Success rates? Peek – 5 of 12 and 4 of 15, no set numbers yet. Season ends March 15.

3. 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 N). Fort Riley regulation only and they have requested deer seasons that would allow additional days; archery - September 1-18; firearms - November 25-27 and one additional December 15-23 (mistake in briefing book, listed as December 17-25). Chairman Johnston – In support of these proposals? Fox – Yes, this is the department’s recommendation.

4. Potential Regulation Changes to Address Aquatic Nuisance Species – Jason Goeckler, aquatic nuisance specialist, presented this report to the Commission (Exhibit O, PowerPoint – Exhibit P). We will discuss wild-caught bait: white perch, Asian carp and other species are being moved as bait. Don’t want to see Asian carp like we have on the Kansas River (showed slide with jumping carp) in our reservoirs. Four options: ban use of wild-caught bait; restrict use of wild-caught bait to waters where taken; restrict to allow four common fish to be transported; or take no regulatory action. Surveyed anglers to see who uses the bait, where they get it, what species used, impact, recognition of baitfish and support of KDWP action and there are pros and cons of each of these four options. Option one - Ban: pros - addresses the risk of species and disease spread, eliminates fish identification issue, enforceable, and successfully used by other state agencies; cons - limited support by anglers and added expense to anglers for bait purchase. Slides showed how bait is obtained, 25 percent to 40 percent is caught from the wild. Asked how we should address this. Graph shows level of acceptability. The bigger the bubble the more differences between respondents. There is a lot of disagreement and no equal representation, not a good idea. Those who collect bait really don’t like it. Option 2 – Restrict use to waters taken: pros - Addresses risk of species and disease spread, preserves angler tradition of bait collection/use, minimizes issue of fish identification, and general acceptance by anglers. Cons - impacts anglers that collect in farm ponds, impacts tournament anglers that collect prior to tournament (Channel cat anglers/gizzard shad), and not as easily enforced as option 1. Graphs shown on where bait is caught. Acceptable technique and not much disagreement. Option three - Allow four common fish: pros - addresses risk of species and disease spread, preserves angler tradition of bait collection/use, general acceptance by anglers, and allows for anglers to collect fish off site. Cons - allows for anglers to collect fish off site, fish identification, effectiveness for disease, and not as easily enforceable as options one or two. Asian carp found in farm pond south of Greensburg and are in tributary streams in northeast Kansas. Graph shows minnows, unknowns, shad, perch, bluegill, green sunfish and goldfish. Part of the survey was a matching survey on fish. Option four - No action: pros - maintains status quo. Cons - potential for ANS spread through this vector, public outcry for inaction, and action contrary to recommendations from Natural Resource Sub-cabinet. Graph shows fish being brought in from offsite. Fish ID showed that anglers are unable to identify many species. What do they do at end of day? Sixty-eight percent of anglers are dumping them in the water before they leave. It is likely that ANS are spread with bait. Seventy percent said it is likely to help and think it is a bad idea to take no

action. Clear that this is not an option. Chairman Johnston – One piece of information I did not get from your information was effectiveness of these options as determined from other states? Have other states used these first three options and what is their experience? Goeckler – Not used in Midwest states, used in other states and European countries. Chairman Johnston – Data to show which option is the most effective? Goeckler – Can infer that no movement would be most effective, followed by option two and then option 3. Commissioner Meyer – Leaning toward option 1 due to the fact that they can't id bait -- take from water and use where they take it. Commissioner Lauber – Will number three have enough effect? Goeckler – It is a compromise. Commissioner Lauber – See number three being most accepted, but see number two as more likely. Commissioner Robert Wilson – What effect of using number three, with caveat of not dumping bait back in water at the end of the day? Goeckler – That would be hard to enforce. Commissioner Bolton – Would adopting option three show we are serious about this? Goeckler – It would show we are looking at this. Steve Sorensen, Kansas Wildlife Federation – On option three -- why authorize bullheads when they are not on the chart? Goeckler – To offer more opportunity. Can't move bait from an ANS lake at all. Chairman Johnston – Don't see that you have made a recommendation? Goeckler – The department is not prepared to make a recommendation at this time. We are looking for from guidance from the Commission. Chairman Johnston – Damage to fisheries, completely disastrous, more damaging than zebra mussels because we are talking about destroying fisheries completely. Could become 90 percent of lake population? Goeckler – It has been documented in the Missouri River, and they can be up to 50 percent in other waters. Chairman Johnston – I don't think we should treat this lightly for this reason. I cannot contemplate number three and am a little bit surprised department is not making a recommendation. Jennison – This is a time you may want to hear from Kevin as well. Question is one of politics with our anglers. Biologists and LE were in the same room; biologists would want number one, LE would be how tough is it to enforce. We discussed this two weeks ago, but there political issues with our anglers. We don't want to do something with this today. It is a serious problem, one that needs to be addressed but we don't want to alienate anglers in solving the problem. Commissioner Lauber – On option three – I also think it is more acceptable, bit the misidentification surprised me and if we did allow option three, would seining permit to minimize, and add \$.50 cent fee. One and two most effective, but with number three we could get away with. Like to beef up number three and have ANS designated lakes. Commissioner Bolton – Still have anglers self-governed at this point and can we ask them to self-rule and if they don't know how to identify the speices. Don't they know now what lakes are affected and are still moving bait? Commissioner Lauber – Not sure Asian carp is as a result of wild-caught bait or seining. Came from Arkansas after floods of 1993. Damaging, but have caused undo grief. Take number three and tighten it up. Sounds good you have four fish you can move, but in fact only two that people can use. Have staff give their opinion. Our opinion is firmly on number two and maybe on number three. Commissioner Shari Wilson – Try number 3 and see if it works, only know it isn't working if we find species where we don't want it. How do we measure success? Goeckler – Only way to gage would be a follow-up survey. Commissioner Robert Wilson – What about fish existing now? Do you plan to destroy them? Goeckler – Anything we do locally still has 28 states in Mississippi basin contributing to it. ANS movement is being restricted by reservoir dams from moving westward. Commissioner Robert Wilson – We have baitfish we can catch on pole and line. Have you addressed those? Goeckler – Allowing of movement, no longer allowed as transferable bait, but use where they are caught only.

Commissioner Lauber – On statewide chart, farm pond, how did it get there? Goeckler – Contaminated fish stocking. Commissioner Bolton – On Finney County line? Goeckler – Before aware of this. Chairman Johnston – Summarize, Commission seems to be focusing on two and three, option two gives people who have learned to catch and use can continue to do that; waters a factor of that. Option three if it can be tightened up in some way with recommendations. Commissioner Robert Wilson – Number two, wild-caught where taken, can't take out of water and use on the river, correct? Goeckler – Not move above dam or natural barrier, possibly use within certain distance of point of collection. Commissioner Lauber – Catch on creek and go farther up and catch on limb lines, on river is until you reach some type of dam structure. All of this is a law enforcement nightmare. Pearce – ID problem, is that anglers don't know fish or don't know the name of fish? Know what they use, but not name of fish, not sure how you attack that. Goeckler – Survey showed picture and name they thought was the answer. What they use, they could write whatever they wanted. Sorensen – Would like to hear from Kevin. Kevin Jones – I think issues have been fairly well vented. Clear bright line is easiest to enforce. When I made my recommendation, option one was most enforceable. When you go to option two, now you look at scenarios and an officer to monitor activity from beginning to end and option three is not a lot different. Three becomes even more difficult. Education is a huge component of this. Voluntary angler participation is important to this. My recommendation to the Secretary was Option 1. Commissioner Bolton and Commissioner Shari Wilson – one, two and three more consideration. Commissioner Meyer – Options one and two. Shari Wilson – Three would be hard, if you only go a few places okay, but confusing; the clearer the better. Commissioner Bolton – I've seen mission of department and it didn't say political consideration. Pearce – When will this be voted on and when will it become a law? Tymeson – Draft regulation and get support. It is at least three meetings away, maybe August or October. Commissioner Lauber – We need to move along pretty quickly. Chairman Johnston – Conceivable that this Commission will change in staff considerably in the next 3-6 months. Agree with Commissioner Lauber.

5. KAR 115-7-9. Weigh-in black bass fishing tournaments – Doug Nygren, fisheries section chief, presented this report to the Commission (Exhibit Q) – This is clean up of weigh-in regulations we passed at last meeting. We revoked 115-7-8 and need to take some of that language and move it to 115-7-9, “Only fish that meet the special length limit for the specific body of water where the weigh-in tournament is being conducted may be weighed within the period beginning June 16 and ending August 31”. This is so fish cannot be weighed in heat of the year, so needed to workshop so we can vote at the next meeting.

VII. RECESS AT 5:00 p.m.

VIII. RECONVENE AT 7:00 p.m.

IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS

X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

R.J. Robel, Manhattan – Fifteen years ago, Commission did survey of shooting ranges in Kansas,

Rob Manes was involved, found shortage, put money in budget. Helped us (Riley County Fish and Game) draw up plans. The result was the Friends of Fancy Creek Range, a 100-yard range and pistol range; a multipurpose range. Here to thank you for your interest in range construction and encourage you to continue that.

XI. DEPARTMENT REPORT

D. Public Hearing

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

1. KAR 115-2-2. Motor vehicle permit fees – Linda Lanterman, assistant parks division director, gave this report to the Commission (Exhibit S). Currently, expiration date for these permits is noon the day after you purchase, except on Sundays and holidays. What we want to do is make both of these permits expire at 2:00 pm the following day, all year-round. Commissioner Meyer – I like this.

Commissioner Frank Meyer moved to bring KAR 115-2-2 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-2-2 as recommended was as follows (Exhibit U):

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 115-2-2 passed 7-0.

2. KAR 115-2-3. Camping and utilities fees – Linda Lanterman, assistant parks division director, gave this report to the Commission (Exhibit T). Again, same topic, expiration is at noon, and we would like to do the same, make it 2:00 p.m. year-round, no exceptions and gives us more continuity. This does not impact the cabins they will still expire at noon.

Commissioner Doug Sebelius moved to bring KAR 115-2-3 before the Commission. Commissioner Shari Wilson seconded.

The roll call vote on KAR 115-2-3 as recommended was as follows (Exhibit U):

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 115-2-3 passed 7-0.

3. KAR 115-6b. Elk; management units - Matt Peek, wildlife biologist, presented this report to the Commission (Exhibit V). This new permanent regulation establishes elk management units. The proposed regulation would establish three elk units to better manage the elk population in Kansas. Unit 1 creates a buffer around Cimarron National Grasslands and this area would be closed to elk hunting; Unit 2 creates a buffer around Fort Riley and within that unit elk hunting could occur by people who obtain the limited draw permits that allow hunting on Fort Riley and also hunt-own-land permits; and Unit 3, which is the remainder of the state, besides those two units; and could be hunted by the Fort Riley hunters, limited draw permit hunters, the hunt-own-land, general residents and landowner/tenants could also obtain permits throughout the remainder of Unit 3.

**Commissioner Shari Wilson moved to bring KAR 115-4-6b before the Commission.
Commissioner Debra Bolton seconded.**

The roll call vote on KAR 115-4-6b 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 115-4-6b passed 7-0.

4. KAR 115-4-11. Big game and wild turkey permit applications - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit X). The proposal is to take all application deadlines for deer, elk, antelope and turkey regulations in one central location. Amend proposed subsection (e)(4) to read as follows: Applications for spring wild turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until midnight on the third (change to second) Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued. Chairman Johnston – Where is amendment? Fox – Back of regulation.

**Commissioner Frank Meyer moved to bring KAR 115-4-11 before the Commission.
Commissioner Robert Wilson seconded.**

Commissioner Debra Bolton moved to amend KAR 115-4-11. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-4-11 to amend 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 115-4-11 passed 7-0.

The roll call vote on KAR 115-4-11 as amended 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 115-2-1 passed 7-0.

5. 115-25-9. Deer; open season, bag limit and permits - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit Z). This regulation sets the season dates for archery, firearm and muzzleloader hunting; it has provisions for seasons at Smoky Hill Air National Guard and Fort Leavenworth; dates for special firearms seasons and extended archery seasons in the urban areas; dates for deer seasons for designated persons; dates and units when extended firearms seasons are authorized, the white-tailed deer antlerless-only (WAO) season; limitation on obtaining multiple permits; and also this year a new item, the antlerless-only either species deer permits that formerly were in a different regulation. Our season structures have remained relatively stable through the years and the structure has remained similar. There are annual adjustments due to the calendar, and there has been an increase in hunting opportunities through the years as the deer herd grew and opportunities became available. Chairman Johnston – Possible proposals staff might bring forward in possible changes, what is status of those? Fox – These are items we are looking at and hope to bring forward next year; during Christmas season and for people with disabilities and youth and extending archery into January and weekend in October, a pre-rut season. Commissioner Meyer – Thought there was something for Thanksgiving weekend also? Fox – Not considering at this time, more difficult. If it comes up during year there is a possibility, but low on possible changes.

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

The roll call vote on KAR 115-25-9 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 115-25-9 passed 7-0.

6. Secretary's Orders for Deer - Lloyd Fox, big game wildlife biologist, presented this report to the Commission (Exhibit BB). Basically unchanged from last year; Unit 17, a few more antlerless-only permits available, 21,102 non-resident permits. Last year 17,456 applications were received, 4,016 leftovers after draw and ended up with 200 or so left at end of season. Had five units where demand exceeded availability of permits. Went out with survey to all department staff along with deer survey and consensus was to maintain at current level. Commissioner Lauber – Which units had demand in excess? Fox - 1, 2, 3, 4 and 5; 2 & 4 only had 17 more. There were 364 who applied that did not draw. Chairman Johnston – Allocation for those five units is remaining static, Unit 17, 16 to 20 and 80 to 100? Fox – Correct. Steve Sorensen – Where does little “d” come in? Fox – Two western units, muzzleloaders, 1,290 and 1,000 for firearms.

7. KAR 115-16-5. Wildlife control permit; operation requirements – Kevin Jones, Law Enforcement division director, gave this report to the Commission (Exhibit CC). A request was made during the October 14, 2010 commission meeting in Goodland from APHIS, Tom Halsted, to consider allowing the use of sound suppression devices during nuisance wildlife control activities. We have taken a look at this and are making a recommendation to adopt that language by adding the provision under the allowances for using firearms for these control activities to say that sound suppression devices would be a part of the legal equipment authorized under this regulation. We are also proposing that we would add additional language in the regulation stating that other allowable methods could be considered and permitted under the specific condition of a permit that was issued to address any new requests for techniques as opposed to coming back and having to amend into the regulation allowable devices that we could give consideration to things of this nature and write that under the conditions of the permit on a situation-type basis. Commissioner Meyer – This is for permitted wildlife control people? Jones – Correct. Commissioner Meyer – I can still shoot a raccoon on my property? Jones – As a landowner you can. Commissioner Bolton – Pigeons, is that rock doves? Jones – Yes. Commissioner Lauber – Do you have to be a control person to use sound suppressor at this time? Jones – Yes, have to be permitted by ATF.

Commissioner Frank Meyer moved to bring KAR 115-16-5 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-16-5 as recommended 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 115-16-5 passed 7-0.

8. KAR 115-25-5. Turkey; fall season, bag limit and permits - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit EE). No changes for 2012, October 1

through October 31. Tymeson – The only reason we are voting on these is because we took the application language out of these two turkey regulations, already voted to move to 115-4-11.

**Commissioner Debra Bolton moved to bring KAR 115-25-5 before the Commission.
Commissioner Shari Wilson seconded.**

The roll call vote on KAR 115-25-5 as recommended was as follows (Exhibit GG):

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 115-25-6 passed 7-0.

9. KAR 115-25-6. Spring; fall season, bag limit and permits - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit FF). The proposed version would remove provisions related to applications to be placed in KAR 115-4-11.

**Commissioner Robert Wilson moved to bring KAR 115-25-6 before the Commission.
Commissioner Kelly Johnston seconded.**

The roll call vote on KAR 115-25-6 as recommended was as follows (Exhibit GG):

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 115-25-6 passed 7-0.

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

April 21, 2011 – Great Plains Nature Center Auditorium, Wichita
June 23, 2011 – Norton Community High School Auditorium, Norton
August 11, 2011 – Wetlands Education Center, Great Bend
October 13, 2011 – Pratt, location TBA

XIV. ADJOURNMENT

The meeting adjourned at 7:37 p.m.

(Exhibits and/or Transcript available upon request)