

**Kansas Department of Wildlife, Parks and Tourism  
Commission Meeting Minutes  
Thursday, March 21, 2013  
Kansas History Center, Topeka, KS**

**Approved Subject to  
4/25/13 Commission  
w/corrections pg14 Approval**

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

The March 21, 2013 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:34 p.m. at the Kansas History Center in Topeka. Chairman Lauber and Commissioners Don Budd, Tom Dill, Roger Marshall and Robert 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 – Linda Lanterman will present Workshop item #3 in place of Rick Martin.

**IV. APPROVAL OF THE January 10, 2013 MEETING MINUTES**

Commissioner Robert Wilson moved to approve the minutes as presented, Commissioner Tom Dill second. **Approved.** (Minutes – Exhibit B).

**V. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**

Ken Kreif - Came in January and spoke with you, and as requested I have met with Jason Goeckler and his staff at the Emporia office. Good job on tourism (signs displayed); however signs should say wear protective gear when entering water, like gloves and shoes. Have issue with transporting water and zebra mussel problems (on handout – Exhibit C). Two statements: 1) Transporting wild caught bait-fish equals water from that same location moving with the fish. The water could likely have zebra mussel microscope eggs. Which by the way is why the fishing regulations requires live wells to be drained – so that same water is not transporting contamination via the boat's live well, that contamination being zebra mussels or other aquatic nuisance species. 2) The posting of a water body as contaminated does not occur until after the contamination has happened - meanwhile people are moving this contaminated water with the wild caught bait fish to other bodies of Kansas waters before the posting occurred. Why are you allowing transport of bluegill and green sunfish? We don't want you to allow any transport of fish, like surrounding states. Requested in January, reverse position which will cause contamination and proliferation. Don't allow any fish to be transported. Thanks for consideration of my request. (Read from brochure found on table regarding aquatic hitchhikers).

Tim Medean - Hunting in Kansas, major tourist attraction; but you need to protect private-owned land. What rights do landowners have? Record deer poached 2011 was poached on our land. Called and reported spotlighting at night, I feel those antlers belong to me from that poached deer. I can't set up high fence, but while deer are on our private property we should have rights. Chairman Lauber directed him to speak to Kevin Jones. Mike Pearce – Didn't the Judge award you \$8,000? Medean – Yes, we just received the first check. The deer should have some value, plus trespassing. Pearce – Was value you put on hunting there before or after poaching? Medean – Before.

Robert Williams, Topeka – I would like to see year-end statistics on fines. Started for-profit hunting in this state and the guy who poached that deer was front and center on the magazine of a state group. Contacted wildlife and parks about a reserve officer program, for safety and financial reasons; if finances are an issue add fee to nonresident license. Outfitters should not be permitted in the state if you have no oversight on their activities. Minimum on coast is a six-pack license that allows someone to take six people out on a boat or hunting. Also, exception to crossbow hunting, no locking device on compound bow; understand crossbow does not have range of rifle, but does have trigger device which makes it a safety issue. Not objecting to elderly, disabled or kids using crossbows. Used to have a draw weight in regulations, which we no longer have, burden of ethics on shoulder of who is out there hunting, like to see more oversight from the state. Any statistics on Unit 19 hunts? Need to do studies on effectiveness, saw deer feeders within 100 yards or I-70 should be restrictions on drawing animals to that area.

Chairman Lauber – Comment on bluegill and green sunfish, they are used as bait and this was a private waters issue. Asking law enforcement to minimize, difficult to tell where fish are being moved from. Appreciate need for water movement; cannot move water from contaminated waters now. Depend on burden of ethics on shoulders of hunter, each officer responsible for about 2-3 counties in 105 counties, they are overburdened now. Interesting that there are feeders close to the highway, seems counterproductive. Commissioner Budd – On outfitter side of this, always a big issue, they are collecting fees for a service they are providing and legislature weighed in on this and took permitting outfitters away. Tymeson – History, in 1990 started regulating guides; shortly after bill was passed in 2000, legislature came in and parched out certain things and left bill with only big game and waterfowl guides requiring licenses; then bill introduced to do away with outfitter licenses. Our position was to regulate all, or none, and they decided to regulate none. We regulate public lands, but that is all. Chairman Lauber – When we talk to constituents there is a high level of disdain for outfitters and there has been a big increase with commercialization. Guides and outfitters are seen by some as a conduit for commerce, but are extremely unpopular. Don't know what we can do about leasing. Commission Budd – When I talked to hunters, we have same opinion as legitimate outfitters do, they know there is disdain from public and wouldn't mind the regulations because they are creating a profit off of resource in Kansas and don't want bad apple ruining it for the rest of the outfitters. A lot of the issues discussed here seem to relate to outfitters. Tymeson – Another bill was introduced a few years ago to regulate, a board was to be set up; but was it was an attempt to keep out out-of-state outfitters.

## **VI. DEPARTMENT REPORT**

## A. Secretary's Remarks

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. Active couple of weeks on finances for the department – when we put budget together, Governor wanted reduction of EDIF money for parks and tourism and some administration. Took all out of parks with the thought that paying off the cabin loan would bring in \$800,000 to \$1 million dollars annually and thought it would be back up to park passport (Michigan got 20 percent - conservatively said we would get 10 percent). Didn't calculate any annual permits, made it look like PFF was going to do well, but in hindsight we should have left it flat. When budget made it to full appropriations, they took out some of transportation money, which would be a loss in revenue and swept cabin revenue fund and took about \$500,000; need to be able to keep ending balances to get through a bad year, think we will get that back. If you read the bill, they took KDOT money that was going to go into our roads. Parks passport only got about 2 percent of those registering, so far this month about 3,500 parks passports have been sold, so I think it will grow and become successful, but not sure it will this year. PFF is running low compared to last year.

2. 2013 Legislative Update – Chris Tymeson, chief legal counsel, presented this update to the Commission (Exhibit D). First year of two-year cycle and we are past turnaround, which means bills that didn't come out of an exempt committee are dead, but can still come out if pushed. Supplement, Mega and Omnibus bills will come out of the legislature separately this year; and they are trying to go on 80-day session track, allowed 90 days. I track about 120 bills in a session that impact the agency in some way. SB49 (KDWPT initiative)--Current law makes it unlawful to operate a vessel with a blood or breath alcohol concentration of .08 at the time of or within two hours of operating a vessel. This bill would increase the time period from two hours to three hours after operation of a vessel, making it consistent with state DUI laws for motor vehicles. This bill is on House general orders. SB50 (KDWPT initiative)--This bill would require anyone born on or after January 1, 1989 to complete an approved boater education course before operating a vessel without supervision. Current law exempts anyone 21 or older from education requirements. This bill was referred to the Senate Natural Resources Committee. This bill had a hearing January 24 and hasn't gone anywhere and don't expect movement. SB57 -- Under statute, anyone possessing domesticated deer must be permitted under the Kansas Department of Agriculture. This bill would amend that statute to allow the Department of Agriculture to request assistance from the Kansas Department of Wildlife, Parks and Tourism in implementing and enforcing laws governing domesticated deer. On House general orders today, expect final action tomorrow. SB74 -- This bill would prohibit the Department of Corrections from producing modular homes, including KDWPT cabins. We have requested an exemption to allow DOC to produce the cabins being placed in state parks, state fishing lakes and wildlife areas. This bill was amended to protect the KDWPT cabin program and the department supports the bill as amended. Placed on House general orders today. SB94 --This bill deals with certain crimes and punishments and amends the definition of a firearm to exempt antique firearms including matchlock, flintlock and percussion cap muzzleloaders, making it consistent with the federal definition of firearms. Sitting in Committee. SB223 -- This bill would authorize use of a crossbow by all hunters during big game archery season. The bill has been referred to the Committee on Natural Resources. Senate Resolution 1711 -- This resolution opposes the black-

footed ferret programmatic harbor agreement and environmental assessment drafted by the U.S. Fish and Wildlife Service, which involves black-footed ferrets that were reintroduced into Logan County in 2007. This resolution was referred to the Senate Committee on Natural Resources and passed the Senate as amended 31-9. HB2030 (KDWPT initiative)--This bill would allow the department to issue ten "Wounded Warrior Deer Permits" to disabled veterans who sustained injuries in combat and have a service-connected disability of not less than 30 percent. Passed House yesterday and expect it to pass out of Senate today and pass on to the Governor. HB2052 -- This bill creates the crime of unlawful discharge of a firearm within or into the corporate limits of any city. However, it allows the discharge of a firearm to lawfully take wildlife, including nuisance wildlife, if approved by the KDWPT and the governing body of the city. Hearing this morning, appears it will be firearms omnibus bill, not sure what concealed carry and other firearms bills will become a part of this. HB2076 -- This bill would exempt any honorably discharged veteran who resides in Kansas and has a service connected disability equal to or greater than 30 percent from all hunting and fishing license/permit requirements and fees. The department opposes this bill. Sounds good, but to give free licenses someone has to pay for that, five currently because funded by SGF or EDIF funds now. HB2244 (KDWPT initiative) -- This bill was introduced as a result of the ballot issue which passed in November 2012 allowing the state constitution to be amended and a change to the way watercraft are taxed in the state. This bill would gradually reduce the percentage of appraised value used to assess property tax on a watercraft to 20 percent in 2014, 10 percent in 2015, then exempting watercraft from taxation for tax year 2016 and thereafter. Hostile environment at House Committee, Department of Revenue came up with alternative plan, reduce boat taxes for next two years by one-third, then 15 percent then 11.5 percent for two years after that. Don't think subcommittee wanted zero. Our plan would save 60 percent to 65 percent. Current House plan would result in 75 percent decrease in one year because of age of vessels in Kansas fleet. HB2362 -- This bill would amend provisions of the nongame and endangered species conservation act, specifically redefining critical habitat as it relates to a threatened and endangered species, as well as significantly changing how species are designated threatened or endangered (T&E) in Kansas. The department opposes the bill, which was referred to the Committee on Agriculture and Natural Resources. This bill had a hearing in February, department has started process for recommendations on T&E species. There is a potential for bill to go forward next year. Chairman Lauber – Explain Senate Resolution 1711 again? Senate Resolution 1711 – Keith or Robin would be better at this, but resolution opposes the black-footed ferret programmatic harbor agreement and environmental assessment drafted by the U.S. Fish and Wildlife Service, which involves black-footed ferrets that were reintroduced into Logan County in 2007. Chairman Lauber – Saw multiple emails on this. Secretary Jennison – Safe harbor is more widespread than just Kansas, member of WAFWA in cooperative agreement with NRCS, attempts to reward landowners to put in a place for reintroduction of ferrets where prairie dogs are. Will be changes to it, but expect it will come into effect. Tymeson – Comment period for safe harbor is open right now. Commissioner Marshall – On T&E, KDWPT speak in favor or opposed? Tymeson – Opposed, department has authority to list species, national environmental policy act allows us to act on NEPA grants. If T&E laws are watered down, then all species reviews would have to go to USFWS. Bill was short-sighted and pertains to fringe species. Geneses of the bill was due to agriculture development. Chairman Lauber – Deal with a snake? Tymeson – It did. Commissioner Budd – What about crossbow issue? Tymeson – May know more tonight. Commissioner Budd – Is legislature more involved in last 4-5 years? Tymeson – Since I started with the department, I don't feel any less. People go

to legislators to get law changed. Commissioner Budd – If acting on crossbow issue tonight and people don't like it could go to legislature and potentially overturn that. Chairman Lauber – If we make a mistake we can come back and correct it; but if legislature makes a mistake they may not come back and correct it. Tymeson – We deal in regulations and statutes control what we do, similar to deer issue and deer statute, cobbled together and changed and eventually put us into a box, which we try to avoid. Chairman Lauber – We are not elected, we pass regulations, not statutes and regulations go through a long process; legislators can do some things in 24 hours if they want. Commissioner Budd – Agree, problem is with lawmakers who put us in a box and then law enforcement and wildlife and parks suffer the consequences. Continue to allow lawmakers to make policy or we may not only be in a box, but not own the box anymore.

3. Recreational Access to Kansas Waterways - Chris Tymeson, chief legal counsel, presented this update to the Commission (Exhibit E). Short briefing on recreational access to Kansas waterways – there are two types of waters in Kansas: navigable and non-navigable. Navigable waters decided in Meek v. Hays 1990 court case which defines navigable rivers: Kaw or Kansas, Missouri, and Ark or Arkansas were listed as navigable. This stemmed out of a criminal case, but could have been put in the constitution and made all waterways navigable and we did not want that. Also, there were AG opinions: traverse or ordinary high-water mark. Non-navigable is everything else; and requires permission of the underlying landowner. Commissioner Marshall – If people upset about four wheelers going up dry riverbeds that is a legislative issue. Tymeson – Waters are not owned by the department, owned by state, constitutional issues of taking public property for private use. Doug Phelps, Manhattan – Do you have to have permission of both landowners on each side of river to be on it? Tymeson – Have permission of underlying landowner, but don't know where those lines lie.

## B. General Discussion

1. Presentation of an Outstanding Sportfish Restoration Award for 2012 - Mike Stone, American Fisheries Society (AFS) Fisheries Section President-elect, presented this award to the Fisheries Section. On behalf of Fisheries Administration Section of AFS we are pleased to provide the 2012 Sport Fish Restoration Outstanding Project award in Sport Fishery Development and Management Access category to Kansas Department of Wildlife, Parks and Tourism on Kansas Fishing Impoundments and Stream Habitats (FISH) program (Exhibit F – letter). Program in place since 1988, revitalized recently using a combination of funds; updated lease rates were developed and provided priority areas. Had a 181 percent increase in 2012 from 2011. Background on AFS – oldest and largest society advancing fishing science and resource, founded in 1970 with over 130,000 members. DJ/PR funds come from revenue tax on boats, tackle and motorboat fuel, created in 1950 and expanded in 1984. Kansas fisheries received about \$4.9 million in 2012; from 1950-2012 \$106.3 million total. Significance goes far beyond funding. Expansion in 1984, Kansas received hatchery improvements, motorboat access, etc. The award is intended to highlight the importance and effectiveness of the Sport Fish Restoration program and recognize excellence in fisheries management, research, and education. (*Gerald Lauber accepted the award*). Doug Nygren – This program was a joint effort with wildlife section, Jake George obtained VPA grant in coordination with Tom Lang who has since moved to Texas. Regional supervisors and fisheries biologists helped make this program successful.

**2. Recognition of Service for K-9 Rex - Kevin Jones, Law Enforcement Division**

Director presented this award (Exhibit G). About ten years ago (2002) this idea was brought forth by Lt. Jason Barker, five teams were selected and training was done in Indiana. After 10 years of faithful service, K-9 Officer Rex retired from KDWPT. Owner and program supervisor Lt. Jason Sawyers has been partners with Rex since the program's inception. During their initial training in Indiana, Sawyers and Rex were educated in tracking, wildlife detection and evidence recovery. As one of five teams in Kansas Jason and Rex played a pivotal role in the enforcement of game-related laws and conservation of our resources. Rex was obtained from an animal shelter and will remain with Sawyer's family. (*Jason Sawyers accepted the award*)

Chairman Lauber – We need to go out of order and do roadside maintenance before tourism.

**4. Roadside Maintenance for Wildlife - Scott Shields, KDOT, presented this update to the Commission (Exhibit H). Roadside Aesthetics Task Force - At the direction of the Secretary of Transportation, Deb Miller, 21 participants representing ten agencies and organizations were selected by her staff for a multi-discipline task force to study the issues in roadside management. The Task Force identified specific concerns for effective native plant management and those presented by the Secretary. Recommendations: 1) Develop demonstration/enhancement native plant beds at significant interchanges and other prominent sites within the Flint Hills. These would attract the travelers' attention and promote an awareness and appreciation for prairie plants. Planting beds would include a selection of native wildflowers and grasses for a show of colorful blooms throughout the growing season. 2) Restrict mowing on rural roadsides.**

Recommended changes to the mowing policy would discontinue all mowing, except for urban areas, shoulders, medians, and safety zone mowing for sight distance. Areas outside the shoulders would only be mowed out as required to control woody tree seedlings, noxious weeds, or other undesirable growth. Chairman Lauber – Would like to see seed mix? I would expect roadside plantings have an impact on deer issues. Shields – Some road right-of-ways are very narrow, not sure vegetation makes a difference; deer are going to travel from point A to point B, no matter what. Commissioner Marshall - What roads are in your control? Shields – State and federal highways only, not county roads. Commissioner Marshall – County commissioners would control those; why do you think they mow them so short? Shields – Depends on their local sentiment. Clay Adams, KDOT – To specifically address deer issue, studies done on national level in other states, hard to control. Secretary Jennison and our Secretary Mike King met to discuss roadside maintenance, interested in doing a study in Kansas. We are looking and gathering information on state highway system to find location with a lot of accidents. Thought is that when we mow right-of-way deer come out to eat fresh green grass. Our two secretaries are looking at possibility of working together. Chairman Lauber – Feel less mowing might be better, but that is my opinion only. Roger Wolfe – In response to county maintenance, we got a copy of the report that committee put together; take it to county commissions and show them what KDOT is adopting. Talked about that in committee and feel some counties are adopting those. Commissioner Marshall – Have we reached out? Wolfe – Possibly through biologists, don't know. Pat Wakeman – Comments for KDOT – why do you hay right-of-ways? Adams – Have hay policy, allow adjacent landowners to mow, first rights up until March 31, open for others to apply after that. Not issuing permits for native wildflower areas to be mowed. Shields – Places planted in 1980s and 1990s are smooth brome and they want to hay those. Ron Klataske, Audubon of Kansas – Complement KDOT for improvements made in recent years; we have

come a long way, but quite a ways to go yet; like invasion of Caucasian bluestem, which will be great threat to native plants. Most of members of committee suggested mowing delayed to November, when better chance of plants going dormant, would like them to delay until late winter or early spring. Haying is a big problem, especially in western Kansas, more commercial operation there than just landowners. If mowed down where will birds nest? Not the best cover next to the road, but it is some cover. Tim Donges, Quality Deer Management (QDM) Association – Noble Foundation out of Oklahoma and Dr. Craig Harper out of Tennessee have listed what plants/forbs species deer prefer.

#### *Break*

3. Tourism 2012 Year in Review - Becky Blake, Tourism Division director, presented this update to the Commission (Exhibit I). Summary of accomplishments shown on video. 2012 was a busy year, one in which we muddled through with a shortened staff. Thank my incredible team; we have close to smallest budget in the country. March folks are thinking about summer and fall travel; doing integrated campaign with TV and print, also did several travel shows. Online components continue to become more important every year; collectively about 25,000 consumers following us on Facebook and Twitter. Over one million names in database who we communicate with on their specific interest. We are often asked why we don't see commercials for Kansas, and the reason is we are not running those in Kansas, but it is also a resource issue. We will be doing more television spots in state starting next month. Five focus areas: history, western arts and culture, discovery (zoos and scientific attractions), and nature-based (both consumptive and non-consumptive). Did 2012 ad effectiveness study and getting about \$80 back for every \$1 spent. Went back to annual travel guides this year and Outdoor Guide, which was a supplement of *Kansas Magazine*, both supported over half by advertising. Not done with database transfer, populated by industry across the state. It is an ongoing challenge to keep it current with 30,000 to 45,000 unique visitors to *Travel Kansas* each month. Magazine received best in show for our website design. Have five microsites on our TravelKs website: Kansas Magazine, Kansas Byways, Flint Hills, Agritourism, and Tourism industry. We will be in Chicago in a couple of months, and five communities will join us there. Implementing 2013, and plans are underway for 2014 ad campaigns. Awarded five grants for \$100,000, had 16 requests so difficult challenge to find just five. Coordinate byways program, Sue Stringer came over from KDOT to work on that and she is doing a tremendous job. Working on guidelines for interpretive plans; extensive photography plan underway for that. Assisting KDOT with bike trail on byways in Kansas and have new byways booklet. Agritourism we are continuing to promote, this is the year for five-year renewal; Flint Hills is priority for development. Access to private lands – Flint Hills vacations, two landowners who opened this corporation. River/trail development, microsite will occur shortly after; working with Network Kansas and other groups to see if we can get folks interested in providing services along the river. Why do we do all this? Measuring tourism, not standard economic terms, demand side industry. IHS Global is looking at tourism benefits in Kansas to provide consistent benchmark on how we are doing. Showed DVD highlighting tourism. (From posters around room: 321 million visitors in 2011; 6.3 percent more than 2009; every 217 visitors creates a new job; each visitor contributes \$61 in tax receipts, \$32 which got to state and local government; it takes 320 visitors to pay for one public school student; \$5.8 billion economic impact in 2011, \$12.8 in 2009; 2012 ad campaign: 133,000 incremental trips to KS from target markets, \$73,500,000 spent; \$915,000 investments; 27.4 percent of state and

*local tax revenue; third largest private sector employer behind healthcare and retail trade. Visitors to Kansas spent \$7.6 billion in the state in 2011; 148,000 jobs in 2011, 7.8 percent more than 2009. Tourism is responsible for about 14.4 percent of tax revenues.)* Commissioner Dill – Is visitor numbers increasing? Blake – Overall numbers are leveling out. Commissioner Dill – See trails going in across the state? Linda Craghead – Secretary Jennison and I met with Secretary King of KDOT to work on trail priorities; progress being made on Flint Hills trail which will link us to Katy Trail in Missouri and Homestead Trail in Nebraska. Also, there is some trail advancement west of Wichita; on Herington to Salina trail, not sure, need local community buy-in. We would be happy to sit down with local people on opportunities.

5. Webless Migratory Birds – Rich Schultheis, waterfowl biologist, presented this report to the Commission (Exhibit J). No changes recommended for webless game birds; subject to same process as waterfowl, but are in permanent regulation so can handle them a little different than waterfowl. Unless changes are requested no further action will be required of the Commission.

6. Early Migratory Bird Seasons – Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibit K). Blue-winged teal are one of the earliest migrating waterfowl; as long as the blue-winged teal May Breeding Population Index (BPI) is above 3.3 million, a 9-day teal season can be held. If the blue-winged teal BPI exceeds 4.7 million, a 16-day season can be allowed. The 2013 blue-winged teal breeding population total will not be known until late June, but based on last year's (2012) blue-winged teal breeding population of 9.2 million and spring habitat conditions in the Prairie Pothole Region, the 2013 BPI is expected to allow a 16-day season. Staff recommendations in April, final vote in June. Commissioner Marshall – Plenty of them? Bidrowski – Yes. Commissioner Budd – Will other migratory birds be set at that time? Bidrowski – No, surveys won't be done until July. Pearce – What are projections on numbers? Bidrowski – Good moisture and looking good for breeding conditions, but not sure how they will be affected by oil production. Commissioner Budd – Any predictions for waterfowl season? Bidrowski – Expect to remain in liberal package.

7. Furharvester Regulations – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit L). Sixteen changes that span five regulations: KAR 115-5-1: 1) delete “conibear-type” as per request from Victor trap manufacturer; “conibear” name is trademarked. Two years ago, we specified that foothold traps must be smooth-jawed; this applied to both land and water sets. Since then, some trappers have complained about the inability to use toothed traps; injury rate not much different. In Commission book said these were considerations, but bringing forward as recommendations from the department. The authorization to hunt coyotes from vehicles and with radios is provided in 115-5-1. We are considering whether to allow these activities except during the primary 12-day firearm deer season; came from recommendation of Group led by Kevin Jones. 2) KAR 115-5-2: Currently only bobcats to be sold or shipped from the state must be tagged. To avoid confusion, the tagging requirement could be applied to all bobcats. 3) KAR 115-6-1: Add otter to area that specifies that furdealers may purchase only bobcats and swift foxes that have been pelt tagged. Furdealers must turn in record books by April 1; by changing this due date to May 1, most dealers would have liquidated their fur, and be able to zero out their books. A dealer's application may be refused or revoked for failure to comply with or violating licensing conditions. This could be expanded to include violation of department

laws or regulations, or suspension or revocation of any other Department license or permit. Colorado does not require tagging of swift fox. 4) KAR 115-16-5: Add otter, which subjects bobcat and swift fox to furharvesting tagging requirements. Allow KDWPT No. to be used as an alternative to user's name and address. 5) KAR 115-25-11: Trappers have often requested an alternative to discarding incidentally taken muskrats during beaver season after muskrat season is closed. We are considering options for allowing them to keep these incidentally taken muskrats. Extend furbearer running season closure from November 1 to November 8 so harvest season opens November 12-18, depending on the year. We've had requests from houndsmen to alter the field trial permit so they can hold events between running season and harvest season in 115-13-4. Extending running season for all is a better alternative. As an alternative to November 8, we could close it a week before the harvest opener (the Wednesday after the first Saturday in November). Otter season changes are being considered: eliminate the 100 otter season quota; eliminate requirement to contact the department within 24 hours of harvest; eliminate requirement to present pelt for tagging within four days of harvest. Instead require pelt to be tagged within seven days of season like bobcat; eliminate requirement to turn in carcass to the department. Instead, require lower canine teeth to be turned in at time of tagging; maintain the two-otter quota. All indications are the population is healthy, reproducing well, and gradually expanding in range into central Kansas, though in pretty low numbers outside of southeast Kansas. We can be a little less conservative than we are now without eliminating limits altogether. We're working on a modeling technique to come up with a population estimate, a five-year project, after which we would expect to stop collecting teeth or at least go to voluntary compliance. Eliminating the quota while retaining the two-otter bag limit is the next logical step in relaxing take. It will better tell us how many people want to trap otters, as everyone will have the opportunity to do so (i.e. no season-ending quota). It will allow trappers to take otters when they want as opposed to when they have to due to fear of season end, and it will allow isolated incidentals to be kept by trappers during the beaver season. Chairman Lauber – Suggestions are logical. What will you call conibear traps? Peek – Body-gripping traps. Commission Dill – If you take bobcat on own property, would it have to be tagged? Peek – Right now we don't, but with this we would. Commissioner Budd – Why stop coyote hunting during deer hunting? Peek – It is an avenue that opens deer hunting to questionable activity. Chairman Lauber – A few years ago there was a lot of complaining about that; best if eliminated vehicles at least. Commissioner Budd – So this is a road hunting issue? Chairman Lauber – Coyotes are only things that can be shot out of vehicle. Peek – Considered all types several different scenarios. Steve Sorensen – Way that reads, are you considering whether to allow during 12 days? Peek – Exempt 12-day rifle season from when they are allowed? Commissioner Wilson – How long have you been tagging bobcats? Fox – Since 1977. Peek – The U.S. entered into a treaty with other nations CITES, bobcats classified under appendix II as a look-alike species; has nothing to do with those species in the U.S. Commissioner Wilson – Used to have to send in pelts. Peek – Before my time, but doing that with river otter carcasses now. Ron Klataske – Support idea of limiting vehicle hunting during deer hunting. Is there a compelling reason for trapping river otters in Kansas? Want to know what populations are and what watersheds they are on before you set trapping; they may not have repopulated on some watersheds. I question statewide trapping. What has been take and what are estimates on populations? Peek – Population in thousands, will send report that I did a few years ago. No population survey done for a few years. Harvest quota was 100, harvest was 130. One of major reasons for initiating season was we were getting complaints as was the Legislature of otters in ponds and strip pits in southeast Kansas. Klataske

– On raccoons, I think take on raccoons could be far more liberal than we have currently. They may be limiting factor on bird species. Increase raccoons, armadillos and opossums take. Tim Donges, QDM – Five to one on limiting coyote hunting during deer hunting, happy to see that. Use vehicles to run coyotes to go across fields at 50 miles per hour, not seen as fair chase and problem in ethics.

8. Fort Riley Deer and Other Considerations - Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit M). Shawn Stratton here from Fort Riley; they have requested the additional period from October 11, 2013 through October 14, 2013); season dates for firearms deer hunting at Fort Riley to be from November 29, 2013 through December 1, 2013, and December 14, 2013 through December 22, 2013; and additional archery hunting days before the regular archery season and also in January when individuals authorized by Fort Riley to hunt and take antlered deer (September 1, 2013 through September 15, 2013 and from January 13, 2014 through January 31, 2014). Commissioner Marshall – Like to hear more from Fort Riley? Shawn Stratton – Fort Riley has always asked for these dates due to military training, this allows us to open larger areas. Each year since we have done that (4-5 years) now units of soldiers have qualified that wouldn't have in the past. Commissioner Marshall – What is working and what is not working? Stratton – All those who hunt on base must view PowerPoint presentation on safety, done education-based program to show different ages of deer. Meet with KDWPT Emporia staff annually and look at spotlight deer numbers. Commissioner Marshall – What is quality and quantity over last two years, is it the same? Stratton – Yes, since 2008 higher harvest 358 in 2011, 446 in 2012; keeping eyes on that. Not seeing any hunting detriment to herd. Commissioner Marshall – Drought hurt them? Stratton – Not seen drought or EHD on Fort Riley. Commissioner Budd – How big is deer herd? Stratton - 1,500 to 1,600 animals; harvested 38 percent of population last year. Commissioner Dill –Not as many acres to hunt if you take out hardwood acres. Stratton – Correct, probably about 60,000 acres.

9. Lesser Prairie Chicken Federal Listing Update - Keith Sexson, Assistant Secretary, presented this report to the Commission (Exhibit N). Significant declines in lesser prairie chicken (LEPC) populations and their range were cause enough for the U.S. Fish and Wildlife Service (USFWS) to list the species as “warranted but precluded from listing” in 1996. Comment period closed March 11, expect comment period to be extended 30 days and plan to refine the plan and work with stakeholders on conservation efforts of the LEPC. What does the plan mean for landowners, etc? Held three more public meetings in Kansas: in Lakin, Wakeeney and Greensburg and had a fair number of landowners attend. In April, we plan on doing webinars and show what it means for landowners to manage for LEPC. At end of April it will be turned over to the USFWS with final determination the end of September. Jim and Kansas has risen to the top of the heap and acted in leadership role; Jim did his master's thesis in LEPC in western Kansas and has been a valuable asset.

## C. Workshop Session

1. Upland Bird Regulations - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit O). On schedule from now until October because we are not sure how we will have to make recommendations to correspond with the listing decision. Will bring forward recommendation in August and either pass it or amend it in October. Chairman Lauber – Will we

have to amend maps in areas where both greater and lesser prairie chickens are? Pitman – Possibly may allow incidental take. Ron Klataske – With species warranted, but not listed found it out of sync last year to increase number of hunting permits where they overlap. On annual basis chicken seasons should be reviewed by Commission because of drought, habitat conditions and other factors; not sure you want to set yourself into early brood season in early September. Like to see department be a lot more progressive. Chairman Lauber – I disagree, feel hunting has no impact on numbers. Our LEPC range is expanding, understand your thoughts, but don't think being progressive is going to make any difference and we need to make our case to the extent we can. Pitman – I agree, have solid research and harvest information to know the numbers. Think we were progressive last year because we did decide to permit and could track that.

Commissioner Marshall – How does it benefit KDWPT? Pitman – Using sportsman's dollars to do surveys and fund research; second landowners are managing their property to benefit the species, because hunting is available; third agency folks have most experience developing conservation plans so there is more management of the species through contact with landowners. Commissioner Marshall – Is there perception issue to what we do would sway USFWS either way? Pitman – No, in their own words they feel hunting is not an issue. Commissioner Wilson – This is not just in Kansas, a consortium of states; Kansas lucky to have a huntable sustainable population. Pearce – Only state with LEPC season in last three years? Pitman – Yes, Texas had one up until three years ago.

2. Public Land Regulations – Brad Simpson, Public Lands Section chief, presented this report to the Commission (Exhibit P). Three regulations will be adopted into 8-1. Two exceptions from last time: listed designated dove fields for non-toxic shot; and add Elk City WA House Mound marsh to no motorized boat area, otherwise the same as last time. Commissioner Dill – Address non-toxic shot and why you are recommending that? Simpson – Extended dove fields, 114 now; in first three days of season, we collected hunter information and there were 3,500 hunters who fired 67,000 shots, areas are near marshes and game fields. Only takes one or two pellets to give a bird lead poisoning and then there is nothing you can do for the bird. Also under consideration is KAR 115-8-23 bait, hunting and providing a definition of baiting. There is a possible issue in the department-managed dove fields under the current definition. Last is KAR 115-8-2 blinds, tree stands, and decoys - clarifying or defining stands and blinds to remove the word "tree" and refer to them only as stands.

3. Camping and Utility Fees – Linda Lanterman, Parks Division director, presented this report to the Commission (Exhibit Q). Currently, our short-term parking is \$125.00 per month if someone wants to leave their boat or RV in the parks. Last summer we had several RV owners who pushed their RVs off into the cedar trees. A group of farmers requested this of us in western Kansas. The five locations we brought it down to are Meade, Glen Elder, Kanopolis, Scott and Webster. We spoke to area businesses, and we are looking at a fee of \$50 a month to see if this will help alleviate this. Trying to look at two avenues: one is revenue and the other is being proactive. Chairman Lauber – I think it is a good idea; we are trying to be sufficiently sensitive to public. Natalie Donges – What about looking at tourism grant or something like that for the man who wants to expand his area to include storage, keep this private not park run. Lanterman – Businesses in western Kansas cannot just start that up; we are trying to make this affordable for those people and be proactive. Donges – Just don't want to open an avenue for this to happen at other parks.

4. Antelope and Elk 25-Series Regulations – Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit R). Third meeting for pronghorn and elk – have permit allocations to recommend for pronghorn: 96 firearm and 24 muzzleloader permits for Unit 2, a 5 percent decrease; 36 firearm and 10 muzzleloader permits for Unit 17, a 9 percent decrease; in Unit 18 same as last year, 10 firearm and 8 muzzleloader permits. Pearce – Is archery harvest going up steadily? Peek – Yes. We are planning on looking closer at that as time permits. Success rates are still low, so not effecting harvest yet; total harvest has increased from 150 to 200 animals. Pearce - How many overall? Peek – About 380 permits sold.

Elk: The only change is permit allocations: 10 any-elk and 15 antlerless elk authorized in Unit 2, which encompasses Fort Riley and Unit 3. Unlimited hunt-on-your-own-land antlerless only and hunt-on-your-own-land either-sex elk permits in Units 2 and 3. Also, unlimited general resident and landowner/tenant antlerless only either-sex permits in Unit 3.

5. Agritourism Regulations – Chris Tymeson, legal counsel, presented this report to the Commission (Exhibit S). Taken awhile to work out this issue and get regulations straightened out should be ready for vote in June.

Tymeson - Update HB2030 passed senate 40-0 this afternoon (wounded warrior deer permit); HB2244 – boat tax, draft bill was amended to say that tax rate would fall to 11.5 percent in 2014 and to 5 percent in 2015 and thereafter.

**VII. RECESS AT 5:12 p.m.**

**VIII. RECONVENE AT 7:00 p.m.**

**IX. RE-INTRODUCTION OF COMMISSIONERS AND GUESTS**

**XI. DEPARTMENT REPORT**

**X. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS**

Tim Donges, QDM Association – Took a look at trophy class deer being harvested and compared to other Midwest states, got research report from Boone and Crockett. We saw a 2 percent decrease in scores and associate this with age class decline. Kansas dropped from number 6 to number 8; behind those states have shotgun season, which inadvertently allows bucks to reach an older age class. A shotgun firearm season might improve overall quality of deer here. Another option might be antler restrictions. Biologically sound and would ensure more hunters to come here and encourage more people to harvest does. Big concern is fear that we will lose the quality of our deer herd. Not huge differences in numbers, but if stay in the game need to look at future of deer herd. When in balance there is a shortened overall rut length and fawns being born in better time of year; are we going to keep up with other states in the future, 3 ½ years on up in age. Pearce – Give me three sentences of what you want? Donges – Antler restriction, shotgun season in firearm season and control does.

## **XI. DEPARTMENT REPORT**

### **D. Public Hearing**

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

1. KAR 115-2-1. Amount of fees. – Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit U). This permanent regulation would establish the price of the nonresident antlered and antlerless deer combination permit, as directed by the Legislature, for \$315. Pearce – For any nonresident permit, and mule deer stamp? Fox – Right, three classes, muzzleloader, firearm and archery. Pearce – A \$35 price break? Fox – Would have two tags, due to concerns that antlerless harvest was not adequate where nonresidents were leasing land and not buying permits at same rate as residents; would obtain antlerless permit. Chairman Lauber – Can they buy a regular antlered deer permit and not buy the combination? Fox – No, but will still be on the books. They can buy additional whitetail antlerless permits; they could buy second to fifth antlerless-only permits. Commissioner Dill – Cannot buy antlered deer permit for \$300 as a nonresident? Fox – Correct.

**Commissioner Roger Marshall moved to approve KAR 115-2-1 before the Commission.  
Commissioner Tom Dill seconded.**

**The roll call vote on KAR 115-2-1 as recommended was as follows (Exhibit X):**

<b>Commissioner Bolton</b>	<b>Absent</b>
<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Yes</b>
<b>Commissioner Doll</b>	<b>Absent</b>
<b>Commissioner Marshall</b>	<b>Yes</b>
<b>Commissioner Wilson</b>	<b>Yes</b>
<b>Commissioner Lauber</b>	<b>Yes</b>

**The motion as presented KAR 115-2-1 passed 5-0.**

2. KAR 115-4-4. Big game; legal equipment and taking methods. Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit V). This permanent regulation establishes the legal equipment and taking methods for big game. The proposed amendments remove some archery equipment restrictions, allow the use of crossbows by all individuals in the archery deer season, remove restrictions on elk muzzleloader equipment, allow the use of centerfire cartridges in firearms season, remove shotgun slug gauge restrictions in firearms season, update the regulation for statutory changes and remove restrictions related to possessing certain equipment for the permit type possessed. Guiding principles on process we went through, listen to public and review and simplify and clarify regulation, protect the resources and decide what is essential. Allow flexibility in choices and use language that would be enforceable (i.e. excluded foot pounds of energy). Transmitter arrow, electronic equipment such as rangefinders, cameras and radio frequency devices can be attached. On muzzleloaders it drops to single specification -- .4 inches in diameter bore or more. When minimum draw weights were

eliminated for archery years ago, we did not see marked change in equipment people used. On firearms, for many years, bullet larger than 23 inches in diameter and 1.28 inch cartridge case length and eliminate that type of language; recommend any centerfire rifle or handgun.

Eliminated draw weight on crossbows. On shotgun and slug, remove gauge distinctions for different species of game. Added optical scopes (night scopes) and clarified some other language. Had section that required permittee to have in possession, equipment that was authorized for the most restrictive permit they had in possession and have eliminated that language, which allows the hunter to carry a handgun, etc. Steve Sorensen, Kansas Wildlife Federation (KWF) – Should have received letter from president stating concern of eliminating caliber restrictions. On page 4, “any range finding device...” does that include rangefinder in a scope? Fox – Yes, it would be included. Sorensen – As scorer for Boone and Crockett (B&C), they will not certify a trophy taken with a rangefinder in a scope, Pope and Young (P&Y) will not certify deer taken with ~~night scope~~ **rangefinder**. Recommend you eliminate those two items for firearms and archery. Brent Gardner, NRA national rep, Fairfax, VA – Address two separate areas: bullet size, adjust caliber to person out there hunting, recruitment and retention (R&R) amongst women and youth and create lifelong hunter. Offering full range of calibers allows them to pick what is right for them. The inclusion of crossbows, a nationwide effort continues to grow on that, asked to make this a part of what you allow. Saw no problems where it has been permitted, opposition seems to be in archery hunters. Twenty-two states have enacted it, or are in process of enacting it. This is hunter choice, no statistical change in success rate. Look at R&R problems, 71 out of 100 hunters leave the field and don’t come back. Michigan got \$1 million increase in PR funds. Commissioner Budd – How many states allow this? Any caliber? Gardner – Chris? Tymeson – I think it is 35 require .22 or no caliber, 7 states require .23 caliber and larger and 7 states don’t allow rifles and require shotgun and slug. Gardner – Line up hunters with appropriate caliber for them. Commissioner Budd – Stats on how long in place in those 35 states? Tymeson – On .22 or any centerfire. Gardner – Most individuals would want to make sure the caliber is appropriate for game they are hunting. Commissioner Budd – Feel argument will be for those using .17 or .22 caliber. Need to have a reason why we allow it. Gardner – These states that have made the transition it has not been an issue. Look at case studies of what has happened; no one has repealed or altered it. Chairman Lauber – People will try to use something they feel will be effective. Tymeson – Only .17 caliber I am familiar with is one, there are others that are rimfire not centerfire. Commissioner Budd – This is probably a good thing, but need to explain in simplest of terms. Chairman Lauber – Constituent suggested statement to encourage use of right caliber, not endorsing one over the other, those that choose to use .223 will use good judgment; may be appealing to new hunters, but not that big of issue, just encourage use of right caliber. Pearce – How long has NRA been involved in crossbows? Gardner – A number of years don’t know exact date. Want to be as inclusive as we can be net positive impact to this, brings new people in and keeps older people in the sport. Chuck Haggard, Topeka – Taken up deer hunting in recent years, support .22 caliber centerfire. I came to speak in support of the changes for firearm hunting and am interested in crossbow. I have never bowhunted. I am firearms instructor, police officer and have a military background; a person can make good choices in caliber, educate hunters on good deer bullet, but shot placement is more important. Disallows 10 mm handgun, because case length is too short, but allows a 357 magnum; a good move in allowing hunters more choice in what they are able to use. Commissioner Dill – Misconception of what we are trying to do so appreciate your comments. Marvin Whitehead, KBA – One of our members, our legislative representative got called away

on emergency and asked me to read his letter (*read John Hampton letter*) (Exhibit V-2). Commissioner Marshall – Is it true that bowhunters don't have to take hunter education? Tymeson – Any hunter has to have hunter education if born after July 1, 1957. Commissioner Marshall – Don't believe a crossbow hunter would walk around with a cocked bow anymore than a rifle hunter would walk around with a bullet in the chamber. Chairman Lauber – Crossbow could be used in any season, rifle or archery? Tymeson – Correct. Pearce – If we are removing poundage and caliber why still minimum on muzzleloaders? Fox – Items we left in that might be taken out later. Tried to address most of them, but could have left some of them out, looked at .410 shotgun and .40 caliber pistol for muzzleloading as option to leaving it open. Pearce – Why change, opposed crossbows last year, came up with pilot units, and said they were going to use it for two years. Why change from one year to another. Chairman Lauber – Felt more pressure last year, more proponents have shown up and shown favorable interest and opinion. Commissioner Dill – Two-year study was dictated by legislature. Tymeson – Our position hasn't changed legislatively. We want regulatory authority because we want to regulate ourselves rather than be mandated by statute. Secretary Jennison – Last year a variety of items put into one bill, wanted full inclusion of crossbows in House, two-year study was a compromise to get the rest of the items in that bill passed. It is a difficult issue for us, don't think it was ever a biological issue, but doesn't mean it's not a controversial issue. Don't feel we have changed our view. Pearce – Why not pushed before? Secretary Jennison – Societal issue I believe. Want people to get in the field, using crossbow doesn't take away anyone's right to use a compound bow, or hurt their hunt. Pearce – Gerald said he heard more in favor of crossbow, what about the rest of you? Commissioner Wilson – Three proponents, 33 against. Commissioner Marshall – In letters against it, seemed to be bowhunters against it, others for or no opinion. Commissioner Dill – That was also my experience. Commissioner Budd – All get same emails, mine was more evenly split. On crossbow, this is something we don't know what upside or downside is. Had two-year study, like to see two more years on study of crossbows, we can change or minds or reverse things if there is a negative effect, can revisit it. How many people on deer committee? Fox – I believe 11. Commissioner Budd – Did the committee have a unanimous vote on this decision? Fox – No. Commissioner Wilson – Wasn't aware P&Y wouldn't recognize trophy deer if range finder in their scope. Whitehead – On any equipment. Tymeson – That is already current law, not a new proposal. We don't manage our deer on P&Y and B&C standards. Commissioner Wilson – This will apply to elk hunting also, so consider that too. Chairman Lauber – In 35 states, can't see people using too small a caliber, can use .243 on elk, but don't know of anyone who would. If they did they would probably not be very successful with any caliber. Doug Phelps, Manhattan – Elk, eliminating draw weight on deer, was it retained for elk? Fox – 50 pounds. Phelps – Need reasonable thought. Pearce – Talked to elk hunters who drew a permit, put all best equipment together they can get; it is such a special deal, it is different. Commissioner Budd – Anyone opposed to continuing study for two more years? Fox – Not opposed to any additional research. We are going to continue to monitor the harvest. Tymeson – In relation to that it was in another regulation we passed last year, 115-25-9a, I will add that section back in if that is the direction you want to go, but not in this regulation. Commissioner Dill – Keep gathering the information, gives us luxury to change minds. Tymeson – Authorization mandate for June meeting? Commissioner Marshall – Want to explain my vote, deer herd is a treasure to Kansas, value it as such, spent lot of time trying to educate ourselves. Look at scientifically and biologically speaking, 1965, 34,000 deer in state; 600,000 a couple years ago. I agree deer herd has been hurt last few years, but don't feel population will be hurt.

Can still only shoot one buck a year, may shoot it earlier in the year. Biggest issue was whether gun sighted in or not. Next look at sociologically speaking; third is politically speaking, won't cower to legislators over this issue, people can go that route and that is their constitutional right.

**Commissioner Tom Dill moved to approve KAR 115-4-4 before the Commission.  
Commissioner Don Budd seconded.**

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

<b>Commissioner Bolton</b>	Absent
<b>Commissioner Budd</b>	Yes
<b>Commissioner Dill</b>	Yes
<b>Commissioner Doll</b>	Absent
<b>Commissioner Marshall</b>	Yes
<b>Commissioner Wilson</b>	Yes
<b>Commissioner Lauber</b>	Yes

**The motion as presented KAR 115-4-4 passed 5-0.**

3. KAR 115-18-7. Use of permits for big game hunting by persons with disabilities; application, permit, and general provisions. Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit W). This permanent regulation establishes the use of crossbows and locking draws for big game and wild turkey hunting for persons with disabilities. It eliminates the draw weight, etc. same as previous regulation related to crossbows.

**Commissioner Roger Marshall moved to approve KAR 115-18-7 before the Commission.  
Commissioner Tom Dill seconded.**

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

<b>Commissioner Bolton</b>	Absent
<b>Commissioner Budd</b>	Yes
<b>Commissioner Dill</b>	Yes
<b>Commissioner Doll</b>	Absent
<b>Commissioner Marshall</b>	Yes
<b>Commissioner Wilson</b>	Yes
<b>Commissioner Lauber</b>	Yes

**The motion as presented KAR 115-18-7 passed 5-0.**

4. KAR 115-25-9. Deer; open season, bag limit and permits. - Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit Y). Creates pre-rut two-day season, rest of changes are changes of dates to coincide with current calendar year. Same number of whitetail antlerless permits in same units as last year. Commissioner Dill – Was two years also mandated on this? Fox – Yes. Commissioner Budd – What would happen if we voted against it? Tymeson – Legislature gives flexibility in process to have pre-rut season, next year it would be specific or lose ability to manage deer. Of all mandates we have ever received this one is pretty broad.

**Commissioner Roger Marshall moved to approve KAR 115-25-9 before the Commission.  
Commissioner Tom Dill seconded.**

Rob Polter, Topeka – Same day and units? Fox – Same designation and same total of permits a hunter would buy; changes have been made according to the calendar. Polter – Ever thought about changing units? Fox – Have looked at smaller units, but more expensive to sample.

**The roll call vote on KAR 115-25-9 as recommended was as follows (Exhibit Z):**

<b>Commissioner Bolton</b>	Absent
<b>Commissioner Budd</b>	Yes
<b>Commissioner Dill</b>	Yes
<b>Commissioner Doll</b>	Absent
<b>Commissioner Marshall</b>	Yes
<b>Commissioner Wilson</b>	Yes
<b>Commissioner Lauber</b>	Yes

**The motion as presented KAR 115-25-9 passed 5-0.**

5. Secretary's Orders for Deer - Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit AA). Permit numbers are placed here. This year's harvest was 96,000 deer, down about 3,000, a 4 percent decline from previous year. Our recommendation was to keep secretary's orders and permit numbers the same as last year because changing a number of other factors this year (i.e. pre-rut and combo permit). Do understand some units have had downward trends and is reflected in data we have. Then we can make a change in the future. Pearce – Nonresident numbers stay the same? Fox – Yes, they will stay the same. Pearce – First time we didn't raise numbers since 2008? Fox – One other year we didn't and small increase in some. Higher demand than number of permits, but total number of permits might be higher than applications and are made available as leftovers. All permits for nonresidents are taken and has been taken in the past.

6. KAR 115-4-4a. Wild turkey; legal equipment and taking methods. - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit BB). This permanent regulation establishes the legal equipment and taking methods for wild turkeys. The proposal would remove restrictions on archery equipment to coincide with changes in archery deer season, allow the use of crossbows by all individuals in the spring and fall archery season, remove gauge restrictions on shotguns, updates the regulation as to statutory changes and remove restrictions related to possessing certain equipment for the permit type possessed. Pearce – Not for upcoming spring season? Tymeson – Not in time for archery season, actually effective four weeks from now. We will have a news release and it will be on our website. Polter - Do away with gauge restriction on shotguns? Pitman – Yes, it does.

**Commissioner Don Budd moved to approve KAR 115-4-4a before the Commission.  
Commissioner Tom Dill seconded.**

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

<b>Commissioner Bolton</b>	Absent
<b>Commissioner Budd</b>	Yes
<b>Commissioner Dill</b>	Yes
<b>Commissioner Doll</b>	Absent
<b>Commissioner Marshall</b>	Yes
<b>Commissioner Wilson</b>	Yes
<b>Commissioner Lauber</b>	Yes

**The motion as presented KAR 115-4-4a passed 5-0.**

7. KAR 115-25-5. Turkey; open season, bag limit, and permits. - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit CC). This exempt regulation establishes the fall season, bag limits and permits for turkey hunting. The proposed change would only close the fall turkey season during the regular firearms deer season.

**Commissioner Don Budd moved to approve KAR 115-25-5 before the Commission.  
Commissioner Roger Marshall seconded.**

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

<b>Commissioner Bolton</b>	Absent
<b>Commissioner Budd</b>	Yes
<b>Commissioner Dill</b>	Yes
<b>Commissioner Doll</b>	Absent
<b>Commissioner Marshall</b>	Yes
<b>Commissioner Wilson</b>	Yes
<b>Commissioner Lauber</b>	Yes

**The motion as presented KAR 115-25-5 passed 5-0.**

## **XII. Old Business**

*None*

## **XIII. Other Business**

### **A. Future Meeting Locations and Dates**

April 25, 2013 – Wichita – (GPNC)  
 June 27, 2013 – Garden City (Lee Richardson Zoo)  
 August 1, 2013 – Yates Center (Community Center)  
 October 17, 2013 – Hutchinson (KS Cosmosphere; tour 9:00 am - Underground Salt Mines)  
 January 9, 2014 – Winfield

## **XIV. ADJOURNMENT**

Commissioner Tom Dill moved to adjourn, Commissioner Roger Marshall second.

The meeting adjourned at 8:46 p.m.

(Exhibits and/or Transcript available upon request)