

**Kansas Department of Wildlife, Parks and Tourism
Commission Meeting Minutes
Thursday, June 27, 2013
Finnup Center for Conservation Education (at Lee Richardson Zoo)
312 East Finnup Drive
Garden City, Kansas**

Approved Subject to
8/1/13 Commission
Approval

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

The June 27, 2013 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:30 p.m. at the Lee Richardson Zoo Finnup Center for Conservation Education, Garden City. Chairman Lauber and Commissioners Debra Bolton, Don Budd, Tom Dill, Randy Doll, 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). Chairman Lauber - This is Debra Bolton's last meeting. We appreciate her service to the Commission.

III. ADDITIONS AND DELETIONS TO AGENDA ITEMS

Sheila Kemmis – Corrections: Agency and State Fiscal Status – Todd Workman, 2013 Legislature – Amy Thornton; Add Item 4 under General Discussion: Migratory game bird possession permits – Rich Schultheis; Linda Craghead will present Park Regulations under Workshop.

IV. APPROVAL OF THE April 25, 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

None

VI. DEPARTMENT REPORT

A. Secretary's Remarks

1. Agency and State Fiscal Status – Todd Workman, assistant secretary, presented this

update to the Commission. Secretary Jennison regrets not being here today due to prior commitments. The 2014 budget is now on the books and the legislative session is over. Highlights: added \$2 million to increase WIHA due to PR allocation from increased ammunition and gun sales; capital improvement budget of \$8.7 million includes \$1.5 million for road improvements in parks, Cheney, Wilson and Kanopolis starting so far. Reduced EDIF funding from \$6.6 million to \$5.7 million from Governor's reduced resource package. A little over \$600,000 in salary reductions and the legislature took another \$231,000 off. Parks total budget for FY14 was \$10.6 million, down from \$13.4 in FY13; FY14 proposed was \$11.5 million. Total Fish and Wildlife budget was \$22.2 million, up from \$20,481,000 in FY13. The Tourism budget for FY14 is \$4.8 million, same as FY13.

2. 2013 Legislative Update – Amy Thornton, legal counsel, presented this update to the Commission (Exhibit C). **SB49 (KDWPT initiative) - HB 2218** -- Former law made 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 increased from 2 hour to 3 hours and was passed and signed by the Governor. **SB57** -- The department supported the provisions of this bill related to domestic deer. Under statute, anyone possessing domesticated deer must be permitted under the Kansas Department of Agriculture. This bill amended that statute to allow the Department of Agriculture to request assistance from the department in implementing and enforcing laws governing domesticated deer. This bill passed and was signed by the Governor on April 10, 2013. **HB2244 (KDWPT initiative)/ SB 83** – The bill was introduced as a result of the ballot issue which passed in November 2012 allowing the state constitution to be amended to change to the way watercraft are taxed in the state. The bill, as introduced, would have gradually reduced the percentage of appraised value used to asset 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. The bill was referred to a sub-committee and the subcommittee recommended back to the full committee a different bill that reduced the percentage of assessed valuation slowly over a period of 6 years to 11.5 percent. The full committee then amended the substitute bill to reduce the percentage of value that watercraft are assessed at to 11.5 percent in 2014 and 5 percent in 2015 and thereafter. The amended version passed and was signed by the governor. **Senate Resolution 1711** -- This resolution opposed 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. The resolution passed the Senate as amended. **HB2030 (KDWPT initiative)**--This bill allows the department to issue 10 "Wounded Warrior Deer Permits" to disabled veterans who sustained injuries in combat and have a service-connected disability of not less than 30 percent. The purpose of the bill is to accommodate last minute requests by the certain individuals for nonresident deer permits. The permits must still be paid in full. The bill passed and was signed by the Governor. **HB2052**-- This bill created 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. The bill passed the House, was referred to the Senate Committee on Federal and State Affairs and had a hearing. The bill was dramatically amended to include items from other firearm-related bills but still included original provisions related to unlawful discharge of a firearm in the city limits. The amended version of this bill passed the Senate and was signed by the Governor on April 16, 2013.

B. General Discussion

1. Tourism Briefing - Linda Craghead, Assistant Secretary of Tourism and Parks, presented this update to the Commission. There is a lot going on in Kansas. We recently launched our Faces and Places tour, Briggs Auto is cosponsor and it started on June 8 with stops at several different places and will go through the end of October. Kansas River water trail signs are going up as a result of the national river designation; also recently received a \$175,000 grant from USDA to help develop small businesses along the river corridors as well as Flint Hills nature trail corridor. The 2014 ad sale for the Travel Guide are currently taking place and close on July 2 (Exhibit D). Working to develop an event impact calculator system that will be tied into our website program, so you can key information in and calculate the economic impact to your community. We will begin working on a hospitality training program with local communities, CVBs and small businesses, at no cost. Recently hosted several journalists from the Society of American Travel Writers in Little Rock, we also participated in the powwow which brought European organizations over to Chicago to promote Kansas natural resources and other assets. Later this afternoon we'll be discussing agritourism regulations, which you will soon become responsible for; the regulations give you the authority as outlined, but does not give you authority to say whether a business has ability to run in any given county, that is left up to county zoning and county commissioners. As long as businesses meet the criteria we will register them as an agritourism business. Former Commissioner Frank Meyer was strong supporter of the Flint Hills Nature Trail that runs from Herington to Osawatimie. The nature trail in cooperation with our agency was recipient of a \$1.5 million grant from the Department of Transportation, which will hopefully help that trail be completed; it is the seventh largest rail-to-trail in the nation, 117 miles; and we continue to work on that project. Camping and day use in our state parks remains strong to spite high winds and low water at some reservoirs. Park passport sales are making slow but steady progress and can be picked up when renewing car licenses, a savings of \$10; our goal was to get 5 percent of population who were renewing tags. Started out first month with 2.27 percent participation and now up to 3.52 percent within a three month period of time. Proud to have county treasurers participating in selling these; some counties performing in double digits: Butler, Jewell, Mitchell, Norton, Phillips, Rooks, Scott, Wichita, Woodson, Ellsworth, Graham, Ness and Trego. Large metro areas not selling as much as we would like, but coming up; last month 80,764 passports were sold and Johnson County sold 5,000 of those. We're pleased with progress and feel we're in good position to offset loss of state general fund and EDIF support. Have two state park managers: from Scott SP and Meade SP, and the western area manager is also here. Country Stampede starts this weekend at Tuttle Creek SP. Please consider our state parks if looking for a venue for special events. Commissioner Dill – Hoping for 5 percent, but what would it actually take to replace the loss of fund monies? Craghead – Five percent would have put us over the top, but we would need to have 4.5 percent.

2. Spring/Fall 2014 Turkey Regulations - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit E). Background: six management units match up with six hunt units and will allow us to better utilize data. Spring generally has over 41,000 hunters, 10,000 hunters in the fall; hunter harvest averages about 33,000 in spring and 13,000 for fall. Spring harvest numbers are not available, but expect 4,000 to 6,000 in fall. Sales were up 1,400 for fall

and spring was also up, more than 10,000 from last year. Looks like some eastern Kansas hunters have come back to us. Harvest 35,000 this spring, up about 2,000 from last year. Happened due to productivity, dry conditions helped in the east but drought hurt in the west. We don't have a recommendation at this time, but will bring one to next meeting on adaptive management strategy to help us make recommendations. Commissioner Marshall – What killed the turkey, heat, lack of water or both? Pitman – Drought causes poor production of insects, which carries over into winter. Eliminated some of flood conditions in east which has increased production. Chairman Lauber – Graph shows 1989 to 2010? Pitman – Rural mail carrier survey, indices are up to 2012. Commissioner Marshall – Loss of cottonwood trees a problem? Pitman – Yes, they use those as their roosting sites in the west. Commissioner Marshall – What can we do in long term in the west? Pitman – More water in the river and planting cottonwood seedlings where we can. Commissioner Marshall – Is salt cedar sucking out all of the moisture? Pitman – With help of NWTf, we are working on that. Chairman Lauber – Cottonwoods dying from natural age or lack of water? Pitman – Both, which ties back to getting water back in the river. Pearce – Is 73,000 carcass tags sold an all time record? Pitman – Yes, previously was 67,000 which is due to residents in eastern Kansas coming back. Unknown person – Leftover draw permits in Unit 4? Pitman – Takes a couple of years to get production back.

3. Youth License and Permit Fees - Mike Miller, information production section chief, presented this report to the Commission (Exhibit F). To get ball rolling and discussion started to reduce price of youth permits. In 2012, we a little over 18,000 sold deer/antelope/turkey youth permits; \$10 for deer \$15 for turkey. Missouri (MO) and Nebraska (NE) introduced reduced priced youth permits and increased their sales. In the briefing, there are tables to show you how it would reflect on us if we reduced sales price. Emphasizing recruitment makes this an important discussion to have. Nonresident youth under 16 can buy half price hunting license, but full price for deer and turkey permits. Commissioner Budd – Which way do you think this should go? Miller – Reducing the price of permits has a lot of potential for recruitment, remove barriers for larger families in long run be beneficial. Commissioner Budd – Increase youth's chance to participate in later years? Miller – Yes, we need to get them at age 10-13. Commissioner Budd – If lose interest, technology will take over, anything we can do to increase youth involvement outdoors we should do. Miller – Pass-It-On programs provide grants, one Boy Scout troop said it was hard to get kids to participate in scouting, but if they include shooting programs they get them. Chairman Lauber – If increase number of permits sold by 25 percent, does that necessarily relate to increase, with more permits, not more of resource harvested? Miller – Some increase in harvest, trying to encourage harvest of antlerless deer. Chairman Lauber – Do what we can to recruit young hunters. This is for under 16 (15 and under)? Miller – Yes, most of them. Commissioner Wilson – Provides a long period of time to take a youth out, good opportunity so a good program. Chairman Lauber – Get this on agenda and move forward along these lines to have in effect by 2014 season. Commissioner Budd – If recommending a dollar figure, have something to show us on loss of revenue and increased number of permits sold? Miller – Have good spreadsheet from Nebraska on that and I will bring it to the next meeting. Pearce – Proposing significant cut in youth from 300 to 150? Are many states offering big discounts to nonresidents? Miller – MO and NE only ones I have looked at. Jared McJunkin, NWTf – Applaud you on this. I cover NE and have seen impacts this has had. I know we can do more. NE had increase from 209 to almost 11,000 in turkey youth in one year and saw increase in adult sales too (cost went from \$90 to \$5); MO is \$8.50, Oklahoma (OK) is \$10 for youth permits, NE

is \$25 because of habitat requirement. Save the habitat, save the hunt; hope to increase hunters by 1.5 million. Offer NWF support on whatever we can do to help on this.

4. Migratory Game Bird Possession Limits – Rich Schultheis, waterfowl biologist, handed out a reference document (Exhibit G). Amend the possession limit on migratory birds from two times the daily bag limit to three times the daily bag limit as per USFWS and will reflect 25-19, 25-20 and 25-21. This was just passed June 26 so need to move forward to workshop in August and public hearing in October. Chairman Lauber – When nesting or to accommodate travel dates? Schultheis – Change of times and definition of possession limit may change down the road. Commissioner Budd – What do you do? Schultheis – Migratory game bird specialist. Commissioner Budd – Deal with all waterfowl? Schultheis – This is not waterfowl species covered in late and early seasons which are covered separately. Commissioner Budd – Same in all waterfowl? Schultheis – Most, for example swans in some state requires a specific permit application. For our wetland and waterfowl species it will be all of them in Kansas; some states may not increase. Greg O’Loughlin – There were still geese north of us when special light goose season starts. Schultheis – Tom will be discussing that a little later.

C. Workshop Session

1. Fishing Regulations - Doug Nygren, fisheries section chief, presented this report to the Commission (Exhibit H). Majority of these changes are in reference document where we have special regulations that are different than the statewide regulations. Last year we had the national survey that came out that said we had 400,000 anglers in the state and we have less than 400,000 acres of water, so basically one acre of water to manage for every angler and to do that and maximize the recreational benefit, the potential harvest, these special regulations are important to get the most out of our acre per angler. No proposed changes on any of the large federal reservoirs on length and creel limits. We do have length and creel limit changes for the Grand Osage Wildlife Area, which is the old army ammunition plant down by Parsons. A few years ago we started a pilot program to allow jug (floatline) fishing, the season starts on July 15 and runs through September 15. Anglers have to have a permit that only costs the transaction fee of \$2.50 but that way we have a list of individuals we can survey to determine the impact on the resource and other anglers. You can floatline fish at Hillsdale, Council Grove, Tuttle Creek, Kanopolis, John Redmond, Toronto, Wilson and Pomona. This year we have already sold 300 permits and the season hasn’t started yet, last year only sold 461 all together. We do have a proposal to add four new lakes: Elk City, Fall River, Glen Elder and Lovewell reservoirs for next year. At the last meeting had a presentation by Jessica on the fish ladder and canoe passage on the Ark River in Wichita and it has been a tremendous success. It has been a high profile addition to the city, but is causing new conflicts; people trying to fish on fish ladder when people are trying to canoe or kayak down it. This is our first experience with a fish ladder and we looked at other states and can’t find one that allows fishing at the ladder because the fish stack up there and are vulnerable. We want to add an amendment that says no person may fish by any method or collect bait within fish passage, fish ladder or fish way. That will reduce the conflict and they will still be able to fish below the dam and other locations immediately below the fish ladder. I have actually observed fish moving upstream, so it is doing its job and a lot of people canoeing and kayaking there. Commissioner Marshall – Ever considered taking a couple of reservoirs and making them catch and release only to make them trophy game lakes? Nygren – Not at lakes, but

have done on species-by-species basis. It is controversial, people like to eat fish. We have tried on bass at Cheney to take care of white perch; fish length limit is larger now with 21-inch limit. Most anglers release largemouth bass, being driven socially. Most fisheries are utilized by catching the same fish over and over until they die of old age. Pearce – Isn't fishing already closed on fish ladder now? Nygren – By posted notice now, but want to close by regulation. Pearce – Close certain distance away from ladder? Not planning to. We will come back with specific language at next meeting. Funds did not come from angler money, but came from Coast Guard and motorboat funds. Chairman Lauber – Is this only one in Kansas? Nygren – Was some long ago, but they were not designed right and did not pass fish.

2. Parks Regulations – Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibit I). Our intent or desire is to establish a posted notice program that would allow for public input and align state parks with rest of fisheries and wildlife side of business. This would not preclude us from posting for emergency purposes like blue-green algae outbreaks.

Break

3. Late Migratory Bird Seasons – Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibit J, PowerPoint – Exhibit K). USFWS frameworks not set until August 1. Based on last year's breeding bird and will most likely be liberal frameworks as in the past. Outside dates based off of last year's dates, but will be three times the daily bag limit. Only changes may be harvest strategies to northern pintails, redheads, canvas backs, wood ducks and scaup. In addition to 74 days in Low Plains Unit and 96 days in High Plains Unit there will be a two day season for youth under the age of 15. The days must be held outside any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate; and be held up to 14 days before or after any regular duck-season so can be prior, after or during any split of a regular duck season, or within any other open season on migratory birds. When setting waterfowl season recommendations several factors are considered: waterfowl population, migration, habitat conditions, timing of harvest, hunter participation and hunter preference; leaving several scenarios for seasons. Zoning benefits duck hunting by matching season dates to available habitat types, migration chronology and hunter preferences. Two unit in Kansas: High Plains unit, west of 283 and Low Plains, east of 283 and have one zone in High Plains, two in Low Plains. Historical data is supplied in briefing book. High Plains unit was initiated in 1972, the 96 days in this unit is one less than frameworks because of Migratory Bird Treaty Act limitation of 107 days. Additional days must start no earlier than December 7. In Kansas, waterfowl are counted at 38 locations once a month and this information provides population/migration trends. Regular season will run October 5 to December 2 (Monday), an 18-day split and begin again December 21 to January 26; youth season will be September 28 and 29. The low Plains unit (area east of hwy 283) was split into early and late zone in 1996 due to different habitat types and migration patterns of areas in this zone. The Early Zone is designed to target early migrants that are attracted to the shallow wetlands like Jamestown, McPherson, Cheyenne Bottoms and central playas characterized this zone. Jamestown one of few places which has kept quality numbers from September to December and sharply dropping with late December freeze. Cheyenne Bottoms past 12 year average indicates the proportion of mallards and in most years are the third or second most duck in bag. Hunter participation is greatest from October to December and heaviest on weekends, but

the overall trend is hunter participation deteriorates after opening day. An October 5 through December 8 season allows ample opportunity for peak migration bird and hunter use for these types of wetlands; a late season split of December 21 to December 29 allows some later season opportunity near Christmas. The late zone covers over 40 percent of the land area and contains over 70 percent of Kansas resident hunters. Separated from the early zone in 1996 to better align season dates to the migration patterns of its rivers, deeper and larger water bodies; migration starts to climb in late October, builds in November and December and then can greatly fluctuate depending on January ice conditions. At Quivira National Wildlife Refuge migration has not greatly shifted for the last 40 years. Recommendations for regular late zone season are similar to last year: October 26 to December 29 and January 18-26 with youth October 19 and 20.

Chairman Lauber – Is the reason Quivira is carved out of the rest of that zone is because their migratory patterns differ from the rest in that zone? Bidrowski – Has later migrants because of availability of water. In 2013-14 will be the third season for Kansas' southeast zone; it was separated from the late zone due to some of its unique hunting opportunities and a segment of hunters in this portion of the state that prefer later season dates. Marais des Cygnes and Neosho are the driving force in this zone and migration starts to build in November. Hunters are required to fill out check cards from which we can make season comparisons. There are a variety of factors that affects season success outside of season dates such as variation in habitat conditions on locale and landscape scale, local and continental weather patterns, overall duck populations, etc. Trading November 5 for November 16 for January 7 for January 18 showed nearly half of hunters for Marais des Cygnes and about the same harvest. Similar finding can be seen at Neosho as well, it does drop for hunters and number of ducks. Variety of factors goes into season success. An important tool in developing season is the use of human dimension surveys. As hunters are the ultimate end user, a priority is placed on setting season dates that match hunter preferences. Shortly after the 2012-13 season, a statewide survey of 33,400 duck hunters was conducted to provide hunter information on the SE zone. Regarding season dates, respondent preferences varied between questions. When asked to pick an opening day, the majority favored late October. When asked when they prefer to hunt, the majority favored December hunt days. However, when comparing the season structures of the last two seasons, and when given a list of all likely season dates, the majority of respondents chose dates that resembled the season structure in 2012-2013, which do not align well with their preference for opening day or hunt days. Conflicting responses highlight difficulty of setting this season. A copy of survey was given to you today (Exhibit L), which we will go over more in depth in August once you have a chance to review the findings. Given that the majority hunt less than 10 days in SE zone, compromise in dates is challenging. After much deliberation and consideration the waterfowl committees recommendations are: November 2 to January 5, with split and January 18-26, youth season would be the weekend prior. Commissioner Doll – What is preference for when fewer ducks there? Bidrowski – One important design of the survey was to see what were the factors that made them decide to hunt, or opportunities; rather than just poll of dates? Page 10 outlines those motivations; time to go hunting is when most ducks are here so that is highest preference of all hunters. Also, a popular one was being able to duck hunt while goose hunting. Hunting across zones and opening day on same as upland bird opener or deer season scored lower. Commissioner Doll – That is the driver not necessarily the number of ducks. Commissioner Budd – On page 19 of survey, asked what opening date and what split would be; most don't understand limitations of 74 days and have to end or start on certain day? Simple question, when asked when to start season in SE zone 65.8 percent said wanted similar to last

year's starting date, which was November 16? Bidrowski – Correct. Commissioner Budd - Zone boundaries, why not in straight lines, thought ducks migrated north and south, but understand better after your explanation. On SE zone when asked whether to leave at current boundaries - 44.9 percent, reduce size - 5 percent, increase size – 12 percent, no preference – 30 percent and eliminate SE zone – 6 percent. Surveyed only SE zone hunters? Bidrowski – No, blue is statewide, red is hunters who hunted at least one day in SE zone. Commissioner Budd – So they liked season the way it was last year and liked the zone; and November 14 to November 26 had 43 percent. At the last commission meeting I suggested we didn't get duck war started again; suggested youth season October 26 and 27; with November 2 and 3 regular opener, which doesn't conflict with pheasant and waterfowl; then get one more week off and one more weekend and run through January 26. Why did you recommend this? Bidrowski – Through the whole process, variety of options and each has its merits, your suggestion is good option, but other things factored in, duck migration, number of birds, when people hunt, success rates, etc. Waterfowl numbers go up and down on a cycle and we may have a 60-day or 39-day season again. Commissioner Budd – State speed limit can be 45 to 90, but have 70, but not what we have here. Bidrowski – Still need to consider when the hunters do go hunting and when ducks are here.

Chairman Lauber – Last year low water and where it didn't freeze as much, in your opinion if we had a year with more freezing, a typical year, wouldn't you have had more of the none-Neosho people frozen out? Bidrowski – Referred to slide on Neosho, and based on freeze up are we trading early days for up and down cycles?

Commissioner Doll – Don't know more than you, so simple question; if 2/3 wants November 15 opener, why asking for November 2? Bidrowski – Combination of three factors. Commissioner Doll – The one that buys the licenses; 2/3 want it. Bidrowski – Asking poll dates leads to popularity survey; when use motivations or other choices, conflicts in results. Commissioner Doll – Statistically 2/3 want November 16 as far as majority. Bidrowski – Ran into this last year, one thing not significant of statistical value, not just this one question. Commissioner Doll – This preference doesn't override the other questions? Bidrowski – Right, they are weighted with all 18 questions.

Chairman Lauber – Was one a Thursday opener? Bidrowski – Yes, asked if had to be Saturday opener and it scored lower; Kansans are used to soft openers with other seasons, like Wednesdays.

Commissioner Dill – Opened back up on December 2 or 5, spikes; then drops off dramatically and picks back up again around 13 or 15. Bidrowski – When large numbers of hunters go out birds will leave the area. Commissioner Dill – That graph tells me everyone wants to get out on an opener and then it drops off dramatically; last year when opened on 16 dropped off then picked back up around 19. Bidrowski – Also, have survey from 2011, can make comparisons of the two and will go over in August meeting. Goose frameworks are not available until August 1, but don't expect changes, however will change from two times daily bag to three times. Adopt 74-day season of Option A, generally a week later than last year. Cannot implement unplugged shotguns, electronic calls or after hours shooting while there is any other migratory bird season in progress; could start light goose conservation order earlier, but would have to close when other seasons open, so starts February 17 to April 30, can still hunt light geese, but can't use the expanded measurers.

O'Loughlin – Geese already gone. Bidrowski – Depends on water level, Cheyenne Bottoms and Quivira have had smaller numbers, but geese have started showing up. Harvest data, shows white

fronts are important part of bag limit. Falconry: Expect no changes from previous years, shifts in calendar dates only.

Chairman Lauber – First, in two years like to consider lowering boundary of SE zone in order to free up certain areas. Tend to think there are early migrant hunters, but most likely don't have the votes to pass that. Don mentioned compromise season dates again today, was dissention to opening on Thursday, his suggestion gives opportunity to hunt weekend before, which seems preferred. Commissioner Budd – Agree with Gerald, last year contentious, have more data now survey that is specific and need to look long and hard at changing those boundaries. My compromise is October 26 and 27 so youth have chance to go out and hunt early ducks at Marais des Cygnes and Neosho. On November 2 opener, close then open again on November 16 (Saturday) and close January 26 (Sunday). Will deal with ice, but that is something you deal with. What you and I think should not drive these decisions, but majority of hunters and they seem to lean this way, make a second option available. Bidrowski – January 26 is maximum closing date per USFWS. Commissioner Budd – *Repeated his recommendation.*

Chairman Lauber – When Hayden was secretary changed pheasant opener which was not popular, he did have a point, stated good weekend to use for something, fair number of early migrants prevalent and want opportunity to hunt early migrants.

Commissioner Budd – Lot of conversations in SE zone last year and I think these season dates are a compromise to all those people. Neosho has different dynamic than Marais des Cygnes.

Commissioner Wilson – Don't believe those people wanted in that zone to begin with, five years locked in. See question in survey to see who wants out of SE zone, shouldn't be forced to stay in that zone. Bidrowski – Last two years asked if they wanted size decreased or increased in the survey.

Chairman Lauber – Marais des Cygnes freezes sooner. Can't change zone ourselves and they may or may not let us change, this is third of fifth year.

Commissioner Marshall – In Great Bend, experience on Cheyenne Bottoms and Quivira, amazing how many choices Kansans have to hunt; late season duck hunters are very passionate too. Had several one-on-one conversations with Tom and respect his decisions, man of data, pretty unscientific data. Don't have rivers only reservoirs. You don't count ducks on river do you? Bidrowski – No, all on public lands. Commissioner Marshall – Ark River is public land, a navigable river. Data doesn't take into account rivers and not counting ducks on the river so skewing SE zone too. Who is on committee? Bidrowski - The committee consists of myself as chair and Rich Schultheis, one district biologist for each of the five regions, one from each Wildlife Area in five regions, except both Marais des Cygnes and Neosho are both present and one from Ducks Unlimited.

Commissioner Marshall – Sounds like government committee without hunters, need more hunters on there. Bidrowski – Problem is selecting those members from the public that are representative of the public; which is why we have a Commission.

Chairman Lauber – Tend to think more professionals on there is best way to give us technical data and we take response to hunters. Last year if didn't have freeze up then they would want it later, some years freeze up early. Nothing to do with hunting more ducks, but opportunity is not there in late zone.

Commissioner Marshall – Have many people who want later season in my region as well. Have proposal to close Cheyenne Bottoms (Low Plains early zone) on December 2 instead of December 8, give days in January instead.

Commissioner Doll – You don't like season dates proposed?

Commissioner Marshall – Either one of them.

Chairman Lauber – Which one, regular late zone?

Commissioner Budd – Do you have an option of dates for what you want?

Commissioner Marshall – I do, my option, so we can look at it is: October 5 – December 2, close, and start back up December 21 to January 5.

Commissioner Doll – What does November 2 and 3 accomplish?

Commissioner Budd – Northern zone of SE zone for those who want to hunt early and shoot something other than mallards. Commissioner Doll – Mainly Marais des Cygnes? Commissioner Budd – Northern zone, and has three openers. Chairman Lauber – Some don't have resources to hunt at duck clubs, hunt creeks and ponds and take other ducks to keep from freezing.

Commissioner Budd – Will get opener, spike of hunters then declines because of hunting other places then they come back. Here we get three openers.

Commissioner Doll – Roger, for October 5, what hoping to get for duck numbers or what?

Commissioner Marshall – Same start date as Tom, one of few places in country you can hunt that weekend and has lots of birds there. Bidrowski – Usually first or second Saturday, looking at dropping back due to calendar shift. Commissioner Marshall – Some wanted extra days on end, so seemed split in middle made more sense.

Commissioner Dill – Like idea of compromise and have three openers, more opportunity, interest and good will in general.

Chairman Lauber – Debra?

Commissioner Bolton – Vote last August was 4/3 against staff recommendations based on phone calls I got starting on Thursday, going with constituency. I got a lot of calls from SE Kansas.

Why are we trying to change it again not even a year later? Like Don's compromise, but expect a lot of calls again. Chairman Lauber – Will be people upset one way or the other, will take away complaints and be accepted reasonably well. Compliment staff for recommending what you think is best, not what they think is political. Commissioner Budd – I want to see what late zone is all about.

Pearce – Roger, on October 5 to December 2; December 2 is Monday? Commissioner Marshall – Last day would be December 1, Sunday. Pearce – Average freeze up at Cheyenne Bottoms?

Bidrowski – Start to see ice, but it up and down, will freeze by first week of December, usually frozen solid by end of December. Pearce – Next meeting is in Yates Center which is in SE zone, so keep open minds. Chairman Lauber – Will you put these suggestions in one of your articles?

Pearce - My article on this will be Sunday before the next meeting. I will mention this Sunday what has been suggested and it will appear a couple of times in newspaper.

Keith Sexson – Clarify, recommendation on Low Plains late zone was ok with commissioners?

Chairman Lauber – Yes. Changes against staff recommendations would be Low Plains early and SE zones. Sexson – We will put forth staff recommendations and two options and will publicize before that meeting. Chairman Lauber – Once we took a straw poll that is probably the case, don't expect other options, so I think you are right. We will have at least two options in each of those two zones.

4. Lesser Prairie Chicken Federal Listing Update - Keith Sexson, Assistant Secretary, presented this report to the Commission (Exhibit M). Second reopening closed on June 20, Interstate Working Group are putting together the fourth version; they are meeting with USFWS next week and will go over it line-by-line. Our intent is to affect not-warranted status. Today info came out from congressional offices relating to letter from Secretary Ashe to Senator Udall, Oklahoma indicating that USFWS is extending decision date to March 30; that gives us six more

months before they make their final decision. Gives us chance to get plan implemented by USFWS and start signing up properties under that conservation plan. Then we can add to certainty that we can conserve this bird without it being listed as a threatened species.

Keith Sexson presented Jim Pitman award for Wildlife Biologist of the Year from the Midwest Association of Fish and Wildlife Agencies. Jim served and was a leader on Interstate Working Group for the LPC plan. Amazes me what he can do and now is in mitigation and trading side of things. Active member of National Bobwhite Initiative, active in NWTF technical committee, Working Group will receive merit award from WAFWA in July. In addition to being small game coordinator – he deserves this award. Pitman – No one wins an award without being surrounded by a lot of good people and that is the case with me.

5. Prairie Chicken Regulations - Jim Pitman, big game biologist, presented this report to the Commission (Exhibit N). Kept this item on agenda to be able to respond to USFWS, with extension we won't come back with this until April. Commissioner Doll – No chance something from left field to surprise us on this? Pitman – Proposed 4D rule for incidental take and asked specific questions on hunting and whether incidental take would be allowed and will use that information to make their decision. Commissioner Doll – Won't do anything until March now? Pitman – No, so our hunting seasons won't be effected until 2014. Commissioner Marshall – What is state actively doing for conservation in preparation? Pitman – Working collaboratively with five states; stakeholders like private industry, cities, counties, and private landowners; anyone who can help with conservation of prairie chickens. The plan has rigorous goals set in place and if energy industries agree to follow the plan, have mitigation in place to offset impacts. Folks will be asked to sign on voluntarily and will use adaptive management process in that plan as we move forward towards 10-year goal. Commissioner Marshall – Will there be new conservation practices implemented this fall? Pitman – If energy industry signs on then have those dollars to go towards enrollment fees and do assessments of individual impacts on the landscape and used to contract those landowners for habitat work. Commissioner Marshall – Is it mainly open grassland, what is different than what has been happening last ten years? Pitman – Putting more grass onto the landscape, restoring rangelands and maintaining in the future. Pearce – Why so much effort and money into these birds, what is benefit to the state sportsmen? Pitman – Be able to continue hunting the birds, but not only benefit chickens, but quail, pheasants and other grassland species by increasing habitat. Chairman Lauber – If incidental take becomes a big issue will have to draw a circle around the prairie chicken habitat area and stop all chicken hunting in that area. Pitman – That is why we asked them to allow incidental take. Commissioner Marshall – What is that term, incidental take? Pitman – Allow direct take, take of habitat, harmful to the species; there is a long definition. Chairman Lauber – May inadvertently shoot LPC when shooting GPC. Pearce – Can only tell difference through spotting scope or when booming. Chairman Lauber – Lot of anti-hunters who don't know difference between the birds and don't care; plus birds are doing fairly well in Kansas. Pitman – Overlap of GPC and LPC is greatest area of increase, which would stop that, incidental take, would lose chicken hunting where best populations in Kansas are. Commissioner Bolton – What did agricultural interests say during all the negotiations? Pitman – Don't want to see listing and federal regulations and they came to the table to work with us. Pearce – Bad timing of drought with what you are trying to do, Colorado has few birds and so does Cimarron National Grasslands; does extra six months help? Pitman – Numbers will be down, but six months gives us time to finalize the plan and get

landowners and industry to sign on which is positive.

VII. RECESS AT 4:10 p.m. (supper at Debra Bolton's)

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

Terry Porter, KS Federation of Houndsmen – Coon hounds being shot, majority of times landowners who just moved in. What is protocol to retrieve or follow my hound to make the farmer mad? Chairman Lauber – Personal property issue, not wildlife issue – go to Sheriff's office. Kevin Jones – Had request this morning, no law that specifically addresses retrieval of anything off of private land without permission. Advice is, if hunting have to have permission; criminal trespass law, especially if posted. Get permission from landowner to retrieve dog. Porter – Is there any way to change right to retrieve? Jones – Best handled through legislature. Amy Thornton – Best route would be to lobby legislature. Pearce – I think that was just in the legislature. Check into Scruffy's Law helps you enforce if someone kills your dog, impossible to shoot dog unless doing damage.

XI. DEPARTMENT REPORT

D. Public Hearing

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

1. KAR 110-12-1. Definitions. (Agritourism - to be revoked) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibits P, Q). Based on ERO 36, the Department is revoking regulations KAR 110-12-1 through 110-12-6 within the Department of Commerce section of KAR's and enacting the same regulation within the Department of Wildlife, Parks, and Tourism section of the KAR's. Revoking Commerce regulations and reenacting as KDWPT regulations (exactly the same). Budd – Ones we are revoking are currently what Commerce has set, worded as ERO 36; new ones will be establishing them and giving authority to Secretary of KDWPT.

Commissioner Roger Marshall moved to revoke KAR 110-12-1 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 110-12-1 as recommended was as follows (Exhibit R):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes

Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 110-12-1 passed 7-0.

2. KAR 110-12-2. Registration. (Agritourism - to be revoked) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibits P, Q).

Commissioner Roger Marshall moved to revoke KAR 110-12-2 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 110-12-2 as recommended was as follows (Exhibit R):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 110-12-2 passed 7-0.

3. KAR 110-12-3. Liability insurance; costs qualifying for tax credits. (Agritourism - to be revoked) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibits P, Q).

Commissioner Debra Bolton moved to revoke KAR 110-12-3 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 110-12-3 as recommended was as follows (Exhibit R):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 110-12-3 passed 7-0.

4. KAR 110-12-4. Tax Credits. (Agritourism - to be revoked) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibits P, Q).

Commissioner Robert Wilson moved to revoke KAR 110-12-4 before the Commission.

Commissioner Debra Bolton seconded.

The roll call vote on KAR 110-12-4 as recommended was as follows (Exhibit R):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 110-12-4 passed 7-0.

5. KAR 110-12-5. New registration form. (Agritourism - to be revoked) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibits P, Q).

Commissioner Robert Wilson moved to revoke KAR 110-12-5 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 110-12-5 as recommended was as follows (Exhibit R):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 110-12-5 passed 7-0.

6. KAR 110-12-6. Contracts. (Agritourism - to be revoked) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibits P, Q).

Commissioner Debra Bolton moved to revoke KAR 110-12-6 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 110-12-6 as recommended was as follows (Exhibit R):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 110-12-6 passed 7-0.

7. KAR 115-40-1. Definitions. (Agritourism – new) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibit S). This new permanent regulation establishes definitions for the purposes of the agritourism regulations.

Commissioner Robert Wilson moved to approve KAR 115-40-1 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-40-1 as recommended was as follows (Exhibit V):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-40-1 passed 7-0.

8. KAR 115-40-2. Registration. (Agritourism – new) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibit T). This new permanent regulation establishes provisions for registrations for the purposes of the agritourism regulations.

Commissioner Don Budd moved to approve KAR 115-40-2 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-40-2 as recommended was as follows (Exhibit V):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-40-2 passed 7-0.

9. KAR 115-40-3. Liability insurance; costs qualifying for tax credits. (Agritourism – new) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibit U). This new permanent regulation establishes costs for liability insurance that qualify for tax credits for the purposes of the agritourism regulations.

Commissioner Robert Wilson moved to approve KAR 115-40-3 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-40-3 as recommended was as follows (Exhibit V):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-40-3 passed 7-0.

10. KAR 115-40-4. Tax credits. (Agritourism – new) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibit W). This new permanent regulation establishes provisions for qualifying for tax credits for the purposes of the agritourism regulations.

Commissioner Debra Bolton moved to approve KAR 115-40-4 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-40-4 as recommended was as follows (Exhibit Z):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-40-4 passed 7-0.

11. KAR 115-40-5. New registration form. (Agritourism – new) - Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibit X). This new permanent regulation establishes requirements for filing new registration forms for the purposes of the agritourism regulations.

Commissioner Robert Wilson moved to approve KAR 115-40-5 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-40-5 as recommended was as follows (Exhibit Z):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-40-5 passed 7-0.

12. KAR 115-40-6. Contracts. (Agritourism – new) – Linda Craghead, Asst Secretary of Tourism and Parks, presented this update to the Commission (Exhibit Y). This new permanent regulation establishes mandatory contractual provisions for the purposes of the agritourism regulations.

Commissioner Robert Wilson moved to approve KAR 115-40-6 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-40-6 as recommended was as follows (Exhibit Z):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-40-6 passed 7-0.

13. KAR 115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions. Matt Peek, furbearer biologist, presented this report to the Commission (Exhibits AA & BB). The proposed amendments would clarify that all types of foothold traps could be used in water sets (b)(1), restrict the use of radios and vehicles during the regular firearms deer season (c)(7) & (c)(8), and remove trademarked language (c)(10) from the regulation. Possible amendments: **Option 1:** Do not amend continues to be the Department’s recommendation and therefore no language change is necessary. **Option 2:** Relates to restricting vehicles and radios during the first five days only. The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes, except during the first five days of the regular firearms deer season, including opening day, as specified in K.A.R. 115-25-9. The use of radios in land or water vehicles shall be permitted for the taking of coyotes, except during the first five days of the regular firearms deer season, including opening day, as specified in K.A.R. 115-25-9. **Option 3:** Relates to closing coyote season entirely during the regular firearms season. This option will also require publication and amendment of at least one other regulation, K.A.R. 115-25-12, likely for an August vote, depending on scheduling. Amend proposed subsection (c)(7) and (c)(8) as follows: (7) The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes, except during the regular firearms deer season as specified in K.A.R. 115-25-9. (8) The use of radios in land or water vehicles shall be permitted for the taking of coyotes, except during the regular firearms deer season as specified in K.A.R. 115-25-9. **Option 4:** Relates to no change on the radio and vehicle issue. Amend proposed subsection (c)(7) and (c)(8) as follows: (7) The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes, except during the regular firearms deer season as specified in K.A.R. 115-25-9. (8) The use of radios in land or water vehicles shall be permitted for the taking of coyotes, except during the regular firearms deer season as specified in K.A.R. 115-25-9. **Option 5:** The

Department has no recommended language for Option 5 (came from member of public at last meeting), due to the complexity, expected ineffectiveness, and constitutional issues associated with the proposal, and does not recommend this option at all. Chairman Lauber – Have had continued discussions with variety of hunters, commission heard their comments at last meeting. See if other commissioners have discussions or thoughts and public comment. Commissioner Budd – Would like to hear from Kevin. Jones – We put together group to look at problem and come up with possible options. State statute closes the season and we open it by regulation. Using excuse of hunting coyotes in regular firearms season and dress as deer hunters, driving and pushing animals to other hunters, which is a strict violation to take deer with a vehicle. It's frustrating for officers. We've had farmers and landowners talk about this practice and they don't like it. Had complaints of people shooting down into trees while hunting coyotes from road when someone was in a tree stand hunting deer. Primary issue was use of motor vehicles, other issues with licensing and permitting that we did not get into right now. Make it a clearer line. In late 1970s, I believe, passed law to close coyote hunting during firearm deer season, unless the Commission allows it. This is a compromise, can still hunt for coyotes just not use vehicles and radios during this time. Commissioner Budd – If you were to ask 20 of your officers what would be their response? Jones – They came back with something like this when I did ask them. Chairman Lauber – In defense of coyote hunters, true dog hunters are rarely at fault. It is those that use dogs as an excuse to hunt deer. December is time coyotes move as well. If left up to me I have one or two options; don't do anything and chart complaints to see how many we have or the other option would be five-day exclusion because more people are in the field. Have sympathy with dog hunters, I heard their point, but don't know what answer is; also received several letters in favor of closing this down, one from Quality Deer Management asking us to support this and Audubon of Kansas. If we need to do something would like to do for five days not 12. Commissioner Budd – If we passed for five days, report number of violations back next year. Jones – We can keep track of that. Chairman Lauber – If officers feel need to be addressed, shouldn't object to doing that; believe it occurs just not how much it occurs. Commissioner Budd – Would like to revisit in year and see if any impact is made. Don't believe problem is coyote hunters, it is deer poachers. Commissioner Dill – Leaning towards Option 2, if we see several instances, then close completely. Commissioner Bolton – Need to have a baseline, agree with Chairman Lauber to not change without knowing. Commissioner Wilson – Cannot shoot from the road, onto anyone's property without permission from adjacent landowners. Jones – That is the law. If posted as by written permission only, if landowner backs him up we can't prosecute. We need to have a complaint party of trespass before we can move forward. Commissioner Budd – Close coyote hunting for entire deer season, deer hunters can have loaded rifle in truck, can cite them if they can't shoot from the road without being illegal? Jones – Except for coyotes, can be hunted from a vehicle. Commissioner Doll – To punish law abiding coyote hunter is not something I like. Commissioner Bolton had a good comment, how much does this occur, 100 events now, and go with five days and goes to 20; if do this and it goes down don't know that it helped or not. Jones – Can record and summarize. Commissioner Budd – After firearms deer do you have meeting with officers? Jones – Not directly after, but have calls with captains. Commissioner Budd – Guess how many complaints you had last year? Jones – Have a guess BJ? BJ Thurman – At least two per officer in the deer season, 70 officers with 11 of those who are supervisors. Commissioner Budd – Surprising to me it is that many. Commissioner Doll – We experience that where I live, don't want to punish a group. Thurman – That is a minimum. Commissioner Doll – Two citations? Thurman – Two complaints. Chairman Lauber – How

many calls a day during deer season? Thurman – First five days, 4-5 a day. Chairman Lauber – With two per season each? Thurman – That are documented. Commissioner Marshall – How big of a deal is this? Thurman – All officers come to me and ask what we can do about it, average 1 ¾, but out west 2 ½ counties per officer. This is poacher's big loophole. Luke West, Garden City – Where is biggest problem at? Commissioner Budd – I asked and he said statewide problem. West – I agree with what Debra said, have a reference point to start with. The guys I hunt with are not the guilty parties. Roger Coleman, Friend, KS – Need to give these guys double pay, don't have enough guys to do the job; it is no one's fault. Hunted here since 1967, there are hardly any trees here. These guys need help, when catch them five years with no license, for second offense take it away for life. Ban it all, no coyote hunting at all. Chairman Lauber – Opinion from dog hunters is if not let me hunt, don't let the other coyote hunters hunt then. Jerry Ponton, Jr. – Problem is with deer hunters, reduce their season so that they hunt them instead of drive around looking for them or watching a trail cam. Chairman Lauber – County Attorneys don't prosecute. There is no good answer. Have respect for conservation officers and Kevin so that is why I would consider making five-days, not based on science but antidotal information. Commissioner Budd – Need motion here; shocking thing to me is that we have 67 law enforcement officers in 105 counties. Chairman Lauber – Fish and wildlife laws depend on voluntary compliance. Commissioner Budd – If take no action what message will that send? Chairman Lauber – Stop all coyote hunters, not just dog hunters? Jones – That was a suggestion from my staff. How do you address it when everything you see indicates they are deer hunting, but you can legally hunt coyotes from a vehicle? West - Documented by names? Jones – Don't have good data on that, know how important documentation is. West – Complaint with name involved, attacking problem from wrong end; if anything have good information for next year. Commissioner Doll – Instead of making a bad rule, put on radar screen and really look at it accurately and heavily and give officers the right tool next year. Thornton – Do need to vote on this regulation tonight. Commissioner Budd – Michael you wrote an article about this, can someone who runs dogs come up. Pearce – How long hunting? Coleman – Since 1966. Pearce – How do landowners feel about deer on your property? Harder to get access to ground during firearm season? Coleman – Wouldn't go and run deer out of draw if he wants to hunt, it is a privilege to hunt, not a right. Pearce – How many miles a day do you drive? Coleman – 300. Pearce – What type of dogs? Coleman – Greyhounds. Come to my place, I have nothing to hide. Pearce – When do you go hunting? Coleman – Thanksgiving. Pearce – Why? Coleman – Corn out of field. Pearce – When do you stop? Coleman – March. I know those guys have a problem, but close it for everyone. If person out there with vehicle he better be checking cattle. Chairman Lauber – Ask for consensus: one - do nothing, another – no hunting first five-days with dogs and radios; and another five-days no hunting coyote at all. Commissioner Doll – Use tonight as starting point, take no action, option 4, make decision in 6-8 months; Sheila Kemmis – Clarification, take no action is different than leave as it is. Thornton – Option 4 is leave as it is right now. Commissioner Dill – Get additional, give five-days dog hunting, no use of vehicles; Bob Price – Guys driving around in 2-3 pickups coyote hunting are problem, dog box in back hunting with dogs are not. Commissioner Marshall – Huge problem, asked dozen deer hunters who said this is going on, not punish people who start the problems, do nothing. Commissioner Wilson – Option 4, no change from the way it is now, look at it and make right decision based on information. Commissioner Budd – Need to give LE what they need, consensus seems take no action with more stats, look at again month after deer season closes, documentation is going to help us help you. Commissioner Bolton – Don't like to vote against staff recommendation,

evidence is antidotal and need to quantify, option 4 because don't know what we would be changing.

Commissioner Robert Wilson moved to approve bring forward KAR 115-5-1 before the Commission. Commissioner Randy Doll seconded.

Commissioner Robert Wilson moved to amend KAR 115-5-1 to Option 4, Commissioner Debra Bolton seconded.

Commissioner Dill – Address right after deer season is over, so in place for next year.

The roll call vote to amend KAR 115-5-1 as recommended (Option 4) was as follows (Exhibit EE):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion to amend passed 7-0.

Chairman Lauber - To strike conibear traps and as amended.

The roll call vote on regulation KAR 115-5-1 as amended was as follows (Exhibit EE):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as amended passed 7-0.

14. KAR 115-5-2. Furbearers and coyotes; possession, disposal, and general provisions. Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit CC). This administrative regulation establishes general requirements for possession and disposal of furbearers and coyotes. The proposed amendments to the regulation would require tagging by the department of all bobcats, otters, and swift fox taken in Kansas, remove provisions related to tagging deadlines for otters and change requirements for biological data collection for otters.

Commissioner Roger Marshall moved to approve KAR 115-5-2 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-5-2 as recommended was as follows (Exhibit EE):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-5-2 passed 7-0.

15. KAR 115-6-1. Fur dealer license; application, authority, possession of furs, records, and revocation. Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit DD). This administrative regulation establishes the fur dealer license, application, authority, possession of furs, records and revocation. The proposed amendments would add otters to the list of furbearers that must be tagged when purchased by fur dealers Move from April 1 to May 1 for books; and add provisions related to revocation of licenses.

Commissioner Robert Wilson moved to approve KAR 115-6-1 before the Commission. Commissioner Debra Bolton seconded.

The roll call vote on KAR 115-6-1 as recommended was as follows (Exhibit EE):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-6-1 passed 7-0.

16. KAR 115-16-5. Wildlife control permit; operational requirements. Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit FF). This permanent regulation establishes requirements for wildlife control permits, and what actions are authorized through a wildlife control permit. These permits authorize the persons or businesses to take nuisance animals outside normal harvest seasons. The proposed amendments would allow the use of an individual's KDWPT number for marking trapping equipment and require nuisance otters to be tagged after take.

Commissioner Robert Wilson moved to approve 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 HH):

Commissioner Bolton	Yes
Commissioner Budd	Yes

Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-16-5 passed 7-0.

17. KAR 115-25-11. Furbearers; open seasons and bag limits. Matt Peek, furbearer biologist, presented this report to the Commission (Exhibit GG). This exempt regulation establishes open seasons and bag limits for the various species of furbearers. This version of the regulation differs from previous versions in that it allows for incidental take of muskrats during the beaver trapping season when other seasons are closed and removes a statewide quota of 100 on otter harvest.

Commissioner Roger Marshall moved to approve KAR 115-25-11 before the Commission. Commissioner Robert Wilson seconded.

The roll call vote on KAR 115-25-11 as recommended was as follows (Exhibit HH):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-25-11 passed 7-0.

18. KAR 115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms. - John Silovsky, public land regional supervisor presented this report to the Commission (Exhibit II). This permanent regulation establishes certain requirements for and restrictions on certain activities on department lands and waters, including hunting, furharvesting, and other discharge of firearms. Over a period of many years, posted notice has been used to restrict access to certain properties and enhance recreational opportunities. Many of those posted notice restrictions have become long-term policies and to better inform the public as well as enforce the posted notices, the department has consolidated many of those notices into a reference document for adoption by reference. This is an update to that reference document, particularly related to the use of lead shot on specially marked dove fields during the dove season. 8-1 public lands reference document. Commissioner Marshall – On dove fields are there special signs, no lead? Silovsky – Have signage in place.

Commissioner Roger Marshall moved to approve KAR 115-8-1 before the Commission. Commissioner Tom Dill seconded.

The roll call vote on KAR 115-8-1 as recommended was as follows (Exhibit LL):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-8-1 passed 7-0.

19. KAR 115-8-2. Blinds, tree stands, and decoys. - John Silovsky, public land regional supervisor presented this report to the Commission (Exhibit JJ). 8-2 public lands and blinds. This permanent regulation establishes certain requirements for blinds, tree stands, and decoys on public lands. The proposed amendments would remove references to tree stands as the word stand is more all encompassing. House cleaning issue to remove “tree”.

Commissioner Debra Bolton moved to approve KAR 115-8-2 before the Commission. Commissioner Roger Marshall seconded.

The roll call vote on KAR 115-8-2 as recommended was as follows (Exhibit LL):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-8-2 passed 7-0.

20. KAR 115-8-23. Bait; hunting. - John Silovsky, public land regional supervisor presented this report to the Commission (Exhibit KK). This permanent regulation establishes restrictions on the use of bait while hunting on department lands. The proposed amendments would better define baiting, particularly allowing manipulation of crops on KDWPT property for dove hunting. Manipulation of crops, ok for dove hunters, not normal practice, but put waterfowl hunter in violation – need to clarify. Commissioner Doll – Everything underlined is new language? Silovsky – Yes, crossed out is stricken. The rest is clarification.

Commissioner Randy Doll moved to approve KAR 115-8-23 before the Commission. Commissioner Robert Wilson seconded.

Bob Price – Referring to baiting on public lands? Silovsky – Can do on your own property. Price – What about feedlot, that is agricultural? Silovsky – For dove hunting feed is left in the field; feedlot brings grain in so I wouldn’t recommend it. Jones – This concerns our lands only, not private lands. Sunflowers and crops are allowed for doves, but not waterfowl. Chairman Lauber – His question is not answered by this. Silovsky – Can do what we do on his private ground,

different on feedlot.

The roll call vote on KAR 115-8-23 as recommended was as follows (Exhibit LL):

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

The motion as presented KAR 115-8-23 passed 7-0.

21. KAR 115-25-9a. Deer; open season, bag limit, and permits; additional considerations; Fort Riley; crossbow survey number. - Lloyd Fox, big game biologist, presented this report to the Commission (Exhibit MM). This exempt regulation establishes additional considerations for the 2013-2014 firearm, muzzleloader and archery deer seasons. The main items in the regulation set the deer seasons on Fort Riley only in order to better accommodate the changing training mission at Fort Riley (15 days and 4 days for youth and people with disabilities 4 days and a different 12 days than regular firearm season). The regulation would also require all persons hunting for big game and wild turkeys with a crossbow to obtain a free crossbow permit prior to hunting in order to obtain survey data for harvest.

Commissioner Roger Marshall moved to approve KAR 115-25-9a before the Commission. Commissioner Robert Wilson seconded.

Pearce – Go over crossbow again. Fox – Each person who hunts deer or turkey needs to obtain free crossbow permit, a number to make sure we are monitoring what happens with crossbows. Similar program last year, but didn't pertain to each person. Pearce – Just for this season? Fox – At this time. Pearce - What would be penalty if they don't get number? Fox – Would be violation of this regulation. Could be issued notice to appear and be up to courts. Pearce – Are crossbows legal during pronghorn season? Fox – Yes. Unknown person – Crossbows legal all the time? Fox – This year you can, last year under 16 and over 55 could use. Can use crossbow during archery season, could do it before in firearms season. Pearce – What will be education to the public on this? Fox – Will be in regulation brochure, changes take time.

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

Commissioner Bolton	Yes
Commissioner Budd	Yes
Commissioner Dill	Yes
Commissioner Doll	Yes
Commissioner Marshall	Yes
Commissioner Wilson	Yes
Commissioner Lauber	Yes

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

22. Early Migratory Bird Seasons – Tom Bidrowski, waterfowl biologist, presented this report to the Commission (Exhibit OO). Season Dates: Low Plains Zones (east of Hwy 283) 16-day season running September 7 through September 22, 2013; High Plains Zone (west of Hwy 283) 9-day season running September 14 through September 22, 2013. Bag limit of 6 daily, 18 in possession (any combination of teal) and shooting hours of one-half hour before sunrise to sunset. Chairman Lauber – On second page in briefing book? Bidrowski - Changes are on second page. **Consensus.**

XII. Old Business

None

XIII. Other Business

A. Future Meeting Locations and Dates

August 1, 2013 – Yates Center (Woodson County Community Center)

October 17, 2013 – Hutchinson (KS Cosmosphere; tour 9:00 am - Underground Salt Mines)

January 9, 2014 – Winfield (Southwestern College)

Adrian Price – Debra Bolton’s last meeting. Chairman Lauber - Appreciate her participation in this commission.

XIV. ADJOURNMENT

The meeting adjourned at 8:46 p.m.

(Exhibits and/or Transcript available upon request)