

**Kansas Department of Wildlife, Parks and Tourism  
Commission Meeting Minutes  
Thursday, August 21, 2014  
Kansas Wetlands Education Center  
592 NE K156 Hwy, Great Bend, KS**

**Approved** Subject to  
**10/16/14** Commission  
Approval

**I. CALL TO ORDER AT 1:00 p.m. CDT**

The August 21, 2014 meeting of the Kansas Wildlife, Parks and Tourism Commission was called to order by Chairman Gerald Lauber at 1:00 p.m. at the Kansas Wetland Education Center, Great Bend. Chairman Lauber and Commissioners Don Budd, Randy Doll, Gary Hayzlett, Roger Marshall and Aaron Rider were present.

**II. INTRODUCTION OF COMMISSIONERS, STAFF AND GUESTS**

Chairman Lauber welcomed new Commissioner, Aaron Rider from Columbus, to the meeting. Asked people to sign the roster before speaking.

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

Cris Collier, Great Bend CVB – Welcome to Great Bend. Work hard to partner with you, have national scenic byway, with wetlands as an anchor, brought a few brochures: “Night Skies” and “Photo Contest” (Exhibit B); had excellent shots of the wetlands submitted for the contest. Commissioner Marshall – Tell us more about the byway? Collier – It is 77 miles long, one of 11 byways in the state, one of two scenic byways and one of 150 in the country. Wraps around Quivira, includes seven communities and is a great partnership with communities, state, and federal. Designated in 2004, and in 2005 designated National Byway, the leading one in the state right now. Commissioner Marshall – Know how many visitors go through it? Collier – No, can look at visitation here at the Wetlands and get a rough idea. It is easy to tell when hunters are around, but hard to tell with hikers and bikers are and to track that visitation. This is what we want, non-consumptive users who like history and culture of the area and will roam through the communities; and they don’t leave a heavy footprint.

**III. ADDITIONS AND DELETIONS TO AGENDA ITEMS**

*None*

**IV. APPROVAL OF THE June 19, 2014 MEETING MINUTES**

Commissioner Marshall moved to approve the minutes as presented, Commissioner Hayzlett second. Approved. (Minutes – Exhibit C).

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

Tom Walsh, Wilson Lake – Looking at data, walleye population of lake is going down and no input to repopulate it. Wondering why? Other lakes have had several hundreds of thousands stocked? Nygren – Wilson has been one of the lakes that had good natural reproduction, but fish grow slower. I can consult with Scott Waters, the fisheries biologist; the lake is down about six feet and we may need to rethink our strategy. The low level is not why it is not being stocked. Walsh – We want to catch our limit, not over a year’s time. Nygren – We will discuss it and I will report back to the Commission. What do you want change in, regulation or stocking? Walsh – want more stocking, like regulations, in fact would change from 15 inches to 18 inches. Nygren – Will get back with you. Chairman Lauber – Like to have natural recruitment and like to keep that whenever we can, but understand your issue. Walsh – Appreciate you doing anything you can. Commissioner Marshall – Why do they grow slow? Nygren – It is a clear lake with low nutrients, there are a lot of fish there and a white perch issue. Blaine Parker, Wilson Lake – There are not many walleye over 15 inches. Are running out of white perch, could catch 20-100 at a time, neighbor caught only eight in six hours a few days ago. Because invasive species, sure you are not going to stock those, but like to have something to catch. Would appreciate whatever you can do. It is a clean, pretty, lake.

## **VI. DEPARTMENT REPORT**

### **A. Secretary’s Remarks**

1. Agency and State Fiscal Status – Robin Jennison, Secretary, presented this update to the Commission. Giving tourism recap first (Exhibit D); thank Cris for all of her efforts over the last four years; when we brought Tourism onboard there was a natural nexus, now efforts we were making are paying off. Emphasis on accomplishments; without any additional money, we are forty-seventh in nation on amount of money to promote Kansas. Lots of people want to see Tourism managed better. We have done some TV ads and Wichita, Hutchinson, Kansas City and Salina have allowed us to put other things on their ads. This year we advertized within the state to our own residents; people want to see we are doing something, because they see ads for Oklahoma and Missouri, naturally because they want our people to come there. Basis for tourism is development in outdoors; byways are very important to our strategy. Have videos for each byway, with quality production and will use that in a number of ways. Out of eco-tourism committee, Ted Cable had grad student stop in Flint Hills at convenience store to ask what there was to do in the area and was told, nothing; so we created “At Your Service”, a training video for CVBs and businesses (our staff has taken the training). Holding Fall Kansas Media event to kick off hunting season and economic impact for Kansas at Horse Thief Reservoir in October. On fiscal status (Exhibit E) - Revenues for the state have gotten a lot of attention. In previous years we have been asked to roll our budgets back, but not anticipating that this year, in fact anticipating small growth. Progress made in four years in park fee fund (PFF), state budget general tax fund was reduced; but changed over to economic development (EDIF - lottery) monies, used for parks and tourism. Given state budgets, there was more need to get EDIF monies and we had a cut there too. Have increased our PFF; in FY 2011 had \$857,000 at the end of the year; but \$3.1 million at the beginning of this fiscal year. This should have been one of the

worst times with drought and blue green algae outbreaks and to still have these types of balances that is in thanks to Linda Lanterman and her staff; they are going without equipment and are short staffed. We would like to start rebuilding our employee base now. Changes and benefits to the cabin program; would be nonexistent if not for Wildscape, we had \$1.7 million borrowed against cabins and was receiving 10 percent of the income, four years ago increased to 25 percent; making it hard to cash flow the cabin program and was using PFF monies. Talked to the Governor about paying off the cabins and now we get 90 percent of those monies. At the end of FY 2012 we had \$137,000, and last year it was almost \$800,000; in fact the first month was \$102,000, almost the same as the annual revenue before. New cabins coming at Hillsdale, modeling after Clinton and Perry, which are the highest-use areas. Working on 10-cabin deal at Hillsdale; hope to build with cash and expect \$120,000 revenue a year from those. Impact of drought has caused loss of hunting license sales, when you look at wildlife fee fund (WFF), but still in pretty good shape; because of federal funds, Pittman Robertson (PR) continues to go up because of sale of guns and ammo. Try to utilize those funds and get those obligated when the money comes in. The parks has not had the amount of money to operate for about 15 years, so trying to do some things and increase that budget a little bit; reliance on state revenues will be about the same. Chairman Lauber – Sold \$21 million in license in FY2014? Jennison – Cindy, what are other things in wildlife fee fund? Cindy Livingston – Money in wildlife fee fund is oil and gas income, easements, sale of surplus properties, housing rent for few houses we rent on our properties as well as license sales. Chairman Lauber – Not too significant, so license sales is at least 90 percent of income, then an additional \$18 million from PR funds? Jennison – That has to be in a grant, 25 percent we pay, and feds pay 75 percent. Chairman Lauber – In initial stages of gun and ammo hoarding, which seems like bigger jump. Jennison – We run about a year behind on sales and have to have a grant that qualifies for that. We may have more money as we have two years to obligate those funds. Chairman Lauber – WFF history is fairly stable, but big increase in federal aid is excise dollars? Jennison – Yes, has guys responding on those projections. Commissioner Budd – Have questions of Linda. What did you attribute big dollar increases to? Lanterman – It is strategic, got rid of second vehicle permits and did not see drop in permits; park passes through DMV; cabin programs with new users who had to buy vehicle permits to come in park; and cut back on staffing. We implemented some changes so we wouldn't have to go through not having enough money to make salaries. Capturing stay-cation people; doing movies and events in state parks. It is multiple things we have done. Commissioner Budd – Do you think paying off cabins contributed? Lanterman – Different funds. Jennison – Last year CFF paid electric bill. Lanterman – Yes, about \$799,000 to pay utilities, which we didn't in the past. Held camping fees low, but increased utility fees. A fine line in industry of camping and recreation and need to make it affordable. Blue-green algae has been a real problem. Commissioner Budd – I think all of you need to be congratulated. Jennison – Couldn't have done it without the people out in the parks. What did you get last year in EDIF? Lanterman – About \$2 million less. Not without challenges, but sleep better when money in the bank.

## **B. General Discussion**

1. Update on Pheasant Tour – Robin Jennison, Secretary, presented this update to the Commission. Last winter in western Kansas, concern in lack of deer in southwest Kansas and last year with pheasants and became clear we needed to go out and talk to the people. We had

hoped to have a number of legislators, but only had one legislator present, had participation from Pheasants Forever, and Commissioner Rider came on the tour. Saw good cover crop, pollinators and held public meetings. Heard from biologists and CVB people who attended the last part. It was a great meeting and plan to continue to do that in some form. Great opportunity for agency to interact with each other (all over the state) and with the public. Did see some pheasants, heard innovative things; expect some good and some bad areas of hunting. Interesting to see people working together. June is month where those birds need cover and insects to eat; productive meeting and will try to continue. Chairman Lauber – What is pollinator, bugs or bees or something? Jennison – Yes. Chairman Lauber – Good for department and understanding the public opinion; drought definitely is an issue.

2. Wildscape Presentation – Charlie Black, Executive Director, Wildscape, presented this report to the Commission (Exhibit F). Thank Secretary Jennison for offering this opportunity. Also, would like to possibly recruit one of you to our board. Established in 1991, as a nonprofit 501(c)(3); and we have a board of directors that are not paid. Maintain staff of three, Debbie Brandt, Director of Administration, Lynn Gentine is Director of Development and myself. Broad array of various outdoor interests. Helping at Mined Land area, where Wildscape helped secure matching funds to add handicap access. Today working on river access on Arkansas River by Belle Plaine and working on three more locations; long stretch of river with no public access, trying to have enough areas to float to in a day and be able to get on and off the river. We will take friends groups, with like interests, under our 501 (c)(3) umbrella to help them out. Our flagship was the cabin program, created opportunities to go to state parks and not have to pitch a tent; and a source of revenue to Wildlife and Parks, raised \$500,000 in private funding and have \$230,000 for that program for additional cabins (from private donors) and will be using that money at Hillsdale. Very involved in recruitment efforts, with OK Kids and Wildlifer Challenge programs. Many OK kids programs are on state parks and there are 20 challenges on the program. Hope to get people outdoors where it begins to become a lifestyle for them. Can use smart phones to perform challenges and have the people take pictures of themselves doing something with wildlife and upload the photo; working on manual, at the request of teachers who are using this for curriculum. Wildscape continues to look for opportunities and will work closely with Wildlife and Parks, a smart partnership. The sitting secretary has always sat on our board and in the past a commissioner too; so am interested in having one of you to become involved. Could help us steer the organization and lead to more opportunities. Jennison – What prompted this, was looking at bylaws and it said a member of Wildlife and Parks, which was meant to read a member of Wildlife and Parks Commission, would be great if one of you would want to be on there; if not we can remove it from Wildscape bylaws. Also, plan to have Charlie come and report on a regular basis. Also, helped on wetland at Milford. Just contemplate your interest; we view this as important. Chairman Lauber – How many meetings a year? Black – Three, one March, June and October and two fund raising events, Governor’s event and shooting event at Pittsburg. Chairman Lauber – You do a good job.

3. Update on Electronic Daily Hunt Permit for Public Lands – Brad Simpson, public lands section chief, presented this program to the Commission (Exhibit G). We have been using paper system for 25 years on select wildlife areas and are looking at implementing electronic system, focusing on automated access. John Silovsky was driver behind this system; which has been used at Fort Riley for 4-5 years. As part of his sales pitch, can’t manage what you don’t use.

Have kiosks in parking lots and a person would fill out paper and drop top part in the box and when done hunting, fill out bottom part and drop it in the box. Will show what kind of game hunted and how much used. Electronic permit will give more timely harvest information, takes 2-3 months after season right now; will provide cost savings through manpower, printing and data entry; special hunt management in the future; better marketing public land opportunities; safety/emergency situations (for example, road closure or flooding) once signed up it will tell them when they check into the system. Will know who is on the area if something happens. We also believe it will be more convenient for users; and will give opportunity for timely information (like whooping cranes on pool two – and that pool is closed, etc.). Goals: no barriers/burden, user friendly, timely information, quality product; use of smart phone and internet. Looking for two years now and seeing what everyone else has been using, going with iSportsman, the first state agency to use this. In April 2014, signed contract and hope to implement on September 1; trying to get word out via news releases, hunting regulations, signs on Kiosks, post card notices, windshield cards, and social media. Not using on all areas at once, add the rest of the areas next year. Plan to run dual system this year, paper and electronic, until March 2015.

Mike Nyhoff, public lands supervisor at Hays - I picked up this program when John Silovsky retired. Commissioner Budd – Terminals onsite? Nyhoff – Yes, some, the cost \$30,000 each. Have some programs for dumb phones too. We have an automated voice, will ask for user ID and pin number, have 14 properties going online right now. Will ask activity (hunting waterfowl), at end of the day check out. Link <https://kdwpt.isportsman.net> hope to have maps online soon. Upon registration it gives them an account number, but this must be done online; once in the system they can do it by phone. Has to be web-based or smart phone or by phone before and after hunt. We believe sportsman will prefer this and will give us better information. Commissioner Doll – When you go to Cheyenne Bottoms you fill out paper; any way to see if someone has gone out or not? Nyhoff – Through backdoor can check who is on an area and what vehicle they are driving. When they first register will be given paper certificate with number. Commissioner Rider – Everyone will have to be registered by September 1? Nyhoff – Both systems will be there until March 15. Commissioner Rider – Register one time only? Nyhoff – If they register today it will be good until 2030. Check in each time, if you don't check out, can't check in the next day until finished with check out. We will send them reminders until they check out. Unknown audience – As a user will I be able to see my history? Nyhoff – Not sure at this point. Unknown audience – Would be nice, like a journal. Marc Murrell – Even kids register? Nyhoff – Yes, can certify that they don't have a KDWP number and still fill it out. Unknown audience – Can we check in ahead? Nyhoff – Evening before the hunt. Commissioner Rider – Think this will be beneficial, will take care of backup in lines at kiosks. Nyhoff – Almost everyone has a cell phone now. Talked to individual today, who said they will help each other out. Commissioner Rider – What will happen with hunter if system is down? Nyhoff – That can happen, not going to do anything to them; that can happen, but number of times is very small. Cell phone service may be a problem, but hopefully you will check in before you get to the property. Simpson – We are not flipping the switch on until all of the bugs are worked out. Mike has been working with iSportsman people all week on the demo.

*Break*

### **C. Workshop Session**

1. 2015 Turkey Regulations - Jim Pitman, wildlife biologist, presented this report to the Commission (Exhibit H). This is 115-25-5 and -6, the fall and spring turkey season. There are six management units across the state. Sold almost 72,000 spring permits this past spring and 15,000 permits last fall. Hunt success was 55 percent, with 75 percent adult gobblers and we use that data to help set seasons. Had 55 percent success across the board this last year, the highest in the nation. Looking at success rates, look at different regulation packages, based on hunt success and percentage of jakes in harvest. Did not reach any triggers so we are not recommending any changes. We did make changes for this fall, already approved at previous meeting, to reduce bag from four to one in Units 3, 5 and 6, (NE, SE and southcentral Kansas). Also, voted to change youth season dates which will take effect next year; regular season will be one week later. Chairman Lauber – When will we vote on 2016 spring season? Pitman – Try to do ahead of schedule, probably be at the next meeting. Chairman Lauber – I have had constituents who have contacted me about shortened season to accommodate bowhunters. I thought more people were aware of it. We postponed change to benefit Governor’s Hunt, but may be huge dissatisfaction from those who feel shorted and expecting some retaliation on that. Not in support of change we made, but made for a sound reason. Surprised when people realized that most have lost a week during the prime week. Pitman – Haven’t heard a lot, but have heard some and I explained it to them, and further explained that three out of seven years the season will be the same as in the past; still a week to ten days earlier than most openings in the Midwest. Go back and look at youth participation, which was the goal and why this was done; removing the competition. Commissioner Budd – Modeled after Nebraska? Pitman – That is where we set up the archery. Commissioner Budd – Would you vote differently if this was up for vote today? Chairman Lauber – Yes, I would.

2. Park Regulations – Linda Lanterman, Parks Division director, presented this update to the Commission (Exhibit I). This will be 115-2-3, in anticipation of the completion of Sand Hills State Park. We will have soft opening before the state fair starts. We have only 64 campground sites and we are looking at the higher rate, which would be the same as El Dorado, Milford, and Tuttle Creek State Parks; would need annual camping permit, plus \$332 for one utility, \$392 for two, and \$432 for three. We will vote on this in October.

3. Fishing Regulations – Doug Nygren, Fisheries Section chief, presented this report to the Commission (Exhibit J). First workshop on proposed changes for next calendar year. At Glen Elder and Lovewell, add 35-inch minimum length limit on blue catfish, it takes eight years to reach sexual maturity so after natural reproduction will be more liberal. Coffey County Lake, managers of Wolf Creek want to change to five-day creel limit on blue catfish. These changes are on the reference document. Commissioner Budd – How do you notify the anglers? Nygren – Newsletters that all of the biologists have and in the fishing regulations. Also, post at the lake. Chairman Lauber – Why would Coffey County want to increase the harvest? Nygren – Have had explosion of fish. There concern is there are so many that they are not going to grow well. Changes to 115-25-14 to include a new trout stocking location: Father Padilla Pond at Herington will be added to the list of Type 2 waters, which means you need the permit if fishing for trout. Revoke 115-18-21 that requires floatline fishing permit, a no cost permit that was added to six trial locations so we could survey permittees to determine what impact they might be having on the resource; we had expanded to twelve lakes and no longer see a need to survey the floatline

users so would like to remove the requirement to possess a permit. There are still certain waters you can use floatlines on, but no permit will be required. Have been asked to change cast net, from 3/8- to 1/2-inch mesh; still have to release sport fish. We have been asked to use KDWPT ID number to mark gear instead of name and address, too late to vote this time, but can pursue and have a hearing in January. Chairman Lauber – I think we should pursue it.

4. Five-year Review of the Kansas Threatened and Endangered Species Lists – Ed Miller, wildlife biologist, presented this report to the Commission (Exhibit K). This is the fourth time this has been in workshop; been working on this since October 2013, will vote in October. Our agency has the authority to list species through the Nongame and Species Conservation Act of 1975. This year the agency and the T&E Task committee (Bill Busby, Kansas Biological Survey; Mark Eberle, Fort Hays State University; Elmer Finck, Fort Hays State University (who is here today); David Haukos, Kansas State University; Jason Goeckler, KDWPT; and Dan Mulhern, USFWS) have the following recommendations: two species are being recommended for removal from the threatened and added to SINC list (they probably do not have a viable population in Kansas although there has been one record of each within the last 35 years), the SINC list would allow them to still be on the radar and sightings would be recorded and would still rank higher for survey or research funding; the chestnut lamprey and silverband shiner. Three species are being shifted from threatened to SINC list, survey data shows that they have crossed the threshold to this list; the spring peeper (a small woodland frog), the longnose snake and the smooth earth snake. One species was being recommended to retain its current status as threatened, but the Secretary is asking for SINC status; the redbelly snake, recent research show it is more of a habitat and diet specialist than previously thought. It requires old growth hickory forest with proper moisture gradient to maintain its staple food supply of slugs and snails. The northern long-eared bat was petitioned to be removed from threatened status, but the committee recommended it for SINC list, primarily because there is too little known about this bat and the possible disease status (a fungus known as white-nosed syndrome), nor do we know where this bat hibernates, habitat used by maternity colonies or how restricted or widespread it is in Kansas. (listed all ten species). Commissioner Budd – Tell me the difference between threatened and SINC? Miller – Have authority on threatened to protect from take, no authority on SINC. Chairman Lauber – Article on redbelly snake, opinion stated they thought there were more snakes than we think. Miller – Travis Taggart did a “found on road” survey, not good information for trend data. We have funded research through Kansas Biological Survey, which we based our information on. It is presence/absence data, mark point on GPS, not scientific. Chairman Lauber – I support the Secretary’s recommendation. My analysis is the redbelly snake falls from threatened in Kansas, not that way in a lot of its other native habitat. As drought conditions lessen, it may correct itself. It is short in number in Kansas, but not in the Midwest and the trend has been bad and you believe it is drought related? Miller – That is part of it. Chairman Lauber – In a state with economic activity, don’t want to fight this issue. Joni Godsy, Shawnee, Kansas – On front lines of this, in economic area you are speaking of. When I came to Kansas, I couldn’t believe how beautiful it is, like the forested areas in east and the Flint Hills. Nine years ago we bought five acres in Shawnee that is heavily wooded. Photos are all taken on our property (showed slide show). People love the commerce Johnson County brings in. You are the custodians of green space for the state. This area is devouring the green space, dead area in the middle and keeps getting wider and wider (like donut). Have owls, deer, snakes (smooth earth snake); our woods are going to be torn up for sewer system, developers are

a small group of people in this area; this snake is eating into their profits. Also, have hawks, canopy/song birds, deer, generations of birds, small mammals, turkeys, predators and they all have their place. I am not anti-hunting, but am anti-poaching. In 2012, put baby pool out for water for the animals, ponds in area will be taken out. Kansas wildlife are on products being sold internally, several of my artwork is on puzzles and bedding, etc. People on social media have fallen in love with the animals in Shawnee, one of my biggest followers is a man in Bangladesh; that area is about to be destroyed. I am working on a book, about our bucks "The Boys of Bell Road," with artwork and stories. Picture your home and then picture an Applebee's right beside it - that is what we are facing. The houses are sprawled apart in our area and heavily wooded. The point of all this is, the smooth earth snake has a petition to delist, the state of Kansas is a big place, small part of entire state; two developers tired of paying for this snake, going through politicians to get these snakes delisted. Who is driving your bus, you are the stewards and if you aren't driving the bus then maybe we don't need you guys. If you did a poll, the vast majority would not be for this delisting. Commissioner Marshall - We are not in charge of the zoning in your area. Godsy - Zoning has not been changed yet, trying to delist snake and force sewer in. Commissioner Marshall - If we leave it where it is? Godsy - It forces them into mitigation. It bothers me that this is not based on science, it is based on politics. Commissioner Marshall - Are there other areas that had to mitigate? Godsy - Yes, west of there.

Troy Schroeder, Kansas Wildlife Federation - Recommend that you stay with recommendation the scientists came up with, to keep redbelly snake as threatened. Lose sight of species, overloaded aquifers, etc.; all in the idea of economic development. Need to think about this, 100 year anniversary of passenger pigeon, last one died and became extinct a 100 years ago.

Commissioner Budd - What is going to be staff/department recommendation? Tymeson - In the briefing book. Commissioner Marshall - Will we vote for one species at a time, or all together? Tymeson - As one document. Chairman Lauber - Smooth earth snake is going to be delisted to SINC, but the redbelly snake is the issue. Where I live this is happening, too. On lesser prairie chicken feel we could have handled that issue ourselves; there are a lot of issues with being federally listed. The agency deals with issues where people are not happy with something that is a lawful act, like leasing land. Commissioner Marshall - Mr. Secretary, can you talk to us today? Jennison - We take this as a serious issue, we are stewards of green space. To take off smooth earth snake off was a scientific decision. The redbelly snake was not. We are not saying it is not an issue, but don't want to go into this with a hammer, because of lesser prairie chicken. We are driving the bus, but don't want to drive it off the cliff. Last year a bill was introduced to get rid of Nongame Threatened and Endangered Act. I think the USFWS did overstep on lesser prairie chickens; we can't keep using the hammer, have to protect the natural resources in this country; but do it in such a manner not to hurt economy and social structure. Wanted to talk about strategy of why we should move to SINC, Travis Taggart is noted herpetologist, on whether redbelly snake is rare or reclusive; so that needs to enter into this decision. We are on the edge of the redbelly snake range. We are trying to conserve for Kansas and Kansans, not giving up our responsibility to conserve the natural resources, but have a necessary strategy to keep that authority for a long time to come.

Felix Revello, Kansas Chapter of the Sierra Club - Appreciate what KDWPT is doing, facing adverse political environment; offer our thoughts and help on whatever we can do (Exhibit L). Some people are asking why we should go to extreme to protect two species that are shy, hard to find and less than a foot long; because they are valuable component in eco-system, which makes it less viable for supporting life, even human life. We recognize they are component of moist

oak/hickory forest; downlisting of either species is not scientific-based. Is department trying to get ahead of vocal politicians, we believe so. Delisting the redbelly, in spite of T&E task force recommendations, is this case on socio-economic basis. Moist oak/hickory forests are under long-term threat from population growth; quoted percentages of loss in the eastern counties. In smooth earth snake petition it states “an increase in forestland habitat in eastern Kansas.” Is there more and is it the right kind of forest? Mitigation requirements, SINC species will not compete with threatened species for funds. Do not delist until more is known about them. We don’t have the right to decide for future generations which species they will inherit. Commissioner Doll – The committee recommends, retaining threatened status for redbelly, but recommendation is to change to SINC status, correct? Miller – The Secretary moved that recommendation on the redbelly. Commissioner Marshall – What is population on snakes nationwide? Revello – Other populations east of us. Requirement of Kansas Endangered Species Act, we must protect it to protect natural heritage of Kansas. Have not studied dynamics outside our state. (Handout – Exhibit L).

Elmer Finck, professor Fort Hays State University, also member of T&E Task Committee – Comments not as part of the Task Committee; Travis did not share any data with us, other than finding six snakes on the road; I can take you out now and find ten lesser prairie chicken, not a good indication of population. Commissioner Marshall – What is population? Miller – Observation data done by Kansas Biological Survey. Commissioner Marshall – Trying to get a handle on how many? Miller – Difficult and costly to come up with those numbers, would only be documentations of sightings. Commissioner Marshall – How do you get to the fact they are endangered? Finck – Only whooping cranes and condors have numbers. Commissioner Marshall – How are you estimating populations? Finck – Survey areas. Commissioner Doll – What is estimated population? Finck – There is none, no density study. Flipping rocks or putting out structures to see how many we trap. Jennison – What was baseline data when snake was listed? Miller – It was 1986 and input came from Joe Collins, based on his survey work and comparing herps, according to his recommendation. Finck – Gathered biologists across the state to develop a list and looked at our particular group and made estimates, some we didn’t know much about so put on SINC list, others we knew were rare we listed. We now have data sets that give us feel for the species. Commissioner Marshall – Trend for last 10 years? Finck – Don’t have that data. Commissioner Budd – Why don’t we? Miller – Costly to do that. Commissioner Budd – Would you support funding that data (Sierra Club and Kansas Wildlife Federation)? See what interest is, to have starting point, no reference point. Need a scientific number. This question is going to continue to come up, no different than whooping crane or prairie chicken; we don’t have anything to wrap our arms around. If we want to be true stewards, have to put some skin in the game. We can’t change the information we have today. Finck – I have been on that committee and base on as good of science we have at the time. Chairman Lauber – Like Sierra Club to devote budget to research. Best attempt at accurate science, good minds have come up with what is good for the species; be mindful of practical constraints. Like to see scientific report like Don is talking about. There have been battles about development for a long time; especially as green space diminishes. There is also the economic factor; jobs and tax receipts, etc. I think Secretary Jennison has made a recommendation that the department do this. Vote in October. Finck – We look at the data we can get and send out to professionals, can’t consider anything but the biology. Commissioner Budd – The one thing I want to caution everybody about is the dynamics of the department, the state that are big factors of what we have to consider; when I hear scientific data and we ask where starting point and where we are today and we don’t have it, it is disappointing.

Finck – For some groups and species it goes back to 1965 and that can be done; but reptiles it is just beginning. Commissioner Budd – We understand we can't go back. Finck – We would like starting point, too.

Alan Godsy, Shawnee – Heard you speak about budgets and working within budget constraints; what about developers paying for it, get your studies and data. I object that taxpayers and you have to come up with the funds. Commissioner Budd – Asking someone to prove a negative.

Godsy – It is already endangered. Commissioner Budd – Need better data. Godsy – We are providing push back to these developers. Chairman Lauber – I don't know who the developers are, but I probably wouldn't want to go fishing with them; but it may be there lawful right to do some of these things. Work with zoning commission, can't force them to pay for research. I don't think our agency has that ability.

Commissioner Doll – Chris, gentleman from Sierra Club mentioned statute? Tymeson – Statute, Nongame Species Act, in 1973, some changes in 1990s. Commissioner Doll – Are we violating rule or statute and putting us in danger of lawsuit?

Chairman Lauber – Never taken litigation seriously. Jennison – I went through the statutes at last meeting, in 1990s is when they added social and economic standards; instructed to have an advisory committee of local people when we do a recovery plan.

Commissioner Marshall – Ask department to look into sailboards, registration sticker won't stick. Tymeson – Under Kansas statute, registered if on public waters, exemption in regulations, no requirement for KA number but on sailboard, which would reduce funding base. We could make recommendation to carry registration form on them, rather than on the sailboard, which is a possible solution. If law enforcement is satisfied with that solution I could prepare regulatory change.

Commissioner Rider – For all watercraft? Tymeson – For sailboards. Commissioner Rider – Jon boats, for instance in winter the numbers flake off. Tymeson – If carry registration in the boat you should be okay. Kevin Jones – Have KA number on hull and carry registration with you. That is why certificate of numbers is required to be carried onboard.

Commissioner Budd – What about an Argo? Jones – We abide by U.S. Coast Guard law, when on the water it is boat. Tymeson – Need to analyze that based on statute.

Chairman Lauber – New book out on Kansas fishes, includes maps and photos and is best reference book for fishes.

**VII. RECESS AT 4:45 p.m.**

**VIII. RECONVENE AT 6:30 p.m.**

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

**XI. DEPARTMENT REPORT**

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

*None*

**XI. DEPARTMENT REPORT**

## D. Public Hearing

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

1. KAR 115-4-4. Big game; legal equipment and taking methods - Lloyd Fox, big game research biologist, presented this report to the Commission (Exhibit N). Change is underlined, on page three, regarding the use of dogs to retrieve wounded or dead animals. Our recommendations are: dogs would be remain on a hand-held leash at all times while tracking is being done; restricted to dispatch wounded animal with legal equipment during that season; and each person assisting would be required to have a hunting license. We are eliminating the requirement to contact the agency and the restriction of tracking during shooting hours. Unknown audience - Tracking dog out of another state, may allow tracking after shooting hours, however no weapon may be possessed by participants; need nonresident license? Fox – Yes. Unknown audience - How long is leash? Fox – Haven’t specified. Tymeson – We had discussion on leash length, we went with hand held, because too long of leash would get caught up.

**Commissioner Hayzlett moved to approve KAR 115-4-4 before the Commission.  
Commissioner Budd second.**

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

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 115-4-4 passed 6-0.**

2. Late Migratory Bird Seasons - Tom Bidrowski, migratory game bird program manager, presented this update to the Commission (Exhibit P, PowerPoint – Exhibit Q, Hunter Survey – Exhibit R). Update on frameworks and season dates. Annual USFWS frameworks establish maximum bag and possession limits, season lengths, as well as earliest opening and latest closing dates. Kansas has been in liberal package since 1997. What considerations in developing regulations, our objective is to provide the greatest opportunity for Kansas waterfowl hunters within the biological capacity of the species using: history of populations and migrations, timing of harvest and human dimensions.

High Plains unit initiated in 1972 and covers the area west of Highway 283. There are a variety of hunting preferences for early migrants on prairie potholes and late migrants on lakes and rivers. Waterfowl are counted twice a month at 38 locations from September 1 to March 31. Depending on year, see additional peaks in January. Chronology of duck harvest, with low numbers of hunters, data is limited. Six season dates were presented on hunter survey. Used negative/plus scale to rate responses. Traditionally opens October 1 and runs through January 1 and reopened the end of January. In waterfowl survey we offered six options for each season.

With a 9-day teal season and youth season to stay within 107-day season we are allowed 96 days. Staff recommends federal frameworks for bag and possession limits and shooting hours; Option E season for the High Plains unit (Saturday, October 11- Monday, December 8 and Saturday, December 20-Sunday, January 25). This has a starting date a week later than the last two years, but provides more dates later in the season. Commissioner Budd – Why does the High Plains get 97 days and Low Plains get 74 days, set by USFWS? Bidrowski – It is set by 100th meridian for each state in the Central Flyway. Commissioner Budd – Talk of increasing Low Plains at all? Bidrowski – Examining packages and one of the requests Kansas made is looking at a possible trade offs for more days. It has to be harvest neutral. Chairman Lauber – Should we vote on each one of these? Prefer to vote at end and entertain more speakers and vote separately. Finish presentation now.

Bidrowski - Irregular shapes of Units are to capture hunting areas. Starts early October and runs through end of December. Duck numbers build in October and start dropping off at Thanksgiving. Commissioner Marshall – What is reason for second peak in January? Bidrowski – Pintails are coming back at this time. Commissioner Marshall – Where are we surveying in this area? Bidrowski – Mostly Cheyenne Bottoms and McPherson Wetlands. This is based off of waterfowl counts by area managers. Chronology of mallards of 40 percent to 60 percent of harvest. Mallards are dominant after Thanksgiving. Alternative D was most popular, followed by E. Staff is recommending Option E (Sat Oct 11 – Sun Dec 7 & Sat Dec 20 – Sun Jan 4). One week later than last two years, but close to historic date. Captures early migrants and allows hunting over the holidays.

The Low Plains Late Zone was separated from early zone in 1997, builds in October and again in December. Patterns in harvest: high in early season and again in January season. Maintaining pattern, no preference is most popular. Survey preferred Option D, followed by F and E. Staff recommends Option F (Sat Nov 1 – Sun Jan 4 & Sat Jan 17 – Sun Jan 25). Unknown audience - Why do you include Quivira in late zone? Bidrowski – At request of Quivira staff.

Commissioner Marshall – Zone boundaries are set by USFWS so there is nothing we can do? Bidrowski – We have two more years with these zones.

Later migrations in southeast zone, mostly mallards, increases in late October with peak around Thanksgiving. Neosho and Marais des Cygnes wildlife areas are driving forces in this zone. Marais des Cygnes has more early migrants. Early season dates are important to harvest of other species (not mallards). Staff recommends Option E (Sat Nov 8 – Sun Jan 4 & Sat Jan 10 – Jan 25). Only five week days in January that are closed and does have a conflict with opening day for upland game birds. Commissioner Budd – Consistent to this point, this survey shows choice of Option F, why would you go with Option E? Bidrowski – Don't treat season dates as public opinion poll and trying to provide for all hunters. Avoid Thursday opener and looking at other items into decision. Unknown audience – Do you hunt SE zone? Bidrowski – No, do help with check stations there.

Canada geese are 2-3 weeks later, show up in early November and have passed through by mid-March. Steep harvest at beginning and end of harvest. Opening day is traditionally the same as Low Plains opener. In 2013, bag limit increased to 8, Kansas set 6 per day. Staff recommends Option (Sat Nov 1 – Sun Nov 9 & Wed Nov 12 – Sun Feb 15).

White fronts show up late November to early February. Federal frameworks allows 74-day season with two bird limit or 88-day with one bird; chose 74-day. Staff recommends Option H (Sat Nov 1 – Sun Dec 14 & Sat Jan 17 – Sun Feb 15).

Recommendation is to adopt federal frameworks for the extended falconry season.

High Plains – Recommendation for Option A Bag, Option E Dates.

**Commissioner Roger Marshall moved to approve Option A for bag and Option E for bird season dates in High Plains zone before the Commission. Commissioner Gary Hayzlett second.**

**The roll call vote on late migratory seasons as recommended was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 late migratory seasons passed 6-0.**

Low Plains Early – Troy Schroeder – a week later than last year, why? Bidrowski – It is how the calendar falls out, fluctuation of calendar dates. Chairman Lauber – Duck season has become increasingly controversial and staff has tried to represent best interests of everybody who participates and is not always majority rules. Option E is staff recommendation. Commissioner Marshall – Who makes recommendation? Bidrowski – We have five regions, one from public lands, one district biologists, migratory gamebird biologist and DU; then reviewed by administration. Commissioner Doll – Indicated four variables? Bidrowski - Migration phenology, harvest (hunter and peak), human dimensions and social.

**Commissioner Roger Marshall moved to approve Option E for bird season dates in Low Plains early zone before the Commission. Commissioner Randy Doll second.**

**The roll call vote on late migratory seasons as recommended was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 late migratory seasons passed 6-0.**

Low Plains Late – Jeff Carmichael, Wichita – Consider not using November 1, Quivira will be shut down and will take away best place to hunt. Commissioner Marshall – Like to see two weeks earlier? Carmichael – One week earlier would be better. Commissioner Rider – When do whooping cranes come through? Bidrowski – November, sometimes as late as February. Commissioner Doll – When do birds show up at Quivira? Bidrowski – Week or two later than Cheyenne Bottoms. post Thanksgiving. Commissioner Budd – How many times did Quivira shut

down last year? Bidrowski – They shut the entire area down multiple times. Their hunt plan is different. Nationwide whooping cranes are protected, they close it. Carmichael – It is an area-by-area policy? Bidrowski – Correct, they lose well over 75 percent of season. Tymeson – Have we requested that Quivira be in Low Plains early? Bidrowski – In 2010, decided to stay in late at that time. Commissioner Budd – If we took away whooping crane issue would you have conflict with dates? Carmichael – No, but best place to hunt. It is world class. Wally Eldridge – Private club near Quivira, and I agree because we close. Unknown audience - In favor of Tom’s recommendation because of youth. Tim Keenan – Don’t like November 1, too late, historically been fourth Saturday in October which is too late; opening weekend is usually the best, October 25. Ryan Warden – Agree with recommendations, understand their dilemma, need to petition federal people about when the whooping cranes arrive. Influx of mallards and pintails late. Reno County has highest duck populations. Glad to see season dates moved back. Daryl Towsley – agree with staff recommendation, Quivira needs to taken up with feds. Come to Cheyenne Bottoms, mallards are primary duck, opening in late November would be great. Chairman Lauber – Move into early zone? Towsley – Majority of ducks will move to Cheyenne Bottoms, gone after that and would be late migratory birds. Warden – Field hunting all around it is good. Larry Fry – Moving Quivira into early zone would be a mistake for many of us. When we have split seasons, when Cheyenne Bottoms closed Quivira is still open, which is good, would take away one of our choices; selfish reason. Commissioner Budd – How many public waterfowl opportunities are in late zone? Bidrowski – Most of major reservoirs. Commissioner Marshall – In description, Quivira wants a late season, why? Bidrowski – Not sure, they believe popular to hunters; like to keep season around Halloween. Warden – What about rules for whooping cranes? Bidrowski – In their hunt plan, we provided comments; speak on behalf of their constituents. They will redo in 15 years, but can reopen CCP if the manager wishes. Warden – can you recommend that? Bidrowski – We do consider them a partner so we try to work closely with them. Commissioner Marshall – They hold town hall meetings. Hard to keep everyone happy, what is best for average hunter, the one who goes twice, drive in, get one or two weekends, like students able to hunt. Staff has bent over backwards to do what the people want. Commissioner Rider – If you look at scores, the only one in positive, fits what hunters are looking for.

**Commissioner Randy Doll moved to approve Option F for bird season dates in Low Plains late zone before the Commission. Commissioner Don Budd second.**

**The roll call vote on late migratory seasons as recommended was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 late migratory seasons passed 6-0.**

SE Zone – Daryl Towsley – Friends live in Kansas City and they hunt Marais des Cygnes,

should not be in SE zone; know we can't do anything for a few years, but should consider putting in Low Plains zone. That would also help with the issues in that zone. Chairman Lauber – That is what we want to do, boundaries were made too large. Commissioner Budd – The only one there was the Chairman, the rest of us were not on Commission then. Commissioner Doll – On methodology, when hunters come up with strong preference for later zone, aren't they dovetailing into harvest, you want to hunt when ducks are flying, aren't they voting for what they want? Bidrowski - Survey shows they are hunting early in season, but preference says they want late. Had one of latest seasons in nation two years ago. About 2,100 surveys (30 percent answered). Commissioner Budd – The three we voted on, graph says it is irrelevant to a point; least no-preference responses. When we started this survey, we put a lot of opinion in to survey. Bidrowski – Removed comments referring to last season. Through all surveys, chart shows the best way they want to harvest duck? Bidrowski – They are putting their preference, don't set by popular opinion polls. Commissioner Marshall – Statistically, overwhelming number of people want latest date and suppose you are doing for a reason, shutting out Marais des Cygnes hunters? Bidrowski – Yes, and Thursday opener shuts out a lot of hunters. Taking days in November when numbers are starting to build. Andy Fanter – Marais des Cygnes data quoted on temperatures. You are arguing about five days, that is not a bad recommendation. Late season mallard hunters want to hunt in January. Commissioner Budd – About temperatures? Fanter – It is about killing. Commissioner Rider – Looking at surveys from last year and this year; earlier in Option A, 50 percent don't want that, Option F, 46 percent. Bidrowski – Not percentages, but preference. Commissioner Rider – Can tweak that correct? Chairman Lauber – Staff recommendation? Commissioner Rider – Ninety-five want as late as possible, survey is voice of average “Joe.” I would go with your recommendation.

**Commissioner Don Budd moved to approve November 8 and 9, close season and reopen on November 15 and run through January 25 for bird season dates in the Southeast zone before the Commission. Commissioner Aaron Rider second.**

**The roll call vote on late migratory seasons as presented was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>No</b>
<b>Commissioner Marshall</b>	<b>Yes</b>
<b>Commissioner Wilson</b>	<b>Yes</b>
<b>Commissioner Lauber</b>	<b>No</b>

**The motion as presented late migratory seasons passed 4-2.**

Light and Canada goose season – Tim Keenan – A week too late, but makes no sense to separate the two geese. Commissioner Marshall – Would prefer week later in season, but agree with staff recommendation. Wally Eldridge - Old enough to remember point system, don't agree with six geese, think four is enough. For most part, the problem geese are resident geese. Tymeson – Tom, on survey data, showed slightly higher percentage wanted eight instead of six, why did we go with six? Bidrowski – Smaller preference for an even smaller bag limit, from six to eight, smaller impact on harvest. Can stand some more harvest; sociological reason, lower bag limits

are easier to obtain; biologically about the same. Tymeson – In reference to early goose season, would take away from the end. Larry Fry, Great Bend – Think four geese is plenty, but no one forces anyone to shoot the full limit. Ryan Warden – Not sure what limits are in Nebraska. Bidrowski – Nebraska and Oklahoma have five, some other states have taken eight. Warden - Aware goose if federally regulated; in South Dakota they are not. Bidrowski – They work under conservation order. Going to eight will impact those birds.

**Commissioner Roger Marshall moved to approve Option F for Canada goose season dates before the Commission. Commissioner Gary Hayzlett second. Amended to accept bag limit of six.**

**The roll call vote on late migratory seasons as recommended was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 late migratory seasons passed 6-0.**

White fronted geese – Ryan Warden – Who sets limits on those? Bidrowski – Central Flyway Council, we make recommendations to USFWS, similar process and once frameworks are set start on state process. Limit is two if shorter season. Warden – Significantly higher numbers statewide? Bidrowski – When show up, see within five days, Wichita to Great Bend is primary range. Warden – Commonly occur in January? Bidrowski – Took some days off in December and put in January. Warden – More or less common to see them?

**Commissioner Gary Hayzlett moved to approve Option H for white front goose season dates before the Commission. Commissioner Randy Doll second.**

**The roll call vote on late migratory seasons as recommended was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 late migratory seasons passed 6-0.**

Youth – Week before other general seasons.

**Commissioner Roger Marshall moved to approve youth season as recommended.**

**Commissioner Randy Doll second.**

**The roll call vote on late migratory seasons as recommended was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 late migratory seasons passed 6-0.**

Falconry – All four recommendations in one...

**Commissioner Randy Doll moved to approve falconry seasons as recommended.  
Commissioner Gary Hayzlett second.**

**The roll call vote on late migratory seasons as recommended was as follows (Exhibit S):**

<b>Commissioner Budd</b>	<b>Yes</b>
<b>Commissioner Dill</b>	<b>Absent</b>
<b>Commissioner Doll</b>	<b>Yes</b>
<b>Commissioner Hayzlett</b>	<b>Yes</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 late migratory seasons passed 6-0.**

Tymeson – This will be handled differently next year. Bidrowski – Set out early spring after one year. Commissioner Rider – Talked to people who received survey and heard this was a good survey that addressed all of our desires.

## **XII. Old Business**

*None*

## **XIII. Other Business**

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

October 16, 2014 – Martinelli’s Restaurant meeting room, Salina  
January 8, 2015 – Bonner Springs Parks and Recreation, Sunflower Room  
March 26, 2015 – Topeka  
April 23, 2015 – GPNC, Wichita

Chairman Lauber - Appreciate participation at this meeting and feedback.

**XIV. ADJOURNMENT**

The meeting adjourned at 8:30 p.m.

(Exhibits and/or Transcript available upon request)